

**DIRECTORATE OF INFORMATION AND COMMUNICATION****Press Release**

African Union Commission and the Republic of South Sudan successfully conclude Working Session on the Draft Legal Instruments of the Hybrid Court for South Sudan.



Hon. James Mayen Oka Arou (far left) and the Ag. Legal Counsel of the AUC (far right) with the draft instruments that were considered during the Working Session.

Addis Ababa, 14 August 2017 –Following a weeklong working session which saw the AUC and representatives of the South Sudanese Government work together to critically review the draft legal instruments on the Hybrid Court of South Sudan (HCSS), both sides acknowledged that the finalization of the legal instruments was a significant part of the process towards establishing the Hybrid Court for South Sudan. They further underscored the importance of their continued cooperation in ensuring a successful implementation of the Communiqué of the Peace and Security Council and the Agreement on the Resolution of the Conflict in South Sudan (ARCISS), both of which mandated the Commission to establish the HCSS.

The Working Session was convened by the AUC Office of the Legal Counsel with the Acting Legal Counsel of the African Union Commission (AUC), Ms. Constancia A. Gaspar, personally receiving the delegation of the Government of the Republic of South Sudan at the African Union Headquarters, Addis Ababa from Monday, 8 to 11 August 2017. Among other objectives, the working session allowed for both Parties to adequately consider the

key draft legal instruments for establishing the HCSS; namely, the Draft Memorandum of Understanding between the AUC and the Republic of South Sudan; and the Draft Statute of the Hybrid Court, following the initial consultative meeting which took place in Juba, South Sudan from 20 to 22 July 2017. It was at this meeting that both sides agreed to put together their respective technical teams for future engagements

The delegation from South Sudan was composed of five legal (5) officials from the Ministry of Justice and Constitutional Affairs, led by Hon. James Mayen Oka Arou, Undersecretary, as well as three (3) representatives from the Permanent Mission of the Republic of South Sudan to the African Union, led by H.E. Ambassador James Morgan. The AUC delegation was led by the Acting Legal Counsel, accompanied by H.E. Joram Mukama Biswaro, Special Representative of the Chairperson of the Commission and Head of the AU Mission in South Sudan as well as a representative of the UN Office of Legal Affairs designated to provide technical expertise.

Following its opening, the session considered and made significant amendments to each of the draft legal instruments including the elaboration of some of the key provisions in the Statute. The Session also made some recommendations on the way forward, particularly with regards to the timeline for the conclusion and signing of the draft legal instruments following their consideration by the respective superiors of both Parties. The Session concluded with the initialing of the draft instruments to signify the authenticity of the drafts and indicate the continued commitment of both sides to complete this crucial process.

The AU Peace and Security Council, based on the recommendation of the AU Commission of Inquiry in South Sudan and the provisions of Chapter V of ARCISS, mandated the AUC to establish the HCSS to investigate and prosecute individuals bearing responsibility for violations of international law and South Sudanese law committed from 2013 through the end of the Transitional Period.

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