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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Report of the Commission on Human Rights in South Sudan*

Summary

In the present report, submitted pursuant to Human Rights Council resolution 55/1, the Commission on Human Rights in South Sudan provides an overview of the human rights situation in South Sudan in 2024 and other critical developments.

The leaders of South Sudan continued to delay and mismanage the political transition, fomenting violence, insecurity, displacement, repression and human rights, humanitarian and economic crises. Impunity fuelled widespread sexual violence, ethnic-based conflicts, extrajudicial killings and economic predation. To address the gross human rights violations, it remains urgent to resource institutions, including for the purposes of holistic transitional justice.

* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.



I. Mandate, membership and methodology

1. In 2016, by its resolution 31/20, the Human Rights Council established the Commission on Human Rights in South Sudan for a period of one year. The Commission's mandate has been extended annually since, most recently in its resolution 55/1 of 3 April 2024. The Council has requested the Commission to monitor and report on the situation of human rights in South Sudan, to make recommendations to prevent further deterioration of the situation and to provide guidance on transitional justice.
2. The Commission is further mandated to establish the facts and circumstances of, to collect and preserve evidence of and to clarify responsibility for alleged violations and abuses of human rights and related crimes, including sexual and gender-based violence, with a view to ending impunity and providing accountability. Such information is to be made available to the transitional justice mechanisms for South Sudan
3. The current members of the Commission, appointed by the President of the Council, are Yasmin Sooka (Chair), Barney Afako and Carlos Castresana Fernández. They are supported by a secretariat based in Juba.
4. In 2024, the Commission conducted missions within South Sudan, meeting with victims and survivors, witnesses, internally displaced persons, government officials, justice sector actors, members of civil society and the media and other stakeholders. It collected witness statements, conducted meetings, organized focus-group discussions and gathered records and evidence, which are preserved in the Commission's confidential archives. Guided by the principles of confidentiality and the "do no harm" principle, the Commission has omitted identifying information for witnesses and sources in the present report, using a coding system to reflect sources in the footnotes.
5. The Commission has adopted a "reasonable grounds to believe" standard of proof in its reporting and has conducted its work, including the identification of alleged crimes, on the basis of international human rights law, international humanitarian law and the domestic law of South Sudan, including relevant criminal law. Evidence is collected and preserved to a standard that would support future accountability mechanisms.
6. The report is focused on incidents, events and developments that occurred from January to December 2024 that illustrate trends and patterns in the past and current human rights situation. An advance draft was provided to the Government to respond to the findings.
7. The Commission thanks the Government of South Sudan for the cooperation extended to the Commission and its secretariat and expresses its appreciation for the logistical support and assistance provided by the United Nations Mission in South Sudan (UNMISS). The Commission also thanks all those who shared their experiences, expertise or analysis, particularly witnesses, without whom the Commission's work would be neither possible nor meaningful.

II. Political, security and legal developments

8. The unaccountable leaders of South Sudan continued to mismanage the country's political transition, economy and governance, including delaying peacemaking, the establishment of a permanent constitution, the development of inclusive security arrangements and the organization of elections. Locked in contestation based largely on elite interests and predation, the leaders fuelled violence and failed to protect citizens, even as the crisis in the Sudan aggravated the economic, security and humanitarian challenges. In September 2024, the parties extended the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan by another two years, highlighting the failures to implement peace commitments, human rights protection and democratization.¹ Although they cited "severe funding constraints" to justify the delays and further postponement of

¹ See <https://www.ohchr.org/en/press-releases/2024/09/south-sudan-extension-transitional-government-will-compound-dire-human>.

elections, during the two-year extension from August 2022, government revenues reached almost \$3.5 billion, mainly from oil exports.²

9. Institutional, legal and logistical preparations for constitution-making, security arrangements, transitional justice and national elections stalled amid the plunder and diversion of resources. Nonetheless, the Sudan People's Liberation Movement in Government (SPLM-IG) continued to campaign, while the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) remained unregistered. Furthermore, on 28 March 2024, the Political Parties Council imposed a \$75,000 fee for political party registration, which the Minister of Justice and Constitutional Affairs declared unlawful on 20 May 2024.

10. Considerable swaths of the country remain divided, under either the control of SPLM-IG or SPLM/A-IO, with direct clashes between forces reported in Western Equatoria and Unity States. By mid-October 2024, only 7 per cent of the planned Necessary Unified Forces had reportedly been deployed.³ The new national army, to be drawn from parties to the Revitalized Agreement, has largely excluded opposition forces.⁴ Further defections were reported throughout 2024, mostly from SPLM/A-IO to SPLM-IG.⁵

11. The multiplicity of armed forces and outlier groups continued to foment violence, including in Tambura, Western Equatoria State. In Upper Nile State, South Sudan People's Defence Forces clashed with armed civilians, with indiscriminate heavy munitions fire used in populated areas of Nasir.⁶ At least 16,500 residents were reportedly displaced.⁷ In April and October 2024, ceasefire monitors called for a Necessary Unified Forces deployment, as soldiers not rotated for years lacked effective command and control. In November 2024, the Governor of Upper Nile State warned of a deadlock and further violence.⁸ In Central Equatoria State, civilians were trapped between military operations of the South Sudan People's Defence Forces and affiliates of the National Salvation Front (NAS),⁹ a non-signatory to the Revitalized Agreement; NAS has further fragmented under different commands. On 9 October 2024, numerous civilians were killed in associated clashes in Wonduruba.¹⁰

12. Violence in parts of Unity and Warrap States affected the Abyei Administrative Area – whose final status remains unresolved – with deadly attacks and retaliations continuing, involving the Ngok Dinka, Dinka Twic and Bul Nuer communities.¹¹ Throughout 2024 in Jonglei State, armed Murle from the Greater Pibor Administrative Area continued to abduct and attack civilians.¹² By mid-December, mobilization by Dinka and Nuer armed civilians were foreshadowing further attacks.¹³ Impunity, ethnic-based grievances and ineffectual government interventions aggravated cattle-raiding and associated human rights abuses, including abductions of women and children.¹⁴

13. The recurrent rotation of ministers, governors and senior government and military officials by presidential decree continued, with changes rarely explained to the population.

² Analysis of government data.

³ R7349927. See also <https://jmecsouthsudan.org/index.php/reports/rjmec-quarterly-reports/254-rjmec-quarterly-report-on-the-status-of-implementation-of-the-r-arcss-from-1st-july-to-30th-september-2024>; S/2024/572, para. 11; and S/2024/776, para. 8.

⁴ S/2024/188, para. 5; and S/2024/572, para. 11.

⁵ S/2024/188, para. 19.

⁶ Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, report No. 2024/12.

⁷ See <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-october-2024>.

⁸ See <https://www.radiotamazuj.org/en/news/article/ssdpf-civilians-in-nasir-reached-deadlock-says-governor>.

⁹ "NAS" is the name derived from Arabic by which the group is known, not an acronym.

¹⁰ S/2024/776, para. 26; and S/2024/855, para. 30.

¹¹ A/HRC/55/26, para. 37.

¹² R5800816, R6215667 and R3606062.

¹³ See <https://unmiss.unmissions.org/unmiss-calls-concerted-efforts-prevent-widespread-violence-jonglei-greater-pibor>.

¹⁴ A/HRC/55/26, paras. 28–33 and 44–51.

On 2 October 2024, President Salva Kiir dismissed and placed under house arrest Akol Koor Kuc, the former Director General of the National Security Service, who had overseen its emergence as one of the most powerful institutions in South Sudan and its most repressive.¹⁵ On 21 November 2024, a heavy shootout at his Juba residence prompted fears of wider violence. That was followed by the removal of the Chief of Defence Forces on 9 December 2024.

14. The Tumaini Initiative, led by Kenya, was launched in Nairobi in May 2024, to mediate political and armed conflicts between the parties within and outside of the Revitalized Agreement. On 15 July 2024, negotiators adopted nine protocols, which SPLM-IO declined to endorse, declaring that the protocols contradicted the Revitalized Agreement. A new government delegation resumed negotiations in Nairobi on 4 December 2024 but talks were further adjourned to January 2025 amid disagreements over the relationship between the Tumaini outcomes and the Revitalized Agreement, including oversight mechanisms.¹⁶ In August 2024, the Community of Sant'Egidio hosted a meeting in Rome of government representatives and opposition groups outside of the Tumaini Initiative,¹⁷ including Thomas Cirillo of NAS.

15. The ongoing conflict in the Sudan disrupted the economic activity and oil exports of South Sudan. The main pipeline was shut down in February 2024 and remained offline in December 2024, drastically reducing oil revenue. Over 901,000 people, mostly South Sudanese, have fled from the Sudan into South Sudan,¹⁸ while multiple armed actors have increased insecurity along the border.

16. Following its accession on 5 February 2024 to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, South Sudan acceded, on 4 November 2024, to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Amendments to the 2014 National Security Service Act, enacted in early August 2024, preserve the Service's unwarranted arrest and detention powers, violating treaty obligations and repressing civic and political space.¹⁹ An August 2024 bill to amend the 2016 Non-Governmental Organizations Act failed to remove the harsh criminal penalties, broadly defined offences and ambiguities that contribute to selective and arbitrary application and would not protect freedom of association.²⁰

17. On 11 November 2024, two long-awaited transitional justice laws were enacted to establish the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority.²¹ No such legislation has been initiated, however, for the Hybrid Court for South Sudan, in violation of the Revitalized Agreement. On 23 October 2024, the independent Judicial Reform Committee presented its findings and recommendations for judicial and other justice reforms.

18. Unless the leaders of South Sudan radically reorient their priorities, the latest extension of the Revitalized Agreement will further impede the transition, deepen impunity

¹⁵ See

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf, para. 37. The presidential guard head was replaced at around that time.

¹⁶ See <https://www.ohchr.org/en/press-releases/2024/12/un-commission-human-rights-south-sudan-launches-critical-visit-nairobi-amid>.

