

**Universal Periodic Review**

**Mid Term Report**

1. **Introduction**

* South Sudan submitted its National Universal Periodic Review Report (UPR) in November 2016 at the 26th Session of the Human Rights Council in Geneva, Switzerland and the recommendations made during the 26th Session were adopted in March 2017 at the 34th Session of the Human Rights Council. Out of the 233 recommendations, South Sudan accepted 203 recommendations and 30 recommendations were noted or did not enjoy its support.
* Recommendations, which never enjoyed South Sudan support, were either general; not mentioned specific sections of the national law recommended to be amended; the recommendation recommended for establishment of an institution which already existing.
* South Sudan would like to take this opportunity to update the UN Human Rights Council on its efforts exerted in implementing some of the accepted recommendations in form of this Interim Report.

1. **Background**

* After adoption of the UPR National Report in March 2017, South Sudan accepted 203 recommendations out of 233 recommendations. Thereafter, the government with support of International Partners formed the Inter-Ministerial Committee on the UPR in South Sudan, which invited civil society organizations to work together towards implementation of the accepted recommendations. The meeting between the government and the Civil Society Organizations led to the establishment of UPR Working Team co-chaired by the Ministry of Justice and Constitutional Affairs and Ministry of Foreign Affairs and International Cooperation and with support from United Nations Mission in South Sudan (UNMISS) Human Rights Division and Lutheran World Federation. Throughout 2018, the UPR Working Team commenced the drafting of an Implementation Matrix for the 203 accepted recommendations through a cluster approach to each of the recommendations. In February 2019, the UPR Implementation matrix was subsequently endorsed by the Ministry of Justice and Constitutional Affairs, recommendation its full implementation. The mandate of the UPR working Group is to co-ordinate implementation of the UPR recommendations, enhance adherence to UPR reporting guidelines and procedures for the South Sudan National UPR Report.
* At the request of the UPR Working Team, on 23 February 2019, International Partners trained members of the UPR Working Team on monitoring, information gathering, documentation and treaty reporting obligation, with a special focus on the UPR process.

**III Methodology**

* The information used in the preparation of this Report was provided by the Government Ministries and Institutions, Civil Society Organizations, the South Sudan Human Rights Commission, UNMISS, UNCT, INGOs and other international partners working in South Sudan.
* After completing states visits aimed at gathering information on the status of implementation of the UPR recommendations, the UPR Working Team invited key stakeholders, UNMISS, UNCT, Civil Society Organizations the South Sudan Human Rights Commission and the general public to provide further inputs into the draft UPR midterm report.
* On 28 – 29 May 2019, the draft UPR midterm report was reviewed by key stakeholder and partners, and subsequently validated.

1. **RATIFICATION OF INTERNATIONAL INSTRUMENTS**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.1***  ***128. 1***  ***128.2***  ***128.3***  ***128.4***  ***128.15***  ***128.18.***  ***128.19***  ***128.20***  ***128.22*** | ***Continue to consider becoming party to the remaining core human rights instruments*** | After the last UPR review, South Sudan acceded or ratified various regional and international instruments, among them are:   * the Protocol Relating to the Status of Refugees [acceded 10 Dec 2018]; * the African Convention for Protection and Assistance of Internally Displaced Persons in Africa [26/09/2018]; * the African Charter on Human and People’s Rights (Banjul Charter) [23/ October,2013]; and * Optional Protocol to the Convention of the Right of the Child on the involvement of children in armed conflict (OPAC) (2000) [accession September 2018].   Regional and international human rights instruments recently ratified or acceded to by the Transitional National Legislative Assembly but awaiting assent by the President of the Republic, among others, are:   * the International Covenant on Civil and Political Rights (ICCPR) and its first Optional Protocol; * the International Covenant on Economic, Social and Cultural Rights (ICESCR) and its first Optional Protocol; the African Charter on the Rights and Welfare of the Child ; * the Protocol of the African Charter on Human and Peoples’ Rights on the Rights of the Women in Africa; * International Convention on Persons with Disabilities and * The African Charter on the Rights and Welfare of the Child;   Other regional and international human rights instrument currently tabled before the Transitional National Legislative Assembly for ratification or accession are:   * the International Convention on Elimination of All Forms of Racial Discrimination; * the Convention on Cluster Munition; * the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapon and * the Paris Agreement on Climate Change.   The Transitional National Legislative Assembly (TNLA) with technical support from UNMISS facilitated consultations to inform the Members of the Transitional National Legislative Assembly about the contents of the ICCPR and the ICESCR in order to discuss and ratify it. In addition, public consultations to inform civil society and to gather their views, concerns and recommendations to further inform the TNLA were held. This included also information with regard to the ratification process for the ICCPR, the ICESCR and their First Optional Protocols.  Similar UNMISS support is being provided to the TNLA to participate in a consultative visit to Uganda as well as public consultations in-country in order to fast-track the proposed Penal Code Amendment Bill (2015) to incorporate prosecution of international crimes within South Sudan legal framework. |

