

International Day for the Elimination of Sexual Violence in Conflict

Statement by Legal Action Worldwide

Survivors of sexual and gender based violence in South Sudan need protection and accountability

19 June 2023, Juba, South Sudan: *The soldiers ordered the women to lie down on the ground on their stomachs. I was six months pregnant. I saw them kill all the other women. My son was with me. Three soldiers raped me one after the other, until I lost consciousness.*” These are the words of a South Sudanese survivor of conflict related sexual violence. She was 19 years old when she was brutally attacked in 2017.

South Sudan has made substantial efforts towards peace, truth and justice. The Martial Courts have tried members of the military for rape, the GBV and Juvenile Court has adjudicated cases of gender-based violence in Juba. The country has also made some progress towards the creation of the Commission on Truth, Reconciliation and Healing as required by the Agreement for the Resolution of the Conflict in South Sudan.

However, for survivors this is not enough. To this day, there have been no trials and no accountability for sexual violence as a war crime and no reparations for survivors. Survivors currently struggle to access to food, health, education, and livelihoods, because they were displaced, traumatised, and have never received reparations for what they suffered. In the absence of accountability, sexual violence remains pervasive in the country in many forms: rape, sexual slavery, forced marriage, domestic violence. Impunity for these acts must end now.

Moreover, the courageous survivors who wish to hold perpetrators accountable are scared that they will be further targeted, through stigma, and retaliation. Thirty-seven of Legal Action Worldwide’s clients wrote an open letter in 2021, copied in full below. They stated that while they wanted to seek justice, they also wanted to protect their identities from the State, because *“If they know us, we will not be safe, they will look for us, they will follow us until they find us”*.

Since 2014, Legal Action Worldwide has sought justice and accountability for hundreds of victims and survivors of sexual violence in conflict in South Sudan.

Today, Legal Action Worldwide, on behalf of victims and survivors it represents, asks South Sudan to implement the Geneva Conventions Act 2012 that allows for the domestic prosecution of sexual violence specifically as a war crime. Legal Action Worldwide also invites South Sudan and the African Union to join efforts for the establishment of the Hybrid Court for South Sudan, to bring accountability and reparations to the numerous victims and survivors of human rights abuses. Finally, Legal Action Worldwide invites South Sudan and the international and regional accountability mechanisms to provide better protection for the brave survivors who wish to pursue justice.

History has shown that lasting peace cannot be obtained without meaningfully dealing with the past. It is time this happened for South Sudan.

We don't want to say our names

because ...

- 1- If the perpetrators and our leaders know them, they will know we are telling their secrets.
- 2- If they know we will not be safe, they will look for us, they will follow us until they find us.
- 3- Their country is still in war and there is corruption it will be very risky ^{for} us to stand before the Court
- 4- Courts don't need to know our names they just need to ^{know} ~~know~~ we are survivors and we will share our stories.
- 5- Protecting our names will give us security to continue to live our lives and exercise our rights.
- 6- we fear ~~with~~ we will not be able to work again in South Sudan if the government found our names or photos.