¹⁷ See <https://www.santegidio.org/pageID/30284/langID/en/itemID/58284/-Continuing-on-the-path-of-dialogue-for-peace-in-South-Sudan-Government-and-armed-opposition-groups-meet-at-Sant-Egidio.html>.

¹⁸ See <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-needs-and-response-plan-2025-december-2024>.

¹⁹ See <https://www.ohchr.org/en/press-releases/2024/07/south-sudan-president-should-return-proposed-security-law-amendments>.

²⁰ See

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf, para.120.

²¹ See <https://www.ohchr.org/en/press-releases/2024/11/south-sudan-support-transitional-justice-processes-critical-building>.

and exacerbate violence, predation and ethnic division, with grave consequences for the human rights of the people of South Sudan.

III. Emblematic situations

A. Tambura, Western Equatoria State

19. Conflict escalated once again in Tambura County in 2024, with devastating consequences, including conflict-related sexual violence, killings, abductions, grave violations against children, arson and displacement, repeating patterns of violations and abuses reported in 2021, when SPLM-IG and SPLM/A-IO political elites instigated armed attacks on Azande and Balanda civilians.²² The tension and violent competition among Tambura's Azande and Balanda leaders reflect local and national political dynamics.²³

20. The Tambura area is overrun by armed forces operating under diverse chains of command, many aligned with partisan political leaders and cooperating with local militias. Arms trafficking has continued unabated alongside ongoing mobilizations of armed forces and groups, including forced recruitments, further enabling violence. Previous reporting of the Commission detailed political conflict between SPLM-IG and SPLM/A-IO leaders at the local, state and national levels escalating since the reformation of Western Equatoria State in 2020, leading to mass political violence perpetrated along ethnic lines in 2021.²⁴ Although conflict had subsided in 2021 after the Joint Defence Board's intervention, those conflict drivers remained unaddressed and the insecurity, divisions and trauma persisted, with residents fearing further violations along ethnic lines.²⁵ In 2024, mass violence played out again in horrific violations perpetrated along ethnic lines, implicating SPLM-IG members who are Azande and SPLM/A-IO members aligned with Balanda leaders.

21. Impunity has enabled conflict to continue in Tambura. There has been no accountability for the 2021 violence and key protagonists remain in office. Key political positions in Tambura are held by Azande, while Balanda hold a minority. Instead of cooperating to address the impacts and risks of conflict, key leaders from Western Equatoria State have prioritized political contestation.²⁶ A planned peace conference in Tambura supported by the South Sudan Council of Churches has been deferred repeatedly, including by the County Commissioner in March 2024.²⁷ The resurgence of conflict and its human rights impacts reflect the consequences of zero-sum strategies in the politics of South Sudan, in which the interests of local and national elites align and in which they collude with each other, manipulating identity and ethnicity, deepening societal grievances and divisions and embedding the environment for further violations.

22. Tension and fear of violence divided mixed communities, as illustrated by a Balanda woman who was ostracized by her Zande husband's family and told to return only when the conflict had ended.²⁸ Following the 14 March 2024 postponement of a peace conference, a bodyguard of the Governor was killed in an ambush on 22 March 2024.²⁹ Scores of residents

²² [A/HRC/49/78](#), paras. 65–76; see also

https://unmiss.unmissions.org/sites/default/files/attacks_on_civilians_carried_out_by_splm-io_and_pro-james_nando_armed_elements_in_tambura_county.pdf.

²³ R3717532 and R7972660.

²⁴ [A/HRC/49/78](#), paras. 63–76; see also https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx, paras. 108–112.

²⁵ [A/HRC/52/26](#), paras. 82–86.

²⁶ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 197–204; <https://www.radiotamazuj.org/en/news/article/governor-futuyo-asks-kiir-to-fire-tnla-speaker-kumba-alleges-she-has-a-rebel-group>; and <https://www.sudanspost.com/tnla-speaker-denies-fueling-intercommunal-violence-in-tambura-county>.

²⁷ R127004.

²⁸ R1126158.

²⁹ R7846512 and R8330410. See also <https://www.eyeradio.org/governor-futuyos-bodyguard-killed-in-road-ambush-in-tambura>.

fled to displacement sites. By 24 March 2024, a contingent of government soldiers based in Maridi had deployed to Tambura Town.

23. Throughout April 2024, Azande and Balanda-aligned militias attacked civilians in areas around Tambura, meting out extreme violence and looting and burning down homes.³⁰ Testimonies of Azande, Balanda and mixed-descent residents detailed perpetrators operating in small groups armed with firearms, machetes and sticks. Many were dressed in black, some wore uniforms and most concealed their faces with black fabric.³¹ Some survivors believed that the masked perpetrators were from local communities and knew their victims.³²

24. A series of partisan killings, including the unexplained disappearance on 27 April 2024 of a Zande priest and his driver,³³ inflamed the tension and violence, accompanied by further attacks on villages,³⁴ all of which provoked further displacements. By late April 2024, approximately 13,000 people had sought protection around the Tambura base of UNMISS, which increased its forces and patrols in the town.³⁵

25. Illustrating the brutal violence, a Zande man was beaten and his throat slit as his wife watched in hiding.³⁶ A Balanda woman said that she presumed that her uncle had been killed, after last seeing him carrying loot at gunpoint.³⁷ Most of those killed or disappeared were men.³⁸

26. Women and girls suffered abductions and appalling sexual violence during the attacks and when they returned home to gather food and essentials for their displaced families.³⁹ The Commission documented multiple rapes perpetrated along ethnic lines. A Balanda victim was told by her rapist to tell her community about the damage he had done.⁴⁰ Another woman, who had survived a gang rape, said that she had been called an animal for being Zande.⁴¹ None of the survivors interviewed had received adequate healthcare; most had not reported the crimes, given shame and stigma.⁴²

27. Children were subjected to human rights abuses and violations by militias and armed forces. By February 2024, Balanda militia aligned with SPLM/A-IO were abducting children in the Tambura area.⁴³ Abducted Balanda boys were forcibly integrated into militias to be used in attacks.⁴⁴ At SPLM/A-IO military sites, Azande, Balanda and mixed-descent children were trained for combat or tasked with chores. Some died or became disabled from beatings. Girls were subjected to rape, sexual slavery and other sexual violence.⁴⁵ The Commission also gathered further information on the use of children by the South Sudan People's Defence Forces.⁴⁶

³⁰ R7381341, R1408174, R4726294, R8763574 and R8114320.

³¹ R4361825, R9657578, R8843012, R1506131, R9546009, R4276168, R5723815 and R7904004.

³² R1481540, R6332124 and R5218300.

³³ R3683488, R6604270, R6830390, R3374136 and R3514078.

³⁴ R8468214, R8421419, R6302467, R9874838, R9198678, R3041794 and R7256039.

³⁵ See <https://reliefweb.int/report/south-sudan/unmiss-responds-rapidly-protect-civilians-and-restore-calm-amidst-fresh-outbreaks-intercommunal-violence>.

³⁶ R9820029.

³⁷ R3195382.

³⁸ R5804857, R1957327, R9994731, R7085583, R1141335, R6176654, R1900470 and R1927203.

³⁹ R8189959, R3560322, R1410842, R3661955 and R4438096.

⁴⁰ R3708734.

⁴¹ R9537139.

⁴² R9818464, R4612369, R3504519, R2443973, R2465394, R6819284, R4690658, R4714901, R7414574 and R3935855.

⁴³ R6698610, R2868050 and R2674121.

⁴⁴ R6250231.

⁴⁵ R1726431, R5121743, R9151568 and R3352314.

⁴⁶ R8066909, R4410122 and R3606985; see also

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 229–236; [A/HRC/55/26](#), para. 56; and [A/78/842-S/2024/384](#).

28. By 2 May 2024, more government forces had deployed to Tambura and carried out disarmament operations under a commander reporting to Juba.⁴⁷ Those operations involved South Sudan People's Defence Forces contingents from Division 6 in nearby Maridi, Necessary Unified Forces and members of the East African Force.⁴⁸ The initial disarmament was broadly welcomed, and coordinated militia attacks subsided. Concerns about firearms reappearing were common, however,⁴⁹ and shifting approaches accompanied the force rotations from May 2024, with arbitrary detentions, ill-treatment and deaths in military custody reported.⁵⁰ Balanda leaders reported increased harassment and targeting, which continued as of November 2024.⁵¹ Meanwhile, no arrests or charges had been initiated for crimes connected to the conflict.⁵²

29. More than 25,000 civilians were reportedly displaced in Tambura and neighbouring counties⁵³ into miserable conditions, without adequate food, water or services. From late May through December 2024, the authorities directed families to return home, sparking fears of forced returns.⁵⁴ Many refused, fearing more conflict.⁵⁵ By December 2024, the displaced population in the town had not changed significantly.

30. Despite the violence and significant risks of further escalation, peace initiatives faltered, with another dialogue proposed for October 2024 failing when Azande elites refused to participate. Relations between the Balanda Chief and the County Commissioner remained volatile, influenced by local, state and national political forces at work. In November 2024, both leaders reported having been shot at in separate incidents, heightening the tensions.⁵⁶

31. Individuals who organized and supported violence in Tambura during 2021 have not faced any consequences, with most continuing to hold their military and public offices, fomenting ethnic violence and undermining peace initiatives, while politically and ethnically aligned militias attacked civilians. Commanders of the South Sudan People's Defence Forces and SPLM/A-IO have continued to use children in their forces. Those individuals' actions warrant urgent investigation and accountability.⁵⁷

B. Extrajudicial killings in Warrap State

32. Numerous extrajudicial killings were recorded in South Sudan in 2024, with the Office of the United Nations High Commissioner for Human Rights reporting a rise in illegal executions by firing squads.⁵⁸ Presidential authorization is required to implement the death penalty, after avenues of appeal have been exhausted; firing squads are restricted to soldiers

⁴⁷ R9274393, R6685681 and R6648778. That day, the President relieved SPLM-IG Deputy Governor Kennedy Gaaniko; see <https://www.radiotamazuj.org/en/news/article/kiir-fires-c-equatoria-state-governor-w-equatoria-deputy-governor>; see also https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx, paras. 109–112.