1. **COMPLIANCE WITH TREATY BODIES REPORTING AND UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| **126.33**  **126.34**  **126.35**  **127.17**  **127.18**  **127.19** | ***Constructively engage to garner technical and financial support from United Nations agencies and wider international community.*** | The Government acceded on 23 January 2015 to the International Convention on the Rights of the Child (CRC) and its Optional Protocols; the Convention on Elimination on All Forms of Discrimination against Women (CEDAW); and the African Charter on Human and Peoples’ Rights. In October 2018 in the Republic of the Gambia, the Government made an interim update to the African Union Commission on the progress made on the implementation of the African Charter and the process for accession to the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa.  Recently, as part of its obligations, the Government drafted and validated the two initial national reports on the CRC and CEDAW for submission to the relevant Treaty Bodies. It is still pending official submission to the HRC.  The Government together with international partners is also working to prepare an initial national report on implementation of the International Convention on Elimination of All Forms of Inhuman, Cruel and Degrading Treatment. |

1. **COMPLIANCE WITH TREATY BODY REPORTING & CO-OPERATION WITH THE AFRICAN UNION AND THE UNITED NATIONS HUMAN RIGHTS SPECIAL PROCEDURES**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***127.12.***  ***127.13.***  ***127.14.***  ***127.15.***  ***127.16.***  ***127.17.***  ***127.18.***  ***127.19.*** | ***Extend standing***  ***invitation to various***  ***Human Rights***  ***Council mandate***  ***holders*** | South Sudan continues to co-operate and grant access to the African Union and various bodies of the United Nations Special Procedures.  The following United Nations and African Union Special Procedures have been granted unhindered access during their visit to South Sudan:   * The UN Commission of Human Rights in South Sudan * The UN Panel of Experts on South Sudan * The UN Special Advisor on the Prevention of Genocide * The UN Special Representative of the Secretary General on Children and Armed Conflict (SRSG-CAAC) * The UN Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG-SVC) * The African Union Peace and Security Council has been received in SS in May 2019.   The Government of South Sudan has received and approved a formal request of the African Commission on Human and People’s Rights to visit South Sudan. |

1. **NATIONAL POLICY & ACTION PLAN ON HUMAN RIGHTS**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***127.10.***  ***127.28.*** | ***Take necessary measures for the inclusion of human rights in educational Programmes and continue appropriate institutional work to build the rule of law and consolidate good governance*** | An important tool in the implementation of the recommendations is the South Sudan Human Rights Commission Strategic Plan on Human Rights and the Action Plan on Human Rights. The Plan outlines specific priority action areas and outcome indicators to measure progress in the realization of human rights. The Plan identifies various state actors and designates specific responsibilities for the realization of particular rights. The National will use the Plan and State governments to consciously mainstream human rights within the government’s planning processes. |

