



**CONGRESS OF SOUTH SUDANESE PATRIOTS
FOR PEACE & RECONCILIATION
(C. S. S. P. P. R)**

Ref: TIGO IOR 65/2015.004

Members of the AU Peace and Security Council
African Union Headquarters
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Cc:

Dr Nkosazana Dlamini Zuma, Chairperson, AU
Commission
Ambassador Smaïl Chergui, Commissioner, Peace and
Security
H.E. Olusegun Obasanjo, Chairperson, AU Commission
of Inquiry on South Sudan

23 July 2015

Your Excellencies,

RE: PUBLICATION OF THE AU COMMISSION OF INQUIRY REPORT

We the undersigned organisations write to urge you, members of the African Union (AU) Peace and Security Council (PSC), to make public the report of the AU Commission of Inquiry on South Sudan (AUCISS) after the PSC meeting scheduled for 24 July 2015.

South Sudan's conflict has been characterised by serious violations of human rights and international humanitarian law by both parties to the conflict, many of which amount to war crimes, and possibly crimes against humanity. Most recently, the UN Mission in South Sudan and human rights groups have reported on gruesome abuses in the recent government offensive in Unity State, including burning people alive, hangings, rape and abductions, and widespread burning and pillaging of villages and small towns. The resulting human suffering is staggering and at least 100,000 people have been displaced since May.

The continued crimes primarily result from the failure of the warring parties to take any meaningful action to prevent abuses or hold forces responsible to account. However the international community, including the AU, has also failed to take bold steps to address the atrocities that have been committed.

The decision of the AUPSC to shelve the AUCISS report in January 2015 so as not to disrupt the peace process stoked disillusionment in South Sudanese about the possibility for accountability and raised questions about the AU's commitment to taking serious steps towards supporting justice for the crimes committed.

The publication of the AUCISS report, including details of abuses committed earlier in the conflict, would serve as a strong message to leaders of both the government and the opposition and their respective allies that the atrocities that have been committed are unacceptable. If the AUPSC continues to hold the report, which was ready for publication more than six months ago, hostage to the so far unsuccessful peace negotiations the body risks signalling to those most responsible for extraordinary suffering in South Sudan that accountability and justice are not a priority.

It is widely accepted that there can be no sustainable peace in South Sudan without accountability. Because the AUCISS was tasked with making recommendations for accountability, South Sudanese actors, the UN and international diplomats have delayed acting on concrete proposals for justice pending the release of the report. Steps towards establishing an internationally-assisted justice mechanism that can begin investigations into crimes under international law need to be taken now.

Both parties to the conflict have committed themselves to justice and accountability but have repeatedly failed to uphold these commitments. In January 2015, South Sudan's leading party, the Sudan People's Liberation Movement, committed itself to "the establishment of a comprehensive system of transitional justice (the core elements of which are truth and reconciliation, criminal prosecution, reparations and institutional reforms), to look into the issues of atrocities, human rights violations and abuses in the country." On 1 February, President Kiir and opposition leader Riek Machar signed an agreement providing for the establishment of a Truth, Reconciliation and Healing Commission and the establishment of a hybrid accountability mechanism for South Sudan, stating an "independent hybrid judicial body, with participation from South Sudanese and eminent African lawyers and jurists, shall be established to investigate and prosecute individuals bearing the greatest responsibility for violations of international humanitarian law, and/or applicable South Sudanese law, committed since December 15, 2013."

In addition in June 2015, IGAD proposed a "hybrid court" for South Sudan to be established through a memorandum of understanding between the AU, UN and the transitional government.

Since the establishment of the AUCISS South Sudanese and international organisations have written to you, urging that you show your support for justice and accountability as a means to ensure long lasting peace in South Sudan. The people of South Sudan have counted on the AUPSC. They have counted on the work of the AUCISS. They want and deserve to see the findings of its report to help move their country forward.

Thank you for your consideration of this matter.

Sincerely

1. Assistance Mission for Africa
2. Amnesty International
3. American Friends of the Episcopal Church of South Sudan and Sudan

4. Citizens for Peace and Justice
5. Coalition for the International Criminal Court
6. Coalition of Advocates for South Sudan
7. Congress of South Sudanese Patriots for Peace and Reconciliation (C.S.S.P.P.R)
8. Darfur Bar Association
9. Darfur Victims Organization for Relief and Rehabilitation – DVORR
10. East and Horn of Africa Human Rights Defenders Project
11. Enough Project
12. Human Rights Watch
13. International Center for Policy and Conflict
14. International Justice Project
15. International Refugee Rights Initiative
16. Jewish World Watch
17. Journalists for Human Rights
18. Rally for Peace and Democracy
19. South Sudan Human Rights Society For Advocacy (SSHURSA)
20. South Sudan Law Society
21. Sudan Advocacy Action Forum
22. The ROOTS Project
23. UN Watch
24. Waging Peace