⁴⁸ R4856107, R1881764, R6049360, R7250367, R9223458 and R8513354; see also <https://www.eac.int/eac-regional-force>.

⁴⁹ R1203662, R5890245 and R9245475.

⁵⁰ R4872350 and R7101529.

⁵¹ R5522085 and R5623637.

⁵² R5166820.

⁵³ See <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-may-2024>.

⁵⁴ R4181253 and R4643507; see also <https://www.eyeradio.org/some-tambura-idps-say-wont-go-home-cite-horror>.

⁵⁵ R3427584, R1500341, R3194606, R9811701, R1548246 and R4512623.

⁵⁶ R4284958; see <https://www.radiotamazuj.org/en/news/article/commissioner-survives-deadly-rpg-attack-on-tambura-home>.

⁵⁷ A/HRC/49/78, paras. 73–76.

⁵⁸ See <https://www.ohchr.org/en/statements/2024/07/south-sudan-rise-extrajudicial-executions>.

following a Supreme Court review.⁵⁹ Nevertheless, extrajudicial killings continue in a context of impunity and a flagrant disregard for the rule of law.⁶⁰

33. On 21 February 2024, soon after then-Governor Kuol Muor Muor had received security directives from the President,⁶¹ the Warrap State Conflicts Resolution and Sustainable Development Act (“Green Book”) was passed by state legislators and enacted by the Governor. It purported to authorize execution by firing squad for armed cattle theft and certain homicides, entrenching that unlawful practice and the associated human rights violations. The day of its enactment, the Governor promoted the executions carried out by security forces, mostly the South Sudan People’s Defence Forces.⁶² On 12 December 2023, at a conference in Juba, the Warrap State participants had adopted the Green Book under the patronage of Kuol Muor Muor, who had been appointed Governor two weeks earlier. Rin Tueny Mabor, who, as Governor of Lakes State since June 2021, is responsible for extrajudicial killings,⁶³ witnessed the adoption of the measures. Both men are senior military officers.

34. Since at least 2017, successive Warrap State governors have ordered extrajudicial killings.⁶⁴ In 2021, following a presidential directive to curb the severe and persistent intracommunal violence and cattle-rustling across Warrap State, then-Governor Ayieny Aleu oversaw a significant increase in extrajudicial killings.⁶⁵ Ensuing disarmament efforts have been one-sided, harmful and often unlawful,⁶⁶ failing dismally to stem the proliferation of weapons and, instead, exacerbating violence.⁶⁷ Weak or absent rule of law institutions have left communities vulnerable to extreme violence and fostered deep fear and insecurity, contributing to support for the measures set out in the Green Book as a quick fix for insecurity.

35. Victims, including children, have been executed for minor or spurious offences.⁶⁸ Many killings appear to have been concealed and enforced disappearances have been reported, suggesting that the number of victims may exceed those reported.⁶⁹

36. Cases documented by the Commission include seven male civilians found dead around 6 May 2024 after being detained at the Angui military base on the outskirts of Kuajok, beside the State House of the Governor. Some had been accused of crimes set out in the Green Book; others were their relatives.⁷⁰ After some of the bodies had been taken to a hospital,⁷¹ all seven victims were unceremoniously buried, with families having to negotiate exhumations to enable dignified burials. The authorities attributed the deaths to asphyxiation during incarceration in an unventilated metal container.⁷² The Commission’s forensic photo analysis suggests that injuries cannot be excluded as a cause of death. On 7 May 2024, the Governor ordered the detention of the South Sudan People’s Defence Forces Brigade 4

⁵⁹ The Sudan People’s Liberation Army Act, 2009, sects. 85 and 89.

⁶⁰ [A/HRC/40/69](#), para. 32; see https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 116–159.

⁶¹ See https://www.facebook.com/permalink.php?story_fbid=pfbid024DRuFvfvuMJKcUgr1mBNP3TEH1nE4jJZNpTcrsrgNcGxF6u6XRLmeA2WRZZUyQtdl&id=100063788990682; and South Sudan Broadcasting Corporation (SBBC), 15 February 2024.

⁶² See https://www.facebook.com/permalink.php?story_fbid=pfbid02MzUykYmHUubRgjjU6R8QfF1egUg3SbmtkyqcwDwGTRbuhw7XEtUTtEfph1AZ9uB4l&id=100063788990682.

⁶³ [A/HRC/49/78](#), paras. 35–37.

⁶⁴ See <https://www.sudanspost.com/warrap-state-prosecutor-issues-arrest-warrant-for-ex-governor/>.

⁶⁵ [A/HRC/49/78](#), paras. 33–38; see <https://peacekeeping.un.org/en/unmiss-deeply-concerned-spate-of-extra-judicial-executions>.

⁶⁶ [A/HRC/49/78](#), para. 79; and [A/HRC/52/26](#), paras. 76–81.

⁶⁷ [A/HRC/46/53](#), paras. 41–43; [A/HRC/49/78](#), paras. 77–80; and [A/HRC/52/26](#), paras. 76–81.

⁶⁸ R5409052 and R2400967.

⁶⁹ R3315408, R5270132, R6658766 and R5878631.

⁷⁰ R2406719 and R9446906.

⁷¹ R6890494; see also <https://www.radiotamazuj.org/en/news/article/7-suffocated-to-death-in-kuajok-after-being-locked-in-containers-by-sspdf>.

⁷² [A/HRC/40/69](#), para. 32.

Commander and several soldiers and an investigation focused on the Commander.⁷³ On 30 May 2024, the investigation committee attributed the deaths to negligence, blaming a guard,⁷⁴ while failing to acknowledge other reported deaths under similar circumstances at Angui and other sites.⁷⁵ Compensation was promised to the victims' families, except for a victim who had been facing execution under Green Book measures; it is unclear if any were compensated.⁷⁶

37. The Angui military base continued to be used to detain civilians under the Green Book measures. Witnesses described detainees languishing in a hot, unventilated metal container, trapped in the stench of sweat and urine.⁷⁷

38. On 8 June 2024, Lual Ngong Thor was taken from a container at the Angui base⁷⁸ to a forested area, blindfolded and executed by soldiers.⁷⁹ A Dinka Kuac, he had been detained there with others following allegations of crimes against Dinka Aguok made by State Security Adviser Peter Matem Yak, who is Aguok, and the Gogrial West County Commissioner.⁸⁰ The Kuac are involved in a violent conflict with Aguok over land and grazing rights, but efforts by Kuac chiefs to address the escalating violence have been disregarded by the authorities, including Mr. Matem Yak.⁸¹

39. Mr. Matem Yak had promised to keep Kuac community leaders informed of any investigation, before calling them to collect Mr. Ngong Thor's body.⁸² Soldiers refused, however, to allow the victim to be taken for burial at his ancestral home, citing contestation over the land.⁸³ Under duress, Mr. Ngong Thor's relatives buried him elsewhere.⁸⁴ Community anger was exacerbated by reported arson, looting and damage to the victim's property.⁸⁵ When Kuac chiefs petitioned the state legislature to act against 10 individuals,⁸⁶ the Governor dismissed them from their role as chiefs.⁸⁷ When the chiefs engaged a lawyer to sue the Governor, they were persecuted, with several chiefs having to flee to Juba in fear of their lives.⁸⁸ On 31 August 2024, the lawyer reported receiving death threats for representing the chiefs;⁸⁹ another lawyer, who had challenged the legality of the Green Book on behalf of Twic Dinka, had also been threatened with Green Book processes.⁹⁰

40. Justice sector actors in Warrap State recognize that the Green Book constitutes an unlawful system of arrests, detentions, enforced disappearances and executions overseen by the state executive and primarily implemented by the military. Faced with demands and threats to comply with that parallel system, criminal justice officials are apprehensive that

⁷³ Document on file; see also <https://www.eyeradio.org/six-officers-arrested-in-kuajok-tragic-civilians-detention>.

⁷⁴ See

https://www.facebook.com/permalink.php/?story_fbid=955269619942662&id=100063788990682.

⁷⁵ R5554786, R4514243 and R1966377. See also <https://www.radiotamazuj.org/en/news/article/7-suffocated-to-death-in-kuajok-after-being-locked-in-containers-by-sspdf>.

⁷⁶ R8055957 and R5136767.

⁷⁷ R8494571, R7783192 and R6364850.

⁷⁸ R1168825, R2893317, R1665579 and R1949073.

⁷⁹ R5831146, R3985249, R2154248 and R1002170.

⁸⁰ R6913494, R5896125 and R8446706.

⁸¹ R1737042 and R2727302.

⁸² R7110220 and R5087870.

⁸³ R7339561, R4213208 and R2349829.

⁸⁴ R9359073, R5771912 and R1806772.

⁸⁵ R9359073, R5771912 and R1806772.

⁸⁶ Document on file.

⁸⁷ R7819563 and R4616578. Documents on file.

⁸⁸ R5156869, R5429490, R2868645 and R3967623.

⁸⁹ See

https://www.facebook.com/permalink.php?story_fbid=pfbid0375DAKb6kaN9B5phkETsrnfDsK4m62rsm6GvMypX3BTxNQARiQ6gU9KR73FE1K2sl&id=100078432117985.

⁹⁰ See

https://www.facebook.com/permalink.php?story_fbid=pfbid04Tjh1EANGr1n3cZUdkjgSHLe2v1enDgTZLa36FbYbp7GzVQ4d2xqXWu3zAP5t8JYl&id=100063788990682.

authorizing warrants, convening special courts or releasing detainees may lead to the execution of the accused.⁹¹

41. On 23 August 2024, the Minister of Justice and Constitutional Affairs wrote to then-Governor Kuol Muor Muor, requesting his response by 9 September 2024 to the allegations that Mr. Ngong Thor's killing and the Green Book law were unlawful.⁹² On 2 October 2024, the President reassigned Kuol Muor Muor to the National Security Service. By December 2024, the Minister had not yet published a legal opinion on the Green Book.