1. ***REVIEW OF NATIONAL LAWS, POLICIES & INSTITUTIONAL REFORMS (JUDICIAL, SECURITY SECTOR)***

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***Review of National Laws***  ***126.69***  ***128.26***  ***128.27***  ***128.28***  ***128.29***  ***128.31***  ***128.92***  ***Judicial reforms***  ***127.27***  ***127.29***  ***127.30***  ***126.64***  ***127.31***  ***127.32***  ***127.33***  ***127.35***  ***127.36***  ***127.38***  ***128.45***  ***128.61***  ***128.64***  ***128.65***  ***128.67***  ***128.68***  ***128.71***  ***128.72***  ***128.75*** | ***Review laws and policies to bring them in conformity with the human rights principles and International standards***  ***Judicial reforms***  ***and improved***  ***access to justice***  ***Safeguard the***  ***independence of***  ***the Judiciary and***  ***other justice sectors***  ***Enhance***  ***accountability and***  ***undertake security***  ***sector reforms*** | These reforms include training of officers and ranks in the International Human Rights Law, International Humanitarian Law and other domestic laws, Sexual Gender Based Violence (GBV) and child protection. The SSPDF at its 4th High Command Conference, ordered commanders to observe rules of engagement and distributed to them copies of the Constitution and the R-ARCSS. Another measure contributing to the improvement of human rights situation is the collection of firearms from civilians. The National Constitutional Amendment Committee and Government have finalized the review of key security laws including the review of the National Security Services Act, Police Service Act, Prison Service Act, Wild Life Act, Political Parties Act, SPLA Act 2009, the Judiciary Act and the Penal Code to include international crimes in the South Sudan’s legal framework.  Since the last UPR report of March 2017, several improvements to the prisons have been made, in line with the UN Standard Minimum Rules for the Treatment of Prisoners and the Bill of Rights, to guarantee that the fundamental rights of persons deprived of liberty are protected. The Government has taken the following steps to improve conditions inside prisons. New uniforms, blankets, mosquito nets and hygiene material were distributed to inmates in every prison throughout the country. In collaboration with the International Committee of the Red Cross, the Government launched a project to strengthen the prison health system in Juba in April 2019.  Infrastructural improvements to prison facilities and conditions of inmates have taken place include. For example :   * renovation of female prisons specifically; * construction of a reformatory school and a juvenile center, to ensure the separation of juvenile and adult offenders; * renovations in prison facilities in selected prisons. * Thirty-five (35) inmates graduated from the vocational training programs in Juba, after receiving training in various skills. * Construction of new vocational training site for inmates was completed in Wau.   The Government and partners operationalized a database for the registration of all inmates in the country.  The International Committee of the Red Cross and other national and international NGOs have been given access to prison facilities, where they give advice and support to the prison administration on how to improve services for the prisoners. The South Sudan Human Rights Commission, judges and prosecutors regularly visit prisons to acquaint themselves with the conditions of the prisoners, inspect prison sites and investigate complaints made by prisoners related to acts committed by prison personnel.    The government, together with international partners, trained 617 prison personnel (including 175 women officers) on human rights.  The South Sudan National Police Service has established the Department of Special Protection Units. To date, the Department has established 16 units, five (5) special protection units based in Juba city and eleven (11) in the states. The government has located public attorneys in all police divisions to enhance accountability and transparency in the work of the police. The Ministry of Justice has deployed public prosecution attorneys to prosecute and process all cases within the National Security Service.  14 buildings for Special Protection Units (SPU) have been constructed throughout South Sudan. The current political turmoil in the country, however, has disrupted police activities, especially in Greater Upper Nile.  A taskforce, often referred to as the SPU Working Group, has been established to coordinate effort towards the protection of women and children. The working group is supported by the Ministry of Gender, Child and Social Welfare and partners.  The Government in collaboration with access to justice partners have distributed legal resources to the justice and security institutions to strengthen the rule of law in South Sudan.    More than 500 SSNPS Officers, including 76 female officers, have been trained on the investigation and prosecution of SGBV and CRSV cases. In addition, the Government with the support of international partners have established the Special Court to prosecute cases of SGBV. |

1. **NATIONAL HUMAN RIGHTS INSTITUTIONS**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| *126.22*  *126.23*  *126.25*  *126.26* | *Take measures to strengthen*  *and allocate to the South*  *Sudan Human Rights Commission necessary human and financial resources to fulfil its mandate.* | South Sudan Human Rights Commission (SSHRC) was established in accordance with the Comprehensive Peace Agreement in 2005. Chapter IV of the Transitional Constitution of South Sudan (TCSS) 2011 and Chapter II of South Sudan Human Rights Commission Act provide for the establishment and function of the Human Rights Commission. On 23 May 2017, by Presidential Decree No. 91/2017, the President of the Republic of South Sudan appointed two commissioners to the SSHRC to replace two commissioners whose term of office had expired. The newly appointed commissioners took office in February 2018. The SSHRC consists currently of four members (of five are operational members): three (3) Commissioners and the deputy chair (currently acting chair). The government is in the process of nominating the substantial chair of the Commission.  On a regular basis, the SSHRC and the CSO Network with technical support from UNMISS Human Rights Division organize the Human Rights Forum to discuss and deliberate on key thematic Human Rights issues with action points and recommendations for further follow up. The SSHRC continues to raise awareness on its mandate and other Human Rights issues, including through monthly radio talk shows through the UNMISS Radio. SSHRC also monitors and regularly visits detention facilitates such as police stations and prisons and makes recommendations for adoption by Government.  In February 2018, the SSHRC launched the SSHRC 2017 Annual Report that was subsequently tabled for discussion before the Transitional National Legislative Assembly. However, the report is still pending conclusive debate and adoption of the recommendations with a view of enhancing the financial and human resources to fulfill its mandate.  Each year, in collaboration with Government and non-government actors, the SSHRC conducts a number of activities to commemorate 16 Days of Activism Against Gender-Based Violence, which culminate in the celebration of International Human Rights Day (IHRD).  The South Sudan Human Rights Commission (SSHRC) in partnership with the UN enhanced its institutional capacity through developing tools for tracking, monitoring and reporting on SRHR and trained its Staff and Parliamentarians on SRHR monitoring, investigations, documentation and reporting, including strengthening accountability for maternal and reproductive health rights in South Sudan. The commission in collaboration with the UN, COS and NGOs have established Human Rights Forum that meet regularly to review human right issues and enhance awareness to the population.  The SSHRC continues to advocate with the national authorities to discuss among others, the ratification of core human rights treaties as well as participation in treaty reporting mechanisms in country, such as the CEDAW and UNCRC. |

