STATEMENT ON

THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS.

THE 67 TH SESSION

UNITED NATIONS GENERAL ASSEMBLY

COUNSELLOR

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Mr. Chairman,

As it is the first time my delegation is taking the floor, allow me to congratulate you on your assumption of the chair of this committee, during its Gih session and the members of the bureau. Although the challenges ahead are enormous, nevertheless, my delegation is confident that under your stewardship tangible progress would be achieved. South Sudan aligned itself with statement made by Egypt on behalf of the African group.

Mr. Chairman,

The Republic of South Sudan is the newest member of the United Nations family,

which attained its sovereign independence on the 9th July 2011. The independence of South Sudan came as a result of peaceful, democratic and internationally monitored national referendum held in January last year. The outcome of the referendum was 98. 7%

the content of the future Constitution. It is worth noting that the Commission was established with due regards to gender, political, social and regional diversity of South Sudan in recognition of the need for inclusiveness, transparency and equitable participation.

Mr. Chairman,

The principles of rule of law are enshrined in the Transitional Constitution of the Republic of South Sudan 2011, which is the supreme law of the land from which authority at all levels of government derives and to which all state constitutions must conform, Article 3. The Constitution vests sovereignty in the people and the state exercises this sovereignty through its democratic and representative institutions established under the Constitution and the law. Importantly, the Constitution proclaims that South Sudan is founded on justice, equality, respect for human dignity and advancement of human rights and fundamental freedoms.

The Consistent with International Human Rights Law, the Constitution embodies a Bill of Rights that guarantees the sanctity

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of rights and freedoms, life and human respect 4 0

Institutions and has incorporated the instruments into our domestic laws. Equally, there is an ongoing work between the Ministry of Foreign Affairs and International Cooperation and Ministry of Justice to update the situation so that our country accedes to all Human Rights Conventions and treaties in the next coming months.

Mr. Chairman,

The Republic of South Sudan is already working with the United Nations Mission in South Sudan [UNMISS] and other multilateral bodies in the development of strong and effective institutions in the area of rule of law by providing training to the rule of law sectors such as judiciary, Ministry of Justice, Prison Service and Police Service. This support of the UNMISS though limited in nature, is greatly appreciated. The building and consolidation of rule of law institutions remains as one of the most challenging tasks our nation is undertaking.

South Sudan recognizes the importance of international dispute resolution mechanism as such it is committed to utilizing the forum of the International Court of Justice and other adjudicative bodies for resolution of disputes peacefully. The comprehensive Peace Agreement which led to independence of South Sudan was brokered through such international effort. South Sudan prior to independence from Sudan agreed to the settlement made by Permanent Court of Arbitration at The Hague on Abyei area boundary dispute between it and Sudan. Furthermore, South Sudan fully accepted UN Security Council Resolution 2046 and agreed to peaceful negotiations facilitated by the African Union High Level Implementation Panel [AUHIP] on post-independence issues. Therefore, as part of commitment to the noble notion of rule of law at international level, South Sudan shall pursued settlement of international disputes through peaceful means.

Mr. Chairman,

The Government of South Sudan recognizes the role of customary law and traditional institutions, which function alongside formal justice sector institutions. The traditional and informal sector is functioning in accordance with the Constitution and the law. Under the Local Government Act, customary law courts

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are established with appointed judges. However, there are still major conflict areas between the traditional justice mechanisms and the formal justice sector. There are harmful customary rules and practices which need to be modified or eliminated through legislation to avoid conflict with provisions of the Constitution. The Ministry of Justice under its strategic framework is pursuing rule of law sector wide approach that will identify those conflict areas and strengthen the links across the entire justice system. Additional work is needed to ensure effectiveness and efficiency in policy development and implementation. In order to facilitate research in this area the government has established a Customary Law Research Centre. The Government of South Sudan is committed to combating all harmful customs and traditions which undermine the dignity and status of women. Basic reforms of the traditional justice system will be implemented on a continuing basis without undermining positive social norms of traditional societies.

Mr. Chairman,

In conclusion South Sudan is committed to strengthening the nexus between the rule of law at the national, regional and international levels with respect to ensuring accountability for international crimes and other gross violations of human rights.

Thank you

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