42. The new Warrap State Governor, Francis Marial Abur, a Lieutenant General, served as the State Security Adviser from July 2021 to May 2024 under three governors who oversaw extrajudicial killings. As Governor, he reaffirmed his support for the Green Book.⁹³

43. Many people interviewed by the Commission in Warrap State attributed the violations to the wrongful interpretation and implementation of the Green Book, citing its incorporation of a special courts procedure. While a popular demand to curb intracommunal violence exists, the resulting gross human rights violations are patently unlawful under the Transitional Constitution and international law, and holistic solutions to that festering problem are required.

44. By using the Green Book to deny justice and target one side in intracommunal conflicts, thereby obstructing the peaceful resolution of disputes, officials are fostering injustice and marginalization, which are likely to drive further conflict.⁹⁴

45. Victims' families are systematically denied information and access to proceedings and dignified burials, compounding the trauma of the violent killings. For dependants, the loss of breadwinners compounds vulnerabilities, impedes the fulfilment of basic needs and disrupts children's right to education and economic support.⁹⁵

46. Former Governor Kuol Muor Muor and State Security Adviser Matem Yak bear responsibility for extrajudicial killings committed during 2024. The national Government is responsible for gross violations of human rights and must end extrajudicial killings and revoke unlawful legislation that facilitates serious crimes under domestic and international law, which undermine the rule of law and damages the stability and fabric of society.

C. Arbitrary detentions by the National Security Service

47. The Commission has previously reported extensively on systematic human rights violations perpetrated by the National Security Service, including arbitrary arrests, prolonged unlawful detentions, torture, sexual violence, unlawful surveillance, censorship and attacks on journalists, members of civil society and government critics, as well as extraordinary renditions and extraterritorial operations perpetrated in neighbouring countries.⁹⁶

48. High-level commitments to reform the 2014 National Security Service Act, including abolishing the Service's arrest and detention powers, were not incorporated into the 2023 bill to amend the Act. Legislators passed that bill in a heated vote on 3 July 2024 in the presence of National Security Service leadership, who created a coercive environment in which critics of the bill faced intimidation and threats.⁹⁷ Multiple entities urged the President not to sign the bill into law, including the Commission in a letter identifying associated violations alongside international best practices for intelligence services. The President did not formally assent to the bill within 30 days, which, under the Transitional Constitution, enabled its

⁹¹ R1858861 and R6308132.

⁹² Document on file.

⁹³ See

https://www.facebook.com/permalink.php?story_fbid=pfbid02278bvLxNiRgxJ8ws62pGKayE8Cq84NzSNXJmbVSLSFxB1XVsGfsSnoMab6UHC8R1&id=100063788990682.

⁹⁴ R2528861, R9348548 and R1881368.

⁹⁵ R4994762 and R3456521.

⁹⁶ See

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf.

⁹⁷ R7062820, R3309660 and R1809069.

automatic passage into law. Although the amendments introduced an expressed prohibition on torture, the lack of sufficient oversight enables abuses, and a requirement to bring detainees before a judge within 24 hours is rarely followed.

49. Throughout 2024, numerous individuals were unlawfully detained and tortured by the National Security Service.⁹⁸ Lawyers told the Commission that courts remained reluctant to intervene, particularly for political prisoners, that they rarely had access to clients and were intimidated.⁹⁹ Judicial orders for releases were routinely disregarded.¹⁰⁰ Morris Mabior, who had been subjected to rendition from Nairobi in February 2023, was detained on spurious charges until early November 2024.¹⁰¹ He experienced serious illness and showed signs of torture during his 21-month detention.¹⁰² Members of the legislature, legal community and civil society highlighted the treatment of former Juba Mayor Kalisto Ladu as an example of repression.¹⁰³ Arrested at home on 30 March 2024, he was taken to the Service's "Blue House" owing to his activism on land-grabbing by the military.¹⁰⁴ Multiple court filings challenging his incommunicado detention were futile, instead attracting the surveillance and intimidation of his family.¹⁰⁵ He was released on 6 September 2024.¹⁰⁶ On 4 October 2023, Biar Ajak Marol, the head of Junubin Chronicles, disappeared.¹⁰⁷ While three of his colleagues, detained by the Service in January 2024, were released, as of mid-December 2024, Mr. Marol remained missing.

50. The National Security Service continued to detain and pursue individual protesters, and numerous activists have fled the country.¹⁰⁸ The arbitrary practices of closing civil society organization offices, unlawfully interfering with humanitarian workers and detaining relatives of government critics also persist.¹⁰⁹ A culture of impunity pervades the Service and personnel changes at the top are unlikely to produce accountability without serious security sector reform. The reassignment to the Service in October 2024 of the former Warrap State Governor, who is responsible for gross human rights violations, highlights the persistent presence of human rights abusers in the Service.¹¹⁰

51. Other entities, including the South Sudan People's Defence Forces, the National Police Service, non-State armed groups and local authorities, were also responsible for arbitrary detentions and associated violations in 2024, without accountability.¹¹¹

⁹⁸ R1278555, R3904458 and R8111159.

⁹⁹ R3675322 and R3117540; see also <https://www.radiotamazuj.org/en/news/article/defense-lawyer-intimidated-over-kalistos-case-at-regional-court>.

¹⁰⁰ R5324272 and R3291417.

¹⁰¹ R4065459. See also

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf, paras. 164–170; <https://www.radiotamazuj.org/en/news/article/justice-ministry-quashes-defamation-suit-against-activist-morris-mabior>; <https://www.eyeradio.org/high-court-grants-bail-to-detained-morris-mabior>; and <https://www.sudanpost.com/south-sudan-spy-agency-releases-govt-critic-morris-mabior-months-after-court-bail>.

¹⁰² R1404404 and R5341852.

¹⁰³ R2854154, R8780810, R6297657 and R7794174.

¹⁰⁴ R9350947, R3979152, R5886470 and R1726222.

¹⁰⁵ R6709347.

¹⁰⁶ See <https://www.radiotamazuj.org/en/news/article/former-juba-mayor-kalisto-released-from-detention>.

¹⁰⁷ R4690330 and R9643805; see also <https://www.eyeradio.org/months-after-activist-ajak-went-missing-mother-pleads-for-answers>.

¹⁰⁸ R2031609 and R9311006; see also

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf.

¹⁰⁹ R6581886, R4129537 and R2343211.

¹¹⁰ R5319804.

¹¹¹ R2974681, R9943581, R2173784, R1259972 and R4108524; see also

<https://www.ohchr.org/sites/default/files/documents/countries/south-sudan/2024-12-18-report-unmiss-ohchr-arbitrary-detention.pdf>.

IV. Humanitarian crisis

52. The humanitarian situation in South Sudan constitutes a major human rights crisis, with more than half the population facing acute food insecurity, projected to be at crisis levels or worse by mid-2025 in 76 of the 79 counties.¹¹² Extreme currency depreciation has increased the already high prices of food and basic commodities. In 2024, the number of internally displaced persons stood 2 million, with 2.28 million South Sudanese refugees in neighbouring countries.¹¹³ South Sudan itself hosts around 500,000 refugees.¹¹⁴ New and protracted displacements of vulnerable populations are being driven by widespread violence and insecurity, alongside flooding and other environmental shocks linked to climate change; high rates of food insecurity and poor economic conditions compound humanitarian needs, while disease outbreaks reflect dire displacement conditions.¹¹⁵ The Revitalized Agreement commitment to establish a special reconstruction fund to support returns remains unimplemented.¹¹⁶

53. South Sudan remains extremely dangerous for aid workers, with 198 violent incidents reported from January to November 2024.¹¹⁷ Violence, threats and attacks by multiple armed forces and groups, including the South Sudan People's Defence Forces, have led to forced operational pauses by numerous organizations providing medical and other vital services.¹¹⁸ In the Equatoria States alone, humanitarian staff and contractors were captured in multiple road ambushes and held hostage for ransom, including by armed men affiliated with NAS.¹¹⁹ Fear of retaliation restricts the reporting of attacks, which risks incentivizing ransoms. Non-governmental organizations lack coordinated safety and security services, making their staff particularly vulnerable.¹²⁰ Humanitarians reported increased harassment and asset seizures by local authorities during 2024.¹²¹

54. Persistent illegal taxation, combined with other forms of predation and bureaucratic obstacles, severely disrupted aid operations. They included the unlawful extension of a fuel import levy imposed on 22 April 2024 on tax-exempt humanitarian organizations and other entities. They refused to comply and the resulting fuel shortages forced the suspension of World Food Programme aid airdrops to remote communities for nearly six weeks.¹²² Although the directive was eventually reversed, humanitarian organizations remain concerned about the potential for similar scenarios.¹²³ Notably, under the e-petroleum

¹¹² See <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1158829/?iso3=SSD>.

¹¹³ See <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-october-2024>.

¹¹⁴ See <https://reliefweb.int/report/south-sudan/unhcr-south-sudan-factsheet-november-2024>.

¹¹⁵ See https://moh.gov.ss/fdownload.php?filename=20241029100500_Statement%20on%20the%20Declaration%20of%20Cholera%20outbreak%20in%20Renk%20County,%20Upper%20Nile%20State%2028%20October%202024.pdf; and <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-fund-allocates-8-million-support-cholera-response>.

¹¹⁶ A/HRC/55/26, paras. 58–63.

¹¹⁷ OCHA access snapshots from January to December 2024. Data indicate that nine aid workers were killed during that period; see <https://www.aidworkersecurity.org>. See also <https://www.thenewhumanitarian.org/analysis/2024/06/05/why-south-sudan-so-dangerous-local-aid-workers>.

¹¹⁸ See <https://www.facebook.com/MSFSouthSudan/posts/364888550001975>. See also Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, report No. 2024/12, pp. 7 and 8.