1. **CIVIL & POLITICAL RIGHTS**

**PREVENTION OF TORTURE, ENFORCED DISAPPEARANCES AND EXTRA JUDICIAL KILLINGS**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.67***  ***128.74***  ***128.84***  ***128.86***  ***128.87***  ***128.88*** | ***Desist from violations of***  ***human rights, including***  ***attacks on civilians and***  ***unlawful killings, arbitrary arrest, abductions and***  ***harassment of journalist*** | In 30 April 2015, South Sudan acceded to the UN Convention against Torture other Cruel Inhuman and Degrading Treatment or Punishment and its Optional Protocol. Towards the achievements to the provisions of the Convention, the Government has taken steps to improve the conditions of detention, training on the protection of civilians, including the prohibition of torture, judicial processes, and legal and institutional reform for the prosecution of perpetrators in order to fulfill its obligation under the Convention.  The Government of South Sudan has also enacted a children’s law (Child Act 2008) for the prohibition of corporal punishment of children in all settings, including schools.  The SSHRC has established a Human Rights Defenders Desk aimed at protecting the rights of human rights defenders, including journalists.  The National Prisons Service of South Sudan together with the South Sudan Police Service and with the support of UNMISS has worked on a project to identify prisoners on remand and avoid prolonged and arbitrary detention.  The Government has improved the legal protection and working conditions of journalists through the enactment of the Media Authority Act 2013 and the subsequent establishment of the Media Authority, foreseen in the act. |

**ETHNIC AND RACIAL INTOLERANCE**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.11***  ***126.12*** | ***Develop a comprehensive***  ***strategy to strengthen social cohesion and respect for racial, religious, tribal and ethnic diversity*** | The Government continues to enhance its efforts towards elimination of hate speech and incitement to violence as a deterrence measure to curb ethnic and racial intolerance and promotion of peaceful co-existence.  The Government with support from International Partners embarked on intensive awareness raising to promote ethnic and racial tolerance with technical support from the Office of the UN Special Advisor on the Prevention of Genocide.  The Government, through the National Dialogue, is promoting national cohesion and peaceful coexistence among communities throughout South Sudan.  The National Youth Forum, a Government-led event, aims at fostering understanding, tolerance and social cohesion among the youth. |

