

Commission for Truth, Reconciliation and Healing (CTRH)

The Commission for Truth, Reconciliation and Healing's primary functions and responsibilities are to spearhead efforts to address the legacy of conflicts, promote peace, national reconciliation and healing, and according to the R-ARCSS, and it is to be established by legislation. The CTRH shall also recommend processes and mechanisms for the full enjoyment by the victims of the human right violations, including by suggesting measures for reparations and compensation. In the determination of such remedial processes and mechanisms, the CTRH shall draw on existing traditional practices, processes, and mechanisms, where appropriate.

Further, the Agreement provides for appointment of seven (7) Commissioners, four (4) of whom shall be South Sudanese nationals, including two (2) women. The remaining three (3) Commissioners shall be from other African countries, of whom at least one (1) shall be a woman. The CTRH shall be chaired by a South Sudanese national, and deputised by a non-South Sudanese national.

Progress made on Implementation of Chapter V

On the 10th May 2021, the Minister of Justice and Constitutional Affairs, in exercise of his mandate under Article 5.2.1.3 of the R-ARCSS, established a 36-member Technical Committee, which was inaugurated on 30th June 2021. With support from the United Nations Development Programme (UNDP) and others, a training programme was launched for members of the Committee on how to go about gathering information and conducting public consultations. Subsequently, on 05th April 2022, H.E. Gen. Salva Kiir Mayardit, President of the Republic, launched the public consultation process. Its outcome was to form the basis for drafting of legislation for the establishment of the CTRH.

Indeed, following extensive public consultations across the 10 states of South Sudan and the three administrative areas, on 30th July 2022, the Committee submitted its findings to the Minister of Justice and Constitutional Affairs who started the drafting of the Bills for establishment of CTRH and CRA.

In November to December 2022, the Minister of Justice and Constitutional Affairs led a delegation of ten members, including the Minister of Gender, Child and Social Welfare, Chairperson of Peace and Reconciliation Committee in the TNLA, representative from civil society organization and technocrats from relevant institutions of the Government for a visit to The Gambia and the Republic of South Africa to learn from these countries the transitional justice processes.

Following the visit to The Gambia and South Africa, from 15th to 18th May 2023, the Ministry of Justice and Constitutional Affairs and Ministry of Cabinet Affairs organized a Transitional Justice conference in Juba, which was attended by TJ experts from the African Union Members Countries and personnel from the international academia, in which a recommendation was produced at the end of the conference for finalization of the two Bills (CTRH and CRA).

On the basis of the public consultations report submitted to the Minister of Justice by Technical Committee and the TJ Conference Recommendations, the Ministry of Justice and Constitutional Affairs drafted the final Bills for the establishment of CTRH and CRA which are currently before the National Council of Ministers for deliberations and approval before sending them to the TNLA for enactment.