¹¹⁹ R5929016, R9306591, R5844217 and R4657791; see also <https://prezly.msf.org.uk/south-sudan-msf-suspends-medical-activities-in-yei-central-equatoria-state-following-attack-on-staff>; <https://www.radiotamazuj.org/en/news/article/one-injured-as-humanitarian-vehicle-is-ambushed-in-equatoria>; and <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-access-snapshot-november-2024>.

¹²⁰ R8625209.

¹²¹ R8436029, R7051848, R7497055 and R9970942; see also <https://docs.southsudanngoforum.org/coordination/ngo-forum-documents/ngo-forum-survey-report-incidents-affecting-ngo-assets>.

¹²² See <https://reliefweb.int/report/south-sudan/wfp-south-sudan-situation-report-327-30-september-2024>.

¹²³ R4058254, R5456901 and R4716710.

accreditation permit tax mechanism, first proposed in 2023, the majority of revenues are diverted to Crawford Capital Ltd., a private company.¹²⁴

55. Faced with resource shortfalls, humanitarians have criticized the status quo in which the population remains heavily dependent on international assistance while government resources are diverted elsewhere.¹²⁵ In the 2024–2025 national budget for ministries and spending entities, only 0.21 per cent of the total was allocated to key government humanitarian entities. Moreover, the use of the separate “humanitarian and emergency fund” remains unclear. With acute food insecurity expected to worsen, increased national allocations and timely international assistance are essential to prevent a larger catastrophe.¹²⁶

V. Rights of women

56. Conflict-related sexual violence and other serious violations against women and girls in South Sudan remain persistent, widespread and largely unaddressed. Rooted in subnational violence, the issues reflect systemic patriarchy, deeply entrenched discrimination and gendered power imbalances. Such dynamics perpetuate practices that undermine women’s equality and rights.

57. The Commission’s investigations into the conflict in Tambura found that sexual violence was widespread and targeted both Azande and Balanda women and girls. Many women and girls had experienced multiple violations, including abduction, sexual slavery and forced labour. Survivors reported having suffered multiple incidents of rape and gang rape by unidentified armed men, with the perpetrators frequently speaking a language different from their own. Perpetrators often attacked victims in isolated areas, dragging them into bushes, raping them and leaving them for dead. One survivor of gang rape said that she had fainted after being blindfolded and raped by four men, one after another.¹²⁷ Another rape survivor said that she had been taken to a military camp and forced to cook for soldiers, whose commander ordered them to choose which woman or girl they wanted to rape or take as their forced wife.¹²⁸ A survivor bearing physical scarring from her ordeal told the Commission that, after she had been raped by three men, one cut her deeply on the hand with a knife, after which she was held down while bleeding and raped by a fourth man, leading her to faint and lose her memory.¹²⁹ As of December 2024, reports of sexual violence continued to emerge, confirming that Tambura remained a hotspot for conflict-related sexual violence. The responses from the authorities remain grossly inadequate, with no known accountability for the crimes. Victims and other witnesses told the Commission that decisive action must be taken to hold the perpetrators accountable.

58. Conflict-related sexual violence by members of the South Sudan People’s Defence Forces remains widespread in many areas with a significant presence of soldiers, such as Warrap State. Sexual violence perpetrated by soldiers and armed cattle keepers has been pervasive in counties including Tonj East, Tonj North and Twic, especially following deployments of soldiers. Instead of restoring peace, deployments have exacerbated violations, with victims as young as 13 years old reportedly raped. Soldiers, often unpaid, extort resources from civilians while abducting and sexually assaulting women and girls.¹³⁰ Intracommunal violence and extrajudicial killings in Warrap State have severe consequences for women, particularly when male relatives and breadwinners are killed, deepening the hardships for women left to grieve while struggling to support their families without justice. The lack of judicial accountability mechanisms fuels such crimes, with high levels of rape and child marriage reported. There is an urgent need to address the capacity gaps through the

¹²⁴ Government correspondence and contracts, on file.

¹²⁵ R7257536, R2611803, R4806264 and R5888593.

¹²⁶ See <https://www.wfp.org/news/wfp-calls-cash-frontload-south-sudan-operations-amid-warnings-rising-hunger>; and https://www.ipcinfo.org/ipc-country-analysis/en/?country_iso3=SS.

¹²⁷ R8331975.

¹²⁸ R5868222.

¹²⁹ R4847799.

¹³⁰ R5581613, R3050034 and R6572688.

training and deployment of judges and police to tackle conflict-related sexual and gender-based violence effectively.

59. The economic impacts of ongoing conflict have further marginalized women, stripping them of livelihood opportunities and pushing many towards risks of sexual exploitation and abuse as they seek to support their families. Survivors said that they were rarely able to gain access to services or report the violations to the authorities. The desperate need for healthcare and recovery from sexual violence is immense and increased in 2024 with the arrival of survivors fleeing conflict in the Sudan.¹³¹

60. Rapes and gang rapes are invariably accompanied by other bodily and psychological harms, such as severe beatings using the butts of guns and other sharp objects, cruel treatment of various body parts, threats of further harm, including death or harm to a loved one, and mental trauma and depression.¹³²

61. Most survivors interviewed by the Commission had not had access to adequate healthcare. Some had sought urgent care but received none, reporting having been sent away for lack of available health workers or medicines.¹³³ Others received grossly insufficient treatment, enduring irregular bleeding, traumas, untreated sexually transmitted infections and unwanted pregnancies.¹³⁴ The survivor of a gang rape during conflict, who arrived at a hospital visibly traumatized and injured, was advised to file a police report before receiving urgent treatment.¹³⁵ Most victims chose not to report rapes to health workers, fearing that reporting could lead to public stigma, abandonment, family shame and loss of dowry;¹³⁶ neither did they report the violations to the police due to fear of retaliation, shame, financial costs or a sense of futility.¹³⁷ In an area prone to conflict-related sexual violence, police told the Commission that such violence was not within their investigatory remit.¹³⁸ Victims who reported crimes experienced fear and hopelessness.¹³⁹

62. Women and girl survivors have described husbands being killed or disappeared during attacks, while, in some instances, husbands have abandoned their wives due to the shame and stigma of rape.¹⁴⁰ Mothers of children born from rape often face profound stigma and discrimination, which deeply affects their sense of self-worth and forces many into conditions of heightened precarity.¹⁴¹

63. Despite the plethora of laws and policies in South Sudan to combat gender-based violence and promote gender equality, they remain largely unimplemented. Women also continue to be underrepresented in political leadership, peace processes and the judiciary. Such exclusion from authority perpetuates their marginalization, devastates families and hinders national development. Government responses remain largely inadequate, limited to action plans and task forces, while perpetrators continue to enjoy impunity, with victims having no recourse to justice.¹⁴²

64. It has been more than 10 years since South Sudan signed a joint communiqué with the United Nations in 2014 to address conflict-related sexual violence.¹⁴³ A related action plan for the armed forces, introduced in 2021, was extended in February 2024. The South Sudan

¹³¹ R5408473 and R7127374.

¹³² R8979400, R4334638, R3722478, R3635801, R2352801 and R5768390.

¹³³ R3009355, R6260763, R4271128, R8883771, R5302127 and R2715700.

¹³⁴ R7156560, R7726742, R6525414 and R8039248.

¹³⁵ R2455693.

¹³⁶ R8270018 and R2823564.

¹³⁷ R9610861, R1592659, R1553700, R8138778, R4416442, R5172256, R2075896, R2039231 and R2563960; see also https://synergy-for-justice.cdn.prismic.io/synergy-for-justice/ZtmChrzzk9ZrXBko_SynergySouthSudan.pdf, p. 16.

¹³⁸ R1433070.

¹³⁹ R7433346, R5797201 and R6049083.

¹⁴⁰ R2950601, R5212050, R7717192, R7770797, R4590390; and A/HRC/34/63, para. 39; see also https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx, para. 158.

¹⁴¹ R9127889, R7714062, R1797035, R6711140, R7417251 and R1141141.

¹⁴² See https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx.

¹⁴³ See https://www.un.org/sexualviolenceinconflict/wp-content/uploads/Joint_Communique_South_Sudan_Oct_2014.pdf.

People's Defence Forces failed, however, to nominate representatives to the Joint Implementation Committee, leaving it inactive.¹⁴⁴ Beyond isolated military trials, there have been no substantial actions to address predatory sexual violence.¹⁴⁵

65. A bill to counter gender-based violence, drafted five years ago, has not advanced.¹⁴⁶ In addition, a contentious proposal to remove a provision from the draft bill that criminalizes marital rape would fundamentally undermine the purpose and effectiveness of the legislation, resulting in women's rights advocates emphasizing the need for laws that comprehensively protect against gender-based violence, including in marriage.¹⁴⁷ The bill must be prioritized, with the criminalization of marital rape intact, accompanied by the removal of section 247 (3) of the Penal Code, which excludes it from the definition of rape. Such legislative reforms, as well as customary law codification initiatives, must align with the principles of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).¹⁴⁸

66. The Ministry of Gender, Child and Social Welfare plays a critical role in addressing gender-based violence and coordinating services for survivors but is severely underresourced and lacks sufficient reach across communities.¹⁴⁹ On 3 April 2024, the Human Rights Council called for adequate resourcing of the Ministry, which, despite its huge role, was allocated only 0.11 per cent of the 2024–2025 national budget for ministries and spending entities, reflecting the Government's lack of commitment to addressing gender inequality and human rights abuses.¹⁵⁰

VI. Rights of children

67. The Commission documented ongoing grave violations against children in conflict, perpetrated by all parties, including both State and non-State actors. The most common violations were abductions and the recruitment and use of children by armed forces and groups. Such violations have severe and lasting impacts on children's lives, causing trauma, stigma, family separation, early child marriage, pregnancy and school dropout. While the Government is obligated under regional and international law to prevent such violations and uphold children's rights, enforcement remains a significant challenge. The Government cites limited resources as a barrier, while ongoing conflict, political instability and entrenched impunity further exacerbate the situation.