**MEASURES FOR THE PROTECTION OF WOMEN, GIRLS AND CHILDREN’S RIGHTS**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| **126.2**  **126.3**  **126.36**  **126.38**  **126.42**  **126.44**  **126.45**  **126.46**  **126.47** | ***Desist from commission of sexual violence, use of harmful customs, discrimination against women and recruitment of children into SPLA (now SSPDF) and militias and mitigation of Sexual and Gender Based Violence*.** | Since the acceptance of last recommendation, the Government has developed the National Action Plan for Ending Early Child Marriage (2017 - 2030). In order to raise awareness about rights of women and girls, the most sensitive of which is Child Marriage, the Ministry of Gender, Child and Social Welfare is carrying out public sensitization programme through public and private media houses in addition to field visits to eight (8) states and training of traditional leaders. The Ministry has, with support from international partners, also developed a Roadmap on Ending Child Marriage in South Sudan, constructed juvenile court in Rumbek and conducted training of police, legal counsels and social workers in investigation of GBV and juvenile related cases. In addition, the Ministry identified 1,500 children without appropriate parental care in seven states. Some of those children are now being sheltered by local NGOs. The Ministry in collaboration with states Ministries of Social Development is in process of establishing first three Drop-in-Centers in former greater regions of Upper Nile, Bhar El Ghazal and Equatoria for provisions of services and shelter to those children.  Further, the government in collaboration with international partners is implementing a multi-sectoral approach for the prevention of and response to gender-based violence. This has enabled survivors of gender-based violence (GBV) access to a comprehensive and integrated package of services ranging from health, (such as, emergency contraception and post-exposure prophylaxis for HIV prevention), psychosocial and legal support through One-Stop Centers. The process of expanding One-Stop Centers in States with high GBV incidents is also underway.  The Ministry of Gender, Child and Social Welfare in collaboration with Ministry of Justice and Constitutional Affairs and the Judiciary have initiated the drafting of a legislation to prevent and respond to GBV related issues in order to close loopholes in the current legislation. It will provide appropriate protection and support to survivors, ensuring justice and bringing perpetrators to book.  The government in collaboration with partners exercised due diligence to prevent and eliminate abusive treatment, including by health providers, against women and girls seeking pregnancy-related health care through developing Standard Operating Procedures (SOPs) and training of service providers on gender responsive and rights based sexual reproductive health service provision, including the development of national gender mainstreaming strategy and building capacities of sector ministries to integrate gender perspectives into their policies, plans, and programs.  With regards to women’s right to sexual and reproductive health, the government developed comprehensive policies and programs to reduce maternal mortality rates through improved access to full range of contraceptives, comprehensive sexuality education ensure access to skilled birth attendance, prenatal care, emergency obstetric care, and quality care for complications resulting from pregnancy. The government has established institutions of higher learning that launched Diploma, BSc and MSc level midwifery education and deployment strategy, task-shift policy to train and delegate midlevel health professionals to undertake life-saving surgical procedures and train specialist doctors. As a result, the number of qualified midwives/nurses and obstetricians increased from less than 10 during independence to 600 and 30 respectively.  Additionally, the Government with support from partners has been providing safe space for women and girls in the country to share their challenges. The Government has also established an investigation unit within police stations in the country to investigate issues of rape, sexual and gender-based violence (SGBV). However, challenges still exist with the full operationalization of the Specialized Police Units set up within SSNPS, along with the establishment of Safe Houses for survivors of SGBV. Partners are generally supporting the Judiciary of South Sudan to establish a special GBV Court and juvenile courts in Juba. In this regard, a building has been renovated and furnished and an operational plan and deployment of judges and staff are pending.  The Ministry of Interior in collaboration with partners established a Community Policing Unit throughout South Sudan.  On protection and promotion of human rights by SSPDF personnel, since the beginning of the crisis in 2013 up to date, the SPLA (SSPDF), Child Protection Unit and the Disarmament, Demobilization and Reintegration Commission (DDRC), with support of partners, have identified, screened and released 2,211 children (including 361 girls). Out of this number, 126 were children associated with SPLA/SSPDF and the remaining 2,185 were children recruited by different armed groups. The children recruited by different armed groups were released after each group reached an agreement with the Government whereby members of such groups are to be integrated into different organized forces.  From 2017 to 2018, 164 senior officers were trained on the six-grave violation against children. 54 were female officers. In February 2019, a workshop was conducted in Juba for the development of new Comprehensive Action Plan, which cover the six, grave violations against children. The 47 participants were from South Sudan Peoples’ Defence Forces (SSPDF), Sudan Peoples’ Liberation Army in Opposition (SPLA-IO), South Sudan Opposition Alliance (SSOA), representatives from civil society organization (CSOs) and staff from National Disarmament, Demobilization and Reintegration Commission (NDDRC). From 2018 to 2019, the Ministry of Defence and Veteran Affairs (MoDVA) with technical support from partners trained 560 officers from all 10 divisions of SSPDF in Conflict Related Sexual Violence (CRSV). In February 2019, the Ministry also launched the Action plan for the implementation of the Joint Communique on the prevention of Conflict Related Sexual Violence. Furthermore, the Ministry with technical support from partners is currently training Judges & Advocates on rule of law and international humanitarian law and other human rights subjects. Subsequently, the SSPDF appointed a Focal point for capacity building for the SSPDF to facilitate better engagement on human rights issues.  The R-ARCSS signed on 12 September 2018 calls for women’s participation by providing a 35% quota for their representation in the executive bodies and institutions. Despite the incorporation of such progressive clauses, only one (1) out of six (6) committees has met the 35% quota for women’s representation. The Ceasefire Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) has 41% as at March 2019.  In an historic event, women leaders held an audience with the President of the Republic on 8 February 2019. The purpose of the meeting was for the South Sudan Women to present to the President a statement on the launch of a National Women Peace Campaign. The National Women Peace Campaign team is composed of TGoNU, SPLM/A-IO, SSOA, OPP, women’s coalition, Women Bloc, Faith based and civil society organizations, the business community, youth and academia. The meeting with the President was a watershed event for high level political support for Women Peace and Security issues. This demonstrates that the President recognizes women as partners in the peace process given their role in community cohesion and sometimes access to combatants and restricted areas. The President reiterated his personal and TGoNU commitment to the inclusion of women in all leadership and governance positions. The President decried the persistent incidences of SGBV and pledged to actively engage in all aspects of prevention and response.  Partners have continued to engage with women’s civil society organizations in workshops at the national and subnational level including those living in POCs sites, to discuss the gender provisions in the R-ARCSS. A majority acknowledged not being fully aware of the provisions and what they translate to, as well as who is accountable for monitoring implementation. The initiative is in support of women’s organizations as they prepare a strategy to facilitate their inclusion in the committees, to disseminate the agreement broadly and discuss the gender-related provisions. On 21-22 May 2019, partners have facilitated a National Women Advocacy Forum on enhancing the participation of women in peace process.  In April 2019, the Government led a women’s land rights workshop to collect women’s voices. The obstacles women face to access inherit or own land will be included in the new draft national land policy, which will then be presented for adoption before the TNLA. |

