



Statement from the Transitional Justice Working Group (TJWG) on National Dialogue and the launch of the Technical Committee of the Commission for Truth, Reconciliation and Healing

19th December, 2016

We, the Transitional Justice Working Group (TJWG), acknowledge the government's initiatives to foster peace and reconciliation. We welcome the government's intention to embark on a National Dialogue, which was launched on 14 December, 2016. We furthermore congratulate the government for demonstrating their commitment to the implementation of the Agreement on the Resolution of Conflict in the Republic of South Sudan (ARCSS), in particular of Chapter V of the peace agreement which appreciates the instrumental role of transitional justice, accountability, reconciliation and healing in achieving sustainable peace for South Sudanese.

We applaud and encourage the efforts of the Ministry of Justice and Constitutional Affairs to form the Technical Committee for the establishment of the Commission for Truth, Reconciliation and Healing (CTRH) that was officially launched on 15 December, 2016. The diversity of the membership of this committee, ranging from government officials, to civil society actors, to academics and mental health professionals, shows the commitment by the government to ensure that the establishment of the CTRH shall be inclusive and in line with article 2.1.3 of Chapter V of the ARCSS.

The TJWG acknowledges the effort of the government to launch a national dialogue process, and acknowledges its position that the national consultations for the establishment of the CTRH and the National Dialogue are separate processes. Indeed, the two are divergent, though not in opposition to each other. Truth commissions are official entities established to investigate and report on key periods of abuse. Rather than punishing people, they unravel the causes and facts surrounding violent conflict so as to satisfy the victims' desire to know the truth and promote reconciliation and healing.

National dialogues, on the other hand, when inclusive, are powerful ways to create unity after conflict. If capable of bringing together all relevant national stakeholders and actors to converse about key issues and root causes of conflict, they can serve as common platforms for trust-building and the development of a new social contract for the future.

These two important processes should be sequenced. The truth-telling process should come first, followed by the national dialogue. The CTRH will have been able to investigate causes of conflict and address historical grievances. The findings of the CTRH can help South Sudanese set a broader agenda for the National Dialogue to then discuss these findings. Having a national dialogue process that runs parallel to the CTRH process, will lead to confusion amongst citizens about the two processes and bring about a battle of credibility for both process. We also envision that if these two process run concurrently, it may generate citizen fatigue in participating in both. The TJWG recommends to implement that what has already been agreed to in the ARCSS and to expand on these processes when



they have delivered what they are mandated to by the peace agreement.

In light of the above, and in order to ensure the success of the peace process, the TJWG calls upon all warring actors to cease-fire and commit to peace to enable an environment that is conducive for a truth-telling process and subsequent national dialogue to flourish. In addition, the TJWG urges the government, the think-tanks and all other stakeholders involved in the National Dialogue to safeguard the independence of and prioritize the process to establish the Commission for Truth, Reconciliation and Healing. The TJWG equally calls upon the Joint Monitoring and Evaluation Mechanisms (JMEC), the United Nations (UN), the development partners and all other international actors to do the same.

The Transitional Justice Working Group (TJWG) is a coalition of South Sudanese civil society organisations that work together to advocate for transitional justice; ensure a strengthened civil society voice in the debates around the design and implementation of transitional justice processes; and coordinate a complementary civil society role within those processes, including support to the collection of victims' stories and giving victims a voice.

For questions, please contact send an email to info@tjwgsouthsudan.org or visit www.tjwgsouthsudan.org Follow us on twitter: @tjwgsouthsudan