68. In 2024, Tambura witnessed militias aligned with SPLM/A-IO abducting boys and girls, many of whom were transferred to military sites.¹⁵¹ The children were subjected to abduction, recruitment, severe beatings, injuries, killings and forced military training. Girls endured sexual slavery and forced marriage, while boys were coerced into looting and combat.¹⁵² Some children were forced to witness the brutal killing of their family members and other heinous crimes.¹⁵³ One girl recounted witnessing her mother being slaughtered and a boy recalled seeing another boy beaten to death.¹⁵⁴ The South Sudan People's Defence Forces remain implicated in grave violations, including forced recruitment.

69. Such atrocities inflict profound trauma and long-term physical and mental impairments on children, compounding the devastating impacts of such violations.¹⁵⁵ A boy

¹⁴⁴ R4880299; and [S/2024/776](#), para. 74.

¹⁴⁵ R4617843; see also https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 336–362.

¹⁴⁶ See <https://www.eyeradio.org/minister-aya-benjamin-criticizes-delays-in-anti-gbv-bill>.

¹⁴⁷ R3477659, R9868365 and R8223286.

¹⁴⁸ Maputo Protocol, art. 4 (2) (a).

¹⁴⁹ R7264906 and R4758392.

¹⁵⁰ Human Rights Council resolution 55/1, para. 11.

¹⁵¹ R7610393, R3494515, R4209276 and R4901114.

¹⁵² R9504739, R2093949, R6813561 and R4130494; and [S/2024/384](#).

¹⁵³ R1939890 and R2668622.

¹⁵⁴ R1699162 and R4894835.

¹⁵⁵ R9633438, R5878263, R5449390, R9756700, R2960198, R4410921, R4562598, R3533530, R5530340 and R2248590.

released from government forces in late 2023 said that he had considered returning to the barracks due to a lack of alternative livelihoods.¹⁵⁶ Such situations underscore the inadequacy of reintegration efforts, as previously noted by the Commission,¹⁵⁷ which can push children towards gangs or back into the ranks of armed actors.¹⁵⁸

70. In 2024, in Central Equatoria State, NAS affiliates continued the abduction and forced recruitment of children.¹⁵⁹ Witnesses detailed being abducted with children who were forced to undergo military training; some remain in captivity.¹⁶⁰ Abductions of children, and of women, persisted in many parts of South Sudan, particularly in Eastern Equatoria and Jonglei States and the Greater Pibor Administrative Area,¹⁶¹ where drivers of violence remain unaddressed.¹⁶² While senior government officials from Jonglei and Greater Pibor informed the Commission of measures to release abductees, coordinated interventions and rule of law responses remain limited and perpetrators enjoy impunity.¹⁶³

71. Since 2016, the Commission has recorded the stories of women and girls who had suffered forced pregnancy from rape and carried children to term. Mothers and children told the Commission that the stigma of rape had caused their ostracization from families, discrimination in communities and bullying, with a profound impact on their self-esteem, dignity and options in life.¹⁶⁴ Without support networks, mothers endured trauma and depression while struggling to meet basic needs and pay school costs, undermining their children's right to education. Lamenting the lack of support, a mother said that the Government should be the father to children born of rape.¹⁶⁵

72. An estimated 2.6 million children are out of school.¹⁶⁶ A 2023 presidential directive on free schooling was not accompanied by funding,¹⁶⁷ and families told the Commission that they could not afford the cost of school,¹⁶⁸ while strikes and absences by unpaid teachers were reported throughout 2024.¹⁶⁹ Education in conflict areas has been further disrupted by displacements, trauma, closures or the military occupation of schools and the deaths of family members.¹⁷⁰ In Tambura, most children and parents interviewed said that conflict had ended children's education.¹⁷¹

73. A major barrier to girls' education is child marriage.¹⁷² One in two girls marries before the age of 18 years,¹⁷³ contributing to high rates of early pregnancy. Many girls are "booked" for a husband from birth in exchange for a dowry.¹⁷⁴ In 2024, a United Nations task force

¹⁵⁶ R5655302.

¹⁵⁷ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 226–243; and [A/HRC/55/26](#), para. 56.

¹⁵⁸ R9688280; see also https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 223–239; and [A/HRC/55/26](#), para. 56.

¹⁵⁹ R6017509, R9182837 and R6915307; [A/HRC/52/26](#), para. 90; and <https://unmiss.unmissions.org/unmiss-gravely-concerned-rising-abductions-greater-yei-calls-collective-action>.

¹⁶⁰ R4970031 and R7236950.

¹⁶¹ R1580420, R7804833 and R7304628; see also [A/HRC/55/26](#), paras. 44–51.

¹⁶² [A/HRC/55/26](#), paras. 28–33 and 44–51.

¹⁶³ R5473638 and R2398921.

¹⁶⁴ R3013637, R3935295, R8060397, R1452365, R5662143, R7813265 and R8206028.

¹⁶⁵ R3926849.

¹⁶⁶ See <https://unesdoc.unesco.org/ark:/48223/pf0000387120>, p. 17.

¹⁶⁷ [A/HRC/55/26](#), para. 54.

¹⁶⁸ R9754561, R8238404, R7073434, R9146163, R8882017 and R4749835.

¹⁶⁹ R2107745; see also <https://www.radiotamazuj.org/en/news/article/northern-bahr-el-ghazal-trashes-teachers-strike>; <https://www.eyeradio.org/thousands-of-pupils-sent-home-in-juba-as-schools-shut-over-salary-arrears>; and <https://www.radiotamazuj.org/en/news/article/unity-state-teachers-receive-one-month-salary>.

¹⁷⁰ R9587421, R8175675 and R7266565.

¹⁷¹ R4614441, R1146679, R2509865, R2478107, R5587480, R4654564, R1955203, R3485109, R6787421 and R8641899.

¹⁷² [A/HRC/55/26](#), para. 55.

¹⁷³ See https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx, paras. 27–34; and https://data.unicef.org/wp-content/uploads/cp/child-marriage/Child-marriage-profile_SSD.pdf.

¹⁷⁴ [A/HRC/55/26](#), para. 55.

confirmed that “child booking” remained widely practised across South Sudan.¹⁷⁵ The practice violates prohibitions on trafficking in children. The continuing incidence of child marriage and the inflation of “bride prices” paid in cattle or money remain concerning.¹⁷⁶

74. It is projected that, in 2025, acute malnourishment will afflict 2.1 million children in South Sudan.¹⁷⁷ Among other impacts, such malnourishment increases their susceptibility to preventable illness and death, including from diseases with growing prevalence due to climate change.¹⁷⁸

VII. Accountability and transitional justice

75. Cycles of conflict, violence and human rights violations, including sexual violence, arbitrary detentions, repression and extrajudicial killings, result from entrenched impunity enabled by the weakness or absence of formal justice institutions.¹⁷⁹ In its October 2024 report, the Judicial Reform Committee, established under the Revitalized Agreement, found that public trust in justice institutions had been eroded by a lack of political will and funding for reforms.¹⁸⁰ With only 35 per cent of the required number of judges nationwide,¹⁸¹ the Committee emphasized the need for a functionally and financially independent judiciary.

A. Justice institutions

76. All nascent justice institutions are in distress, lacking resources and independence. As a result, the right to justice is virtually non-existent for victims of crimes and their families and for defendants. Courts at all levels have been rendered ineffective and inefficient. The lack of appointed judges, high rates of absenteeism and unaddressed language barriers contribute to persistent adjournments and bottlenecks that deny access to timely justice, if any.¹⁸² Reports of political and military interference in proceedings range from cases of obstruction to death threats.¹⁸³ In addition, police, prosecutors and judicial officials are unpaid or underpaid and demoralized by the lack of resources and independence.¹⁸⁴ Lawyers have also complained of State interference, a lack of decent pay and the parlous state of justice institutions.

77. Corruption is rife. Victims cannot afford the additional payments demanded from investigations through to trials.¹⁸⁵ They and justice actors described a “bidding” system in which victims’ and defendants’ families paid police, prosecutors and judges to gain access to case files and influence outcomes.¹⁸⁶ The family of a rape victim described paying to facilitate every step of the case, from filing a report to locating the perpetrator, enabling an arrest, pursuing the investigation and holding the trial.¹⁸⁷

¹⁷⁵ See <https://reliefweb.int/report/south-sudan/national-task-force-protection-against-sexual-exploitation-and-abuse-advisory-note-handling-allegations-staff-members-and-affiliated-personnel-participating-child-booking-south-sudan>.

¹⁷⁶ R5481722, R2689976, R9069549 and R4355328; see also <https://www.theguardian.com/global-development/2024/sep/27/south-sudan-juba-dinka-child-marriage-athiak-dau-riak-customs-brideprice>.

¹⁷⁷ See https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_South_Sudan_Acute_Food_Insecurity_Malnutrition_Sept2024July2025_Snapshot.pdf.

¹⁷⁸ See <https://www.msf.org/msf-policy-brief-lancet-countdown-health-and-climate-change>; and <https://www.doctorswithoutborders.org/latest/photos-health-effects-climate-change-old-fangak>.

¹⁷⁹ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf.

¹⁸⁰ See Judicial Reform Committee, *Access to Justice: Judicial Reform in the Republic of South Sudan*, October 2024.

¹⁸¹ *Ibid.*, p. 24.

¹⁸² R3911993 and R7937494.

¹⁸³ R2962003, R5022939, R3124249 and R8905461.

¹⁸⁴ R6493895, R4369889, R4505516, R8745303, R6273441 and R9384034.

¹⁸⁵ R5654731, R3972707, R8816083, R3331548, R3335871, R2608241, R4122614 and R1022550.

¹⁸⁶ R7681078 and R8567983.

¹⁸⁷ R3507304.