**RIGHTS OF PERSONS WITH DISABILITIES**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.75*** | ***Promote the inclusiveness of persons with disabilities*** | The Transitional Constitution of the Republic of South Sudan recognizes the rights of persons with disabilities. In addition, a National Disability and Inclusion Policy and strategic plan on the rights of persons with disabilities have been put in place in 2015. There are institutions that have been set up catering for the needs of persons with disabilities such as the RAJAF Educational Center for the Blind (RECB) (visually impaired) and the Physical Reference Center (PRC).The MoGCSW with the support of Light for the World has developed and operationalized a national sign language and trained 25 sign language interpreters. There are a number of established civil society entities of persons with disabilities with full functioning institutional structure. The government provides spaces for the establishment and operationalization of the following entities: South Sudan Association of Visually Impaired (SSAVI); Jubek State Union of the Visually Impaired; Union of the Physically Disabled (UPD); South Sudan National Association of the Deaf (SSNAD); the Equatoria State Association of the Hearing Impaired; Union of People affected by Leprosy (UPL); South Sudan Women with Disabilities Network. There are ongoing efforts to set up a national network of South Sudan Association of Persons with Disabilities.  There are provisions that reserve seats for persons with disabilities in the government and the legislature at state and national level in order to reserve seats for them to be represented in the state level government. |

**INTERNALLY DISPLACED PERSONS (IDPS)**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.76***  ***126.77***  ***126.41*** | ***Provide internally displaced***  ***persons with assistance, protect their rights, and***  ***continue to seek support to***  ***address the issue of internally displaced persons*** | Measures taken by the National Security Service in promoting peace in the country is by deployment of its personnel throughout the country. This measure has resulted in improvement of security situation. This fact was recognized by Special Representative of the UN Secretary General to South Sudan, Mr. David Shearer, who upon visit to Wau on 15 December 2017 said quote” *the return of the displaced people to their homes in Wau in Northern Western South Sudan could provide a model for other parts of the country. The security situation has improved in recent weeks I am pleased to see that the local authorities, the police and National Security Service have worked to improve the security environment…”*  It is worth mentioning that the judiciary and Ministry of Justice and Constitutional Affairs in collaboration with the UN provided logistical support to national authorities to investigate and prosecute individuals alleged to have committed serious crimes within UNMISS PoC Sites in Bentiu and Malakal, including through the deployment of UN-supported mobile courts.  The training and reforms mentioned above have also allowed 63,991 IDPs at the five PoC sites to voluntarily come out of those five PoC sites. |

**ECONOMIC, SOCIAL & CULTURAL RIGHTS**

**RIGHT TO WATER AND SANITATION**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.71*** | ***Guarantee the human rights to water and sanitation,***  ***Increasing access to***  ***drinking water and sanitation***  ***facilities*** | The Government initiated the construction of water plant in 2016 for Juba City, which was funded by partners, but the project could not continue due to the renewed outbreak of the conflict in 2016.  The Government has improved the provision of clean drinking water to all ten states of South Sudan. The Government developed the following enabling environmental documents:   * Water Policy 2007 * Drinking Water Quality Guidelines 2008 * Water and Sanitation and Hygiene Strategic Framework (WASH) * Rural WASH Action and Investment Plans * Urban WASH Action ad Implementation Plan * Draft Water Bill * Feasibility Study of Water Supply for 7 towns * Amadi Training Institute started a WASH training * WASH Information Management System established |

**RIGHT TO EDUCATION**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.72***  ***126.73***  ***126.74*** | ***Take further steps to provide access to education for all citizens, in particular rural areas***  ***Implement the Convention on the Rights of the child through the 2012 General Education act to enable all children join school***  ***Take all appropriate measures to protect children’s rights especially by ensuring their access to primary education*** | Since the last UPR Report to this Council, the Ministry of General Education and Instruction has exerted much more efforts to keep general education remains free and compulsory for all, new curriculum has been introduced and education has been prioritized into three areas: Access and Equity, to provide equitable and safe access to inclusive education for all children; Quality, to provide knowledge, skills and values and Management, to achieve quality and equity and to establish a robust education system. There is increase in number of primary schools in the country from 17,858 to 18,900 primary schools. Secondary schools have increased from 170 to 245 schools. Out of these schools, 4,560 are of permanent structures, 2,566 are of semi- permanent structures and 4,033 are open-air schools  The enrolment in primary school is 1,064,280 pupils and in secondary schools is about 58, 928 students. In 2015, 627,768 boys and 418,512 girls were enrolled. From 2011 to 2015, the numbers of teachers were 27,000 male teachers are 16,740 female teachers 10,260, the ratio was 1:40. Ministry of General Education and Instructions, with support from international partners, has taken measures to reduce drop out of children from schools by introducing school feeding programme and cash payment through Girls Education South Sudan Programme (GESS) transfer. These two programmes have retained pupils and students in schools at the rate of 90%. The Ministry has also introduced in-service and long term- training for teachers in methodology, management and class- room technics. So far 20, 913 teachers out of 27,000 have undergone the training.  The Ministry of General Education and Instruction has taken education seriously and access to it has become a priority. Education budget has been increased from 5% to 10% of the national budget. A new curriculum has been introduced and new textbooks launched, they were distributed to children at all levels at the ratio of 1:2 in 2019 and with a target of 1:1 in the year 2020.  Teacher salary has been toped up by USD 40.00 through Impact Programmed funded partners and implemented by Charles Gold Smith Associates and MacDonald. Additional 27,000 teachers of all school levels have been trained in teaching methodology and classroom techniques.  Public education from early childhood up to secondary level is free and payment of school fees is prohibited. Upon implementation of back-to-school initiative 400 of the out-of-school children have return to schools.  Tertiary education   * There is an increased number of universities from 5 to 13. In the year 2011 there were 5 universities, in 2019 the numbers of universities increased to 13. * Enrollment in 2015 was 11,419.(8,907 male and 2,512 female ) |

