

Statement
on behalf of H.E. Ambassador Seyoum Mesfin,
Chairperson of the IGAD Special Envoys for South Sudan

Geneva

September 24, 2014

Mr. President,

On behalf of H.E. Ambassador Seyoum Mesfin, the Chairperson of the IGAD Special Envoys for South Sudan, I thank the Human Rights Council for this invitation to address this important Panel Discussion on the Human Rights Situation in South Sudan. Regrettably, H.E. Ambassador Seyoum is unable to attend today as his presence is required at the ongoing peace talks in Ethiopia, which resumed on September 15.

From the beginning of the IGAD-led mediation efforts in South Sudan, we have continually reiterated that respect for human rights and the rule of law must be cornerstones of the peace process. These principles are essential if there is to be a lasting political settlement. We continue to urge all parties in South Sudan to fulfill their obligations under national law and international law and to comply with the agreements brokered under the auspices of IGAD.

Since the outbreak of the conflict in December 2013, our foremost concern has been to bring the fighting to an end. It is the conflict that has worsened the human rights context in South Sudan, both directly and indirectly, and put the lives – and rights – of millions of South Sudanese at risk. Millions are displaced, within the country and to neighboring states. Education and health services have been interrupted. The humanitarian situation is dire. There are numerous reports of violations of the laws of war.

For us in the region, peace and security in South Sudan – and defense of the rights of those millions of South Sudanese citizens – is indivisible from the concept of broader regional security and of the obligations of all states to respect and protect human rights. It is we in the region who host South Sudan's refugees, and see firsthand the suffering of its people. It is for these reasons that IGAD remains committed to a sustainable and durable solution for South Sudan.

Frustrating the peace process is a violation of the most basic right of all of South Sudan's citizens: the right to live in peace. We urge the parties once more to make every effort to implement the agreements signed.

Further, let us recall the decision of the IGAD Heads of State and Government on 25 August 2014, which underscored IGAD's "resolve to take action against those who obstruct the attainment of peace in South Sudan, and to assure the people of South Sudan that such individuals or actors will be held responsible for their actions, and be denied participation in the future governance arrangements of South Sudan."

Regrettably, the parties to the conflict have yet to fully comply with their obligations and operationalize the commitments set out in the Cessation of Hostilities Agreement of 23 January 2014, the Agreement to Resolve the Crisis in South Sudan of 9 May 2014, and the Re-Dedication of and Implementation Modalities for the Cessation of Hostilities Agreement, and its implementation matrix, signed on 25 August 2014.

IGAD, through its Monitoring and Verification Mechanism, established to monitor, investigate and report on the two Parties' compliance with the Cessation of Hostilities Agreement, continues to investigate the alleged the violations of this Agreement referred to it, and publishes the details of these reports on its dedicated website.

Commitments, however, also go beyond the immediate confines of the conflict. On 25 August 2014, the IGAD Heads of State and Government endorsed the establishment of two bodies: a National Commission for Truth, Reconciliation and Healing, which will be hybrid in composition, to spearhead efforts to address the legacy of conflict in South Sudan; and an independent judicial body to investigate and prosecute individuals bearing the greatest responsibility for violations of international humanitarian law, and/or applicable South Sudanese law, committed since 15 December 2013.

We welcome the commitment of the Government of South Sudan to the establishment of these institutions within the context of broader transitional governance arrangements. The precise terms and mandate of these institutions is to be determined by the ongoing peace talks in Ethiopia.

While progress has been made, the peace process continues to face many challenges. As fighting last week has shown, there are still elements that privilege military means over a peaceful solution. In terms of the

process, while most disputes tend to focus on the arrangements for power and the transitional government, we are acutely aware of the need for an agreement that is comprehensive, which addresses the root causes of the crisis, and creates conditions for genuine and far reaching reform.

Presently, the peace talks in Bahir Dar, Ethiopia continue to discuss a text presented by the mediation on 20th September and developed on the basis of the positions of the parties and earlier agreements endorsed by the IGAD region. These negotiations continue in two committees: one to resolve core political issues where fundamental disagreements still exist; the other working to refine and harmonize the text. Talks are due to continue until 13 October.

Finally, on behalf of the mediation, please allow me to thank the United Nations and the African Union for their efforts to support IGAD and the peace process. We welcome the work of the African Union Commission of Inquiry and thank H.E. President Obasanjo, and his team, for their efforts. We look forward to the Commission of Inquiry's report and its recommendations, and will endeavor to reflect those views in the ongoing peace talks.

I thank you.