78. Mistrust, shame and fear of reprisals further contribute to the limited number of prosecutions.¹⁸⁸ Advocates opined that rape cases were deprioritized or referred to customary courts, as such cases presented fewer opportunities for officials to solicit money.¹⁸⁹ Women's representation in justice institutions is low, even in courts receiving international support.¹⁹⁰ Only one of the 56 most senior judges in South Sudan is a woman.¹⁹¹

79. In prisons, overcrowding and the lack of basic amenities result in death and disease.¹⁹² Sexual violence appears to be prevalent. Many detainees languish for months or years in pretrial detention or after serving sentences owing to bureaucratic failings or the inability to pay for release.¹⁹³ For juveniles, the impacts are profound, including exposure to illness, infection and communicable diseases, alongside other effects on their mental and physical integrity.¹⁹⁴ Violations of fair trial rights illustrate the dysfunctionality of the criminal justice system.¹⁹⁵

80. Across the country, the extreme neglect of the justice system perpetuates the resort to arbitrary methods, including extrajudicial killings, and the use of illegal detention sites, including "ghost houses" in the capital Juba.¹⁹⁶ In Warrap State, as only one high court judge was assigned in 2024, the prosecution of most serious crimes remained unachievable.¹⁹⁷ Military courts continue to be used for rare trials involving crimes against civilians.¹⁹⁸ Budgetary analysis confirms that the justice system is woefully neglected, with the judiciary allocated just 1.46 per cent of the 2024–2025 national budget for ministries and spending entities, severely undermining the sustainability and effectiveness of important systems-strengthening efforts by international partners, such as through mobile courts.

B. Customary courts

81. Customary courts remain the main mechanism for the adjudication of disputes and offences with a "customary interface."¹⁹⁹ Although the customary courts should not be used for serious crimes, chiefs regularly preside over such cases.²⁰⁰ Outcomes and case proceedings are usually harmful and deeply discriminatory towards women and girls.²⁰¹ Given such concerns, it is critical to ensure that the practices of customary courts are reviewed and aligned with human rights standards.²⁰²

¹⁸⁸ R7326731, R4643781, R8304142, R7676026 and R4938975.

¹⁸⁹ R4695684, R4054376 and R1701825.

¹⁹⁰ A/78/742, para. 14.

¹⁹¹ Judicial Reform Committee, *Access to Justice*, p. 24.

¹⁹² R7394988, R3810592 and R8188961; see also <https://www.sudanspost.com/over-1600-inmates-awaiting-trials-at-juba-central-prison/>.

¹⁹³ R2365806, R6336921, R9606132, R3188330 and R9459740.

¹⁹⁴ R2028995.

¹⁹⁵ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 304–315.

¹⁹⁶ R9858279 and R6696782; see also

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/cohrsouthsudan/A_HRC_54_CRP.6_0.pdf, paras. 33–36 and 64; and <https://www.eyeradio.org/army-accused-of-taking-police-roles-operating-illegal-detention-facilities-and-courts-in-juba>.

¹⁹⁷ R6389707.

¹⁹⁸ A/HRC/52/26, para. 102; see also

https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 336–362.

¹⁹⁹ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, para. 363; A/HRC/55/26, para. 68;

<https://mojca.gov.ss/customary-court-system>; and Judicial Reform Committee, *Access to Justice*, pages 91–96.

²⁰⁰ R9123126, R6173784, R3206565 and R8741461.

²⁰¹ R1674553 and R4949437; and A/HRC/55/26, para. 40; see also

<https://www.radiotamazuj.org/en/news/article/we-still-use-girls-as-compensation-for-killings-otuhochief>.

²⁰² See https://www.ohchr.org/sites/default/files/2022-03/A_HRC_49_CRP.4.docx, paras. 191–195.

82. Initiatives to codify customary law received international support in 2024²⁰³ involving consultations and the documentation of customary law for formal adoption in several states.²⁰⁴ Codifications included the alignment of dowry and cattle prices among neighbouring communities, intended as a measure to address communal violence.²⁰⁵ Despite the significant impact of customs on their lives, women's participation in customary law codification remains limited,²⁰⁶ while codification risks embedding harmful practices and constraining future reforms. Any review of customary laws must be carried out in collaboration with women, including civil society organizations, to enable harmonization with human rights law, particularly the Convention on the Elimination of All Forms of Discrimination against Women.²⁰⁷

C. Investigation committees

83. None of the investigation committees established by the President in response to human rights violations have yielded effective accountability or redress. Two such committees were reportedly active in 2024: on extrajudicial killings in Warrap State and on conflict in Mayom, Unity State.²⁰⁸ As with a previous investigation into extrajudicial killings in Mayom in 2022, where the Commission identified several officials responsible for the violations,²⁰⁹ their work and findings were not made public.

84. Although in January 2023, an investigation committee had proposed separate trials for civilians and soldiers for violence in 2022 in Rualbet, Warrap State,²¹⁰ by late 2024, the proposed special court had not been formed, leaving some accused civilians detained for more than two years.²¹¹ Military trials had proceeded, with fair trial violations, while commanders again evaded prosecution.²¹²

D. Transitional justice

85. The persistence of conflict and gross human rights violations in 2024 further demonstrated the urgent need for comprehensive and holistic transitional justice to promote peace and national unity and consolidate a human rights culture through truth, recovery, reparations and accountability. While the Revitalized Agreement provides for three complementary transitional justice institutions, none has yet been established.

86. On 11 November 2024, following extended consultations, laws were enacted to establish the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority. The legislation largely reflects the outcome of the consultations, including the requirement for the parliament to vet the commissioners and the exclusion of amnesty for serious crimes. Nevertheless, it will be necessary to have a transparent selection process for the commissioners and for members of the Authority, sufficient resourcing, survivor-centred processes compliant with human rights standards and the meaningful participation of marginalized communities, including refugees. Furthermore, all violations, including conflict-related sexual violence, must be addressed.

²⁰³ R7839811, R3211109 and R4407455.

²⁰⁴ See SSBC TV, "IOM presents Customary Law Booklet to CES government," 19 August 2024; see also <https://southsudan.iom.int/news/iom-unmiss-support-customary-law-review-warrap-state>.

²⁰⁵ R4575192.

²⁰⁶ R5739158 and R3433232.

²⁰⁷ CEDAW/C/SSD/CO/1, para. 12.

²⁰⁸ R6230587; and government statement to Human Rights Council, 4 October 2024, available at <https://webtv.un.org/en/asset/k1g/k1gqk4d1ov> at 1:23:00.

²⁰⁹ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, paras. 108, 109, 149, 150 and 316–335.

²¹⁰ Ibid., para. 193.

²¹¹ R2887290 and R1708379.

²¹² R2887290 and R1708379; see also https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, para. 186.

87. Despite progress on the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority, the establishment of the Hybrid Court for South Sudan remains at an impasse, even though criminal accountability is an integral component of the transitional justice process as envisaged under the Revitalized Agreement. In mid-November 2024, the Commission engaged with the African Union, whose interlocutors acknowledged the need for enhanced coordination with the Government of South Sudan to establish all three transitional justice mechanisms.²¹³

VIII. Political economy

88. The Government's capacity to protect and fulfil the human rights of its people is impeded by the severe underfunding of State institutions, mainly due to the systematic diversion of resources by looting and corruption. The dire humanitarian crisis, the lack of basic services, dysfunctionality in justice and other key institutions and failure to implement core obligations of the Revitalized Agreement reflect predation and utter neglect.

89. Economic conditions deteriorated significantly throughout 2024. In December 2023, the Government resumed extensive monetary financing (printing money), triggering a currency depreciation of 110 per cent by March 2024. By November 2024, the currency's value had halved again, while the Bank of South Sudan delayed publishing monetary policy bulletins, further undermining transparency and obscuring insight into monetary financing practices.

90. In March 2024, the Bank of South Sudan reintroduced a gap between the parallel and official exchange rates, undoing one of the Government's most notable public financial management achievements.²¹⁴ The gap enables political elites and well-connected individuals to profit from the difference by having access to cheap hard currency, with the cost burden falling on those forced to trade at official rates. The Government's oil revenue is also reduced by the percentage lost to the exchange rate gap.²¹⁵ By December 2024, the South Sudan pound was worth less than 0.1 per cent of its value in 2011.²¹⁶ With drastically eroding purchasing power in an import-dependent country, citizens have faced severe hardships, struggling to afford basic necessities.

91. In February 2024, conflict in the Sudan led the main oil pipeline to be shut down,²¹⁷ affecting the production of Dar Blend crude oil in South Sudan and depriving the Government of between 60 and 65 per cent of its oil revenue: \$80 million monthly, at \$85 per barrel.²¹⁸ Already underfunded core services and institutions have been deprived of resources, with salary arrears for civil servants accumulating since September 2023.²¹⁹

92. Little oil wealth reaches the citizenry. In the 2022–2023 fiscal year, off-budget diversions left only one third of government oil entitlements for ministries and spending entities.²²⁰ Money allocated to the budget was diverted from services to centres of power, with the Ministry of Presidential Affairs overspending its 2023–2024 budget by more than 1,000 per cent.²²¹

93. With the main oil pipeline inactive, the 2024–2025 national budget faces a deficit exceeding 60 per cent. To address the shortfall, the Government has sought non-concessional, oil-backed loans, which would impose significant debt burdens on future generations.

²¹³ See <https://www.ohchr.org/en/press-releases/2024/11/south-sudan-support-transitional-justice-processes-critical-building>.

²¹⁴ See https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session52/A_HRC_52_CRP.3.pdf, para. 295.

²¹⁵ Ibid. and R9059016, R2002896, R6871390 and R9103004; see also <https://www.imf.org/en/Publications/CR/Issues/2024/06/10/Republic-of-South-Sudan-2023-Article-IV-Consultation-and-First-and-Second-Reviews-under-the-550191>.

²¹⁶ Analysis of government data.

²¹⁷ R3084369 and R9549149.

²¹⁸ Production data from the Ministry of Petroleum (February 2024 benchmark).

²¹⁹ R8615686 and R4970946.

²²⁰ Data from the Ministry of Petroleum and government budget data.

²²¹ Analysis of government budget data.