**TRANSITIONAL JUSTICE, ACCOUNTABILITY MECHANISMS AND THE PEACE AGREEMENT**

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| ***No. of Recommendation*** | ***Recommendation*** | ***Status of implementation 2016-2019*** |
| ***126.6***  ***126.7***  ***126.8***  ***126.9***  ***126.14***  ***126.62***  ***126.63***  ***126.64*** | ***Fully implement the Agreement on the Resolution of the Conflict in the Republic of South Sudan, notably its provisions on accountability of international humanitarian and human rights law committed during the conflict*** | ***The Revitalized Peace Agreement***  The Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), concluded by the parties to the conflict on 12 September 2018 in Addis Ababa, Ethiopia, created a general calmness atmosphere throughout the country.  The R-ARCSS proposed a series of institutional reforms, including amendments to some laws. The institutions to be reformed are the security; transformation of public financial management system; civil service reforms; reconstitution of an independent national elections commission and judicial reforms and transformation of the executive and the assembly.  As a result of the signing of the Permanent Ceasefire on 21 July 2017 in Addis Ababa, Ethiopia; followed by signing of the R-ARCSS on 12 September 2018, there has been no serious military engagement between the government and parties who have signed the ceasefire and the R-ARCSS. Both the Permanent Ceasefire and R-ARCSS are so popular and welcoming by the people of South Sudan, the government and the opposition groups to the extent that a huge peace celebration was organized in Juba on 31 October 2018, attended by all the signatories as well as the leaders of IGAD Member States.  To fast track the implementation of the task of the Pre-transitional Period in time for the commencement of the Transitional Period, the Parties to the Agreement have established and operationalized all the following necessary mechanisms for the implementation of the R-ARCSS these institutions include the National Pre-Transitional Committee (NPTC); the National Constitutional Amendment Committee (NCAC); the Joint Transitional Security Committee (JTSC); Ceasefire Transitional Security Arrangements, Monitoring and Verification Mechanisms (CTSAMVM); the Strategic Defence and Security Review Board (SDSRB); the Joint Military Ceasefire Commission (JMCC); and the Joint Defence Board (JDB).  The Independent Boundaries Commission (IBC), tasked with determining the number of states, boundaries and how they will reform the councils of states, held its second meeting in Addis Ababa, Ethiopia, on 27 March 2019, where it adopted its Terms of Reference, rules and procedures, and as well developed its work plan and budget. The six-month extension agreement calls on the IBC to “expedite its work on the determination of the number and boundaries of states and restructuring and composition of the Council of States.”.  The Technical Boundaries Committee (TBC) submitted its final report to the IGAD on 27 March 2019. The report was adopted by consensus pursuant to article 1.15.18.4 of the R-ARCSS. IGAD Special Envoy for South Sudan Ismail Wais had assured upon the submission of the TBC report that the IBC would complete its work by 12 May 2019.  In an effort to popularize the R-ARCSS, the President of the Republic toured most of the states in the country and between August to November 2017, in Greater Bahr el-Ghazal, the Peace Commission, with support from international partners, organized peace conference. As a result of this conference, it was resolved that firearms should be collected from civilians and this resolution has been successfully carried out. In January 2018, similar community conference was held in Western Lakes State and firearms were collected.  In February 2018, a Government initiative led by the First Vice President of the Republic held a peace conference in greater Jonglei and resulted in recommending hiring of five consultants to work on assessment of conflict dynamics. As a matter of public awareness, the Commission supported by UNDP, is carrying out a programme called “*Road to Peace*” to disseminate message of peace to the public.  The pre-transitional period of the R-ARCSS, which was scheduled to end 8 months after the signing of the R-ARCSS (i.e. 12 May 2019), was extended in a mutual agreement by all signatories to the R-ARCSS for another 6 months (until 12 November 2019) in an effort to uphold peace and provide more time to resolve outstanding issues (such as security arrangements and boundary issues). The extension was endorsed by the IGAD Council of Ministers.  ***Accountability and Transitional Justice Mechanisms***  After adoption of the recommendations in March 2016 to date, the Court Martial, established for the “Terrain Trial”, tried and sentenced 11 members of the South Sudan Peoples’ Defence Forces (SSDPF) (for rape and murder).  A Joint Special Emergency Court for Organised Forces also tried personnel from National Security and organized forces respectively.  The rate of human rights violations (rape, looting of properties and pillage) committed against civilians by military personnel has dropped drastically.  The recent Court Martial trials of members of the SSPDF involved in looting and other human rights violations in former Western and Central Equatoria States and in the former Unity State are evidence of commitment by the Government to subject to law those members of the organized forces who violate human rights.  On the other hand, the Joint Special Emergency Court since the last UPR review up to date has tried 108 cases related to offences of rape, robbery and looting committed jointly by members of the organized forces while on duty against civilians in Juba. On 30 October 2018 the Police Non-Summary Court tried (10) ten cases related to human rights violations committed by police personnel while on duty against civilians. Penalties include dismissal from service and imprisonment.  The National Security Tribunal tried and convicted two of its personnel in connection with the shooting of late Nun Veronica Terezia in Yei in 2016. In March 2019, the National Security Service Tribunal detained (7) seven of its personnel, including two officers, all of whom are under investigation for violations of human rights against civilians while on duty. Additionally, the Government through the Ministry of Justice and Constitutional Affairs and with support from the UN jointly worked towards conformity with UN position that crimes perpetrated against civilians, including those perpetrated by civilians, should be tried in civilian courts.  As of 28 May 2019, cases involving 99 individuals were referred to national authorities by UN-supported Mobile Courts established to try cases committed in UNMISS POC sites. In addition to several preliminary investigative missions, 5 mobile court sessions in Bentiu and Malakal were supported, heard a total of 31 cases involving 51 individuals**.** In order to expand this initiative beyond UNMISS PoC Sites, co-ordination of UN-supported mobile courts began, in consultation with the Chief Justice and other national authorities.  Regarding the process for the establishment of the Hybrid Court for South Sudan, the Council of Ministers approved its MoU on 13 December 2017 and this was communicated to the Chairperson of the African Union Commission on 16 December 2017 through diplomatic channels by inviting the Chairperson of the AU Commission or whoever designated by him to come to Juba for signature of the MoU. The invitation to the Chairperson of the AU Commission was followed by two reminding letters in January and February 2018, but the MoU has not yet been signed.  It is worth mentioning that the R-ARCSS in Article 5.3.1.1 has reaffirmed commitment to the establishment of a Hybrid Court by the African Union Commission. However, the process for the establishment of the Court will start after formation of the R-TGoNU whereby all the parties to R-ARCSS will have the chance to contribute towards establishment of the Hybrid Court.  In October 2017, a Technical Committee consisting of the Government and civil society representatives for the establishment of the Commission for Truth, Reconciliation and Healing (CTRH) carried out a second consultation meeting with stakeholders in ten (10) former states including Juba in December 2017. Currently the Technical Committee is preparing findings of its consultations for submission to the Council of Ministers for approval. The Transitional National Legislative Assembly will thereafter enact a law to establish the Commission. Meanwhile, the government has pledged funds to working towards establishing the CTRH. However, as per Article 5.2.1.2 the R-ARCSS, the CTRH shall be established by legislation to be promulgated three months after formation of R-TGoNU. |

