



Members of the Peace and Security Council (PSC)
 African Union (AU)
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 Ethiopia

- cc: AU member states
- cc: Dr Nkosazana Dlamini Zuma, Chair, AU Commission
- cc: Amb Samil Chergu, Commissioner, Peace and Security
- cc: Olesegun Obasanjo, Chair, AU Commission of Inquiry on South Sudan

Your Excellencies,

We, the undersigned South Sudanese civil society organizations, write to urge you, members of the African Union (AU) Peace and Security Council (PSC), to actively support our work to bring lasting peace to our country by ensuring the immediate publication of the report of the AU Commission of Inquiry on South Sudan. We also urge you to communicate the decision that the PSC will take on the report and adequately publicize and disseminate the key findings and recommendations in South Sudan.

Publication of the report of the AU Commission of Inquiry on South Sudan

Members of the AU Commission of Inquiry on South Sudan were sworn in in March 2014 with a mandate to “investigate the human rights violations and other abuses committed...and make recommendations on the best ways and means to ensure accountability.” In June, the Commission of Inquiry submitted an interim report to the PSC and its mandate was extended to allow the completion of its work.

Since its establishment, the Commission of Inquiry and its Chair, Olusegun Obasanjo, made a number of public statements indicating that the Commission would support criminal accountability efforts. In May, for example, the Commission of Inquiry stated that it was “leaning towards the creation of a hybrid court...to be established jointly by the AU and United Nations (UN) should evidence disclose commission of international crimes.” The Chair, in his

address to the UN Human Rights Council in September, stated “violations [of human rights] are across the board, no South Sudanese leader can claim innocence...what we do hear from every group of citizens we talk to is that there must be accountability, that no lasting reconciliation can be done until justice appears to be done.”

The Commission of Inquiry ended its investigations in September 2014 and submitted its final report to the Chair of the AU Commission in October. We are disappointed that since then, there has been no public information about the findings and status of the report. The PSC’s silence on this matter was evident in the PSC’s 5 December 2014 communiqué on South Sudan, in which no mention was made of the report.

We believe that the release of the Commission of Inquiry’s report and the provision of timely public information on its findings and status could play a critical role in deterring further violations and abuses and bringing sustainable peace to South Sudan. To the extent that the report’s recommendations are consistent with the objectives of criminal accountability, effective implementation of these recommendations would play a critical role in ensuring accountability for crimes committed. We therefore call on PSC members to ensure the speedy publication and dissemination of the Commission of Inquiry’s report.

The need for justice and accountability

Since the outbreak of violence on 15 December 2013, despite the announcement of several government investigations into abuses, not a single person has been held accountable for the tens of thousands of civilian deaths, rampant sexual violence and recruitment of children by parties to the conflict. President Salva Kiir in March 2014 established an eight-member committee to investigate human rights abuses by government and opposition forces. The committee was mandated to report directly to the President. It submitted its report during the first week of December, but no information or findings have been made public. Other investigations by the police and the military have similarly failed to make any information public.

Consistent and genuine support for justice and accountability by the PSC and all AU member states will be critical for moving forward. We therefore call on the PSC in its communications regarding South Sudan to continuously and repeatedly insist on seeing progress with respect to justice and accountability, and to give its full support to credible justice initiatives.

Thank you for your consideration of this petition. Many South Sudanese provided information to the Commission of Inquiry at great personal risk, and to withhold the final report would be a great disservice to them. We trust that the PSC is affording this matter the urgency that it deserves and we look forward to seeing the full report of the AU Commission of Inquiry made publicly available in a timely manner.

Sincerely,

African Centre for Transitional Justice (ACTJ)
Centre for Documentation and Advocacy (CDA)
Centre for Livelihood, Research and Poverty Reduction (CLIP-Poverty)
Citizens for Peace and Justice (CPJ)
Community Empowerment for Progress Organization (CEPO)
End Impunity Organization (EIO)
Equatoria Rehabilitation and Development Association

Eve Organization
Institute for the Development of Civil Society (IDCS)
Juba Civic Engagement Centre (JCEC)
Seed for Democracy for South Sudan (SfDSS)
South Sudan Law Society (SSLS)
South Sudan Action Network on Small Arms (SSANSA)
South Sudan Civil Society Alliance (SSCSA)
South Sudan Network for Democracy and Elections (SSUNDE)
South Sudan Women's Empowerment Network (SSWEN)
Soweto Community-Based Organization (SCBO)
Standard Action Liaison Focus (SALF)
The ROOTS Project
Voice for Change (VFC)
Women Aid Vision (WAV)