Restarting oil production will require substantial investment, while the conflict in the Sudan continues to pose risks to pipeline operations. With the lowest ratio of non-oil tax revenue to gross domestic product in sub-Saharan Africa,²²² South Sudan must prioritize investments in alternative sectors to ensure sustainable development and uphold the core human rights of its citizens.

94. The limited non-oil revenues of South Sudan are frequently diverted, undermining fiscal accountability. Each fiscal year since 2021–2022, the South Sudan Revenue Authority has increased the collection it withholds for its own operations.²²³ Concurrently, Crawford Capital Ltd., a politically connected private company, has monopolized the collection of “eTax” and “eGovernment services”, withholding a significant share of revenues.²²⁴ At the state government level, officials systematically divert personal income tax collections, further exacerbating revenue mismanagement.²²⁵

95. When re-extending the Revitalized Agreement, authorities pledged to adopt austerity measures and cut down on infrastructural projects.²²⁶ While the patently corrupt “Oil for Roads” mechanism was removed from the 2024–2025 national budget, a comparable un-itemized amount was allocated for “agricultural sectoral projects”, suggesting that diversions will continue.

IX. Conclusions

96. Thirteen years after gaining independence, South Sudan has yet to adopt a permanent constitution, establish effective State institutions, including for the rule of law, resolve its conflicts, address deepening divisions or hold its first elections. Denied basic rights and subjected to gross violations and serious crimes, millions of South Sudanese remain dependent on humanitarian assistance, with over 4 million displaced and too afraid to return home. Meanwhile, the country’s divided and predatory leadership has mismanaged the transition, allowing multiple political, security, social, economic and humanitarian crises to fester. The failures have stymied efforts to build a State and a political culture in which human rights are respected, protected and fulfilled and diversity is embraced.

97. Across South Sudan, impunity-driven cycles of violence continue to terrorize civilians and include horrific conflict-related sexual and gender-based violence against women and girls. Victims endure extreme brutality and are left without access to essential medical care, support services or recourse to justice. The plight of children born of rape and their mothers highlights the intergenerational consequences of sexual violence and cyclical conflict. Traumatized children face widespread malnutrition and lack access to education, resulting in profoundly detrimental effects that persist into adulthood and hinder national development.

98. A weak commitment to establishing a robust judiciary and other rule of law institutions has left the population vulnerable and perpetrators undeterred, free to act with impunity. In Tambura, impunity and other unresolved drivers of conflict have allowed officials and individuals previously involved in ethnic-based mobilizations to continue their divisive politics and undermine peacebuilding efforts. In Warrap State, extrajudicial killings embedded within state law have entrenched gross human rights violations and exacerbated intracommunal conflict. The preservation of the National Security Service’s powers of unwarranted arrest and detention has further institutionalized repression, increasing risks to civil society, the media and government critics. This further undermines the prospects for credible elections, constitution-making and transitional justice processes.

²²² See <https://www.imf.org/en/Publications/CR/Issues/2024/06/10/Republic-of-South-Sudan-2023-Article-IV-Consultation-and-First-and-Second-Reviews-under-the-550191>.

²²³ R5428056; and analysis of government data.

²²⁴ R7925561; and Government correspondence and contracts, on file.

²²⁵ R8514039, R4443123, R2759813, R3935414 and R4719097.

²²⁶ Extension endorsement, September 2024, art. 6.1.

99. Repression and the curtailment of civic and political space have no place in a democratic society or a credible transition. Ending corruption and the diversion of revenues is urgent and necessary for national recovery, reinvestment in social and humanitarian needs and the implementation of the Revitalized Agreement, including the effective rule of law, holistic transitional justice mechanisms and effective security arrangements for protection. There will be no peace without justice. The completion of a permanent constitution and the conduct of national elections in 2026 require political will, resources and a fundamental shift towards an inclusive political culture.

100. Without resetting national priorities and taking credible action to address violence, corruption, repression and impunity, the Revitalized Agreement's latest extension will fail to deliver stability or democratic transformation. The Tumaini Initiative offers a chance to engage political and armed groups by reaffirming such goals as accountable governance, transitional justice and respect for pluralism. Without such changes, the intolerable human rights situation will persist.

X. Recommendations

101. To the Government of South Sudan:

(a) Consolidate and conclude the political transition credibly and enable good governance:

(i) Implement the outstanding commitments of the Revitalized Agreement, including transitional justice, constitution-making, electoral processes, the deployment of the Necessary Unified Forces and the transparent management of the economy and finances;

(ii) Pursue peaceful resolutions with political and armed groups outside of the transition, aligned with its goals;

(b) Combat corruption and prioritize services:

(i) Eradicate entrenched corruption and revenue diversion and reallocate resources to essential services, particularly health and education;

(ii) Ensure the timely payment of government salaries and address arrears;

(c) End impunity and strengthen justice:

(i) Strengthen the national justice system, to uphold the rule of law and ensure effective access to justice for all through respect for the independence of judges, the impartiality of prosecutors, the efficiency and reliability of police and prison system officers and the responsibility and transparency of all public servants in the fulfilment of their duties;

(ii) Implement the recommendations of the Commission and the Judicial Reform Committee, foster criminal accountability and deter violence through peace initiatives, including in Tambura;

(iii) Ensure that customary justice mechanisms are aligned with human rights standards and obligations;

(d) Cease gross human rights violations:

(i) Abolish the death penalty and end extrajudicial killings across South Sudan;

(ii) Repeal the Warrap State Green Book law;

(iii) Hold the perpetrators of such crimes criminally accountable;

(e) Reform the National Security Service:

(i) Urgently revise the National Security Service Act to fully align with the Transitional Constitution, criminal law and the International Covenant on Civil and Political Rights;

- (ii) Immediately abolish the Service's powers of arrest and detention and subject the institution to strict judicial oversight;
 - (iii) Promptly release or transfer to police custody persons detained by the Service and publish a comprehensive list of detention sites and ensure their closure;
 - (iv) Cease all unlawful extraterritorial operations and hold those responsible accountable;
 - (f) Protect media freedom and civic space:
 - (i) Prohibit all forms of media censorship and end interference with legitimate civic and political activities;
 - (ii) Ensure full compliance with international treaty obligations and uphold the rights to free expression and peaceful assembly;
 - (g) Prioritize the rights of women, girls and boys:
 - (i) Enact a bill to counter gender-based violence and amend the Penal Code to prohibit all forms of rape, including marital rape, sufficiently resource investigative and judicial capacities to effectively prosecute offenders and take decisive action against forced and child marriage and sexual slavery;
 - (ii) End the abuse of and violations against children, particularly grave violations, for which immediate and coordinated efforts for rehabilitation and reintegration must be ensured;
 - (iii) Resource the Ministry of Gender, Child and Social Welfare to effectively address all forms of sexual violence and fully enable one-stop centres to provide comprehensive, holistic services to survivors;
 - (iv) Acknowledge children born of rape and their mothers and provide the support necessary to ensure their access to education, health services and other vital resources;
 - (h) Establish transitional justice mechanisms:
 - (i) Immediately establish the three mechanisms under the Revitalized Agreement, ensuring a holistic approach and an inclusive and transparent selection process for commissioners and victim-centred processes for the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority;
 - (ii) Initiate the establishment of the Hybrid Court through enhanced cooperation with the African Union to further full accountability for past crimes;
 - (i) Fulfil constitutional and international law obligations:
 - (i) Take urgent and practical steps to implement the State's obligations under the Transitional Constitution and international human rights treaties;
 - (ii) Ensure that policy commitments are matched by concrete budgetary allocations and disbursements and hold officials accountable for non-compliance.
102. To all armed forces and non-State armed groups:
- (a) Immediately cease all attacks on civilians, including predatory actions;
 - (b) End all human rights violations and abuses, including unlawful killings, sexual violence, arbitrary detentions, abductions, forced recruitment and the use of children in conflict;
 - (c) Release all children and support their reintegration;
 - (d) Hold all perpetrators of serious crimes fully accountable in line with international standards and ensure justice for victims;

(e) Pursue peaceful resolutions and settle grievances through diplomatic and non-violent means.

103. To the African Union and the Intergovernmental Authority on Development:

(a) Strengthen support for the transition and peace processes;

(b) Intensify efforts to establish a comprehensive transitional justice programme, reinvigorating engagement with the Government to establish the Hybrid Court and ensuring that it delivers on its commitments to sustainable peace and recovery;

(c) Combat money-laundering by taking immediate and robust action to address money-laundering originating in South Sudan to ensure that illicit financial flows no longer deprive the country of vital revenues and enforcing mechanisms, including international cooperation, for the effective recovery and repatriation of stolen assets;

(d) Prevent unlawful renditions and harassment by taking proactive measures to prevent such acts against South Sudanese citizens living in neighbouring States and ensure that all actors involved are held accountable.

104. To States Members of the United Nations and international partners:

(a) Demand concrete actions from political leaders:

(i) Insist that political leaders take immediate and tangible steps to credibly complete the political transition;

(ii) Ensure the protection and fulfilment of human rights and hold leaders accountable for the failure to do so;

(b) Prioritize humanitarian aid and accountability:

(i) Ensure timely and sufficient aid financing to prevent further humanitarian disaster;

(ii) Safeguard against any assistance that allows the Government to evade its human rights treaty obligations or perpetuate governance failures;

(c) Enable civic space and protect human rights defenders:

(i) Insist that the Government enable an environment that allows the full participation of citizens in the political, economic, social and cultural life of their societies;

(ii) Strengthen efforts to protect human rights defenders and individuals at risk of violations, holding all responsible actors accountable for any threats or attacks against them.

105. To the United Nations system:

(a) Provide urgent and responsive protection from violence for civilians alongside effective and impartial humanitarian assistance, with a focus on accountability for all parties involved;

(b) Continue and escalate support for the establishment of independent national justice systems, ensuring that they are capable of delivering justice and accountability;

(c) Maintain critical support to the Government for the full implementation of the Revitalized Agreement and its human rights obligations, holding the Government accountable for any failure to meet those commitments.
