

“Survivors Speak” Conference: Outcomes & Key Priorities

22-24 September 2021

In recent years, South Sudan has seen some of the highest levels of sexual violence in the world, with devastating effect. Sexual violence has been used as a military tactic to displace populations and instill fear within particular ethnic groups. Thousands upon thousands of women, men and children have been subjected to conflict-related sexual violence (CRSV) since civil war broke out in 2013.

On 26 March 2021, the Ministry of Justice established a Task Force to coordinate the implementation of the transitional justice mechanisms outlined in Chapter V of R-ARCSS, alongside Chapter VI and other judicial reforms. To this end, a Technical Committee was launched in June 2021 to lead public and stakeholder consultations that will inform the necessary legislation to establish the Commission on Truth, Reconciliation and Healing (CTRH) and other mechanisms.

In light of this recent momentum, it is crucial that survivors are well informed of processes that affect them, and that their voices can be heard.

“Let transitional justice take place very soon. Why do we wait? Our leaders don’t know that people are crying.”

These are the words of one participant at the “Survivors Speak” event in September 2021. South Sudanese survivors of CRSV gathered in Juba to build solidarity between regions and communities and raise their voices with regard to their needs and rights. They received updates from members of the Technical Committee and the Revitalised Joint Monitoring Mechanism of the Peace Agreement (R-JMEC) on steps being taking towards establishing the CTRH.

The “Survivors Speak” events were attended by South Sudanese survivors, civil society, and representatives from the Technical Committee and R-JMEC. International participants included the Global Survivors Fund (GSF), the UN Commission on Human Rights in South Sudan (UNCHRSS), the UN Development Programme in South Sudan (UNDP), the UN Peace Keeping Mission in South Sudan (UNMISS), the Mukwege Foundation, Legal Action Worldwide (LAW), Amnesty International, the International Center for Transitional Justice (ICTJ), and the US Holocaust Memorial Museum (USHMM).

Highlights from Survivors

Survivors engaged officials and policy makers on the impact of CRSV on their lives and their immediate needs, and advocated their expectations, views and priorities relating the right to reparation and the role of the CTRH and other transitional justice mechanisms.

Survivors have valued trauma awareness and skills sessions alongside sensitisation about transitional justice. In this regard one participant noted:

“Our leaders require trauma healing because of the conflict and the war. They don’t believe in peace, so they need to have trauma healing to reconcile.”

With regards to survivors’ rights to a remedy and reparation, participants clearly emphasised the need for urgent measures:

“Transitional justice processes need to go ahead, but first we need to address the needs of survivors. A hungry person cannot forget easily, because their problems are not resolved.”

“We do not need compensation if our needs can be met and there is peace. Perhaps we are meant to suffer forever?”

But they also talked of the need for justice, particularly the need for recognition:

“There is no justice. We lost everything. Where there is no hybrid court, we cannot get anything.”

“We need justice – women are suffering. They have the right to work, but no right from ordinary people in South Sudan.”

They also spoke of measures to prevent continued violence against women, such as training for men and women:

“We need training on women’s rights, but we need training for men also.”

Survivors understood that the CTRH, if established, will take statements from many survivors. In this regard, they raised concerns for their safety during transitional justice processes:

“How will we stay safe? We need to think on that seriously.”

Key Priorities Raised:

A. Key Steps in Ensuring Survivor and Gender-Sensitive Consultations

- The Technical Committee must ensure that the voices of survivors are granted meaningful access to, and participation in, the consultations on the CTRH.
- Survivors called for the Technical Committee on the CTRH to find ways to formally include survivors in its structure, admitting survivors into the Committee itself as members as well as creating a ‘reference group’ of survivors for the Technical Committee to ensure that it has an informed group of interlocutors.
- The Transitional Government of National Unity must provide the Technical Committee with the requisite time, resources, and civic space it needs to conduct widespread consultations with South Sudanese. Whilst we acknowledge the efforts and increased momentum around establishing the CTRH, much more needs to be done.
- The Ministry of Justice should officially clarify the time frame in which the consultations will take place, with a view to ensuring at least a six-month window. It is difficult to envision these consultations being effective in anything less, as citizens need to be properly sensitised and methodologies for capturing their feedback must be developed.

B. Urgent Interim Reparative Measures

- Survivors’ number one priority is for immediate medical, psychological, social and livelihoods needs to be met whilst peace and transitional justice processes are ongoing. As one survivor expressed during the workshop, “to heal a wound, it must first be cleaned.”
- Survivors and children born of rape should be provided with free access to education to build better lives for themselves. The need for training and livelihood support to generate an income and become independent was also highlighted by survivors.
- The mental health crisis amongst survivors in South Sudan is acute and urgently needs addressing. Children born of rape require specialist mental health support to overcome the stigma and abuse they suffer. Their mothers require specialised services that provide practical and emotional support in navigating feelings in relation to children they bear.
- The Transitional Government of National Unity and its international partners should join civil society in efforts to remove stigma and raise awareness about the impacts of CRSV.



C. Lasting Peace

- Each of the three institutions of Chapter V – the Commission on Truth Reconciliation and Healing (CTRH), the Hybrid Court (HCSS) and the Compensation and Reparations Authority (CRA) – serve a complementary and mutually reinforcing purpose. To deliver lasting peace to South Sudan, each of these mechanisms is important.
- Improved security and long-lasting peace are desperately needed in South Sudan. All parties to the conflict should immediately end hostilities and cease all violations and abuses of international human rights law and international humanitarian law, including ongoing CRSV.
- As those who have borne the brunt of the human rights violations, survivors' voices are critical to any effort to restore a culture of peace, respect for human rights and the rule of law in South Sudan.