**CONCLUSION**

It is evident from this Interim Report that South Sudan has made significant progress in the implementation of the UPR recommendations. Some of the reform measures undertaken to promote good governance, respect for the rule of law and human rights have begun to show some progress. Government efforts in improving economic, social, legal and institutional reforms have contributed positively in the improvement of human rights quality of lives of the citizens in less conflict-affected areas.

The Government of South Sudan also has made every effort to implement the 203 recommendations it has accepted at the First UPR Review Cycle. However, it has encountered various challenges, including difficulty in accessing some parts of the country, lack of trained personnel in issues related to human rights and limited financial resources. To be able to expedite implementation of all recommendations, before the next upcoming UPR Review Cycle, the Government of South Sudan is seeking support in the following areas:

1. Training of staff of the Government (Inter- Ministerial Committee) a to national body responsible for implementation of the UPR Recommendations and other human rights programmes;
2. Technical support from the Office of High Commissioner for Human Rights, particularly from the UPR Trust Fund;
3. Training of law enforcement personnel on investigation of offences relating to sexual violence and other human rights violations;
4. Support of women empowerment programmes, especially on their participation in political and economic activities;
5. Assistance in enlightening the traditional leaders in rural areas to play positive and effective role in combating child marriage, ghost marriage (i.e. marrying for deceased male) and inheritance of wife of deceased male relative.

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