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## Human Rights Council

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Human rights situations that require the Council's attention

## Written statement\* submitted by Sign of Hope e.V. - Hoffnungszeichen, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[07 June 2019]

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\* Issued as received, in the language(s) of submission only.

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## **The human rights situation in South Sudan - oil and the contamination of drinking water**

Sign of Hope wishes to draw the attention of the United Nations Human Rights Council to abuses of human rights being perpetrated in South Sudan.

According to Sign of Hope's investigations, Petronas and other oil companies operating in South Sudan are committing grave human rights violations. These take the form of the pollution of the environment and the contamination of the water consumed by over 600,000 people.

### **Key findings**

Sign of Hope's investigations have revealed that oil consortia operating in South Sudan have contaminated the water consumed by 600,000 persons living in the concession areas of the Sudd Petroleum Operating Company Ltd. (SPOC), the Greater Pioneer Operating Company Ltd. (GPOC), and the Dar Petroleum Operating Company Ltd. (DPOC). The Malaysia-headquartered Petronas holds major shares in each of the consortia. In the SPOC consortium, Petronas has a 67.875% stake.

Sign of Hope has developed a comprehensive plan to help the people affected in South Sudan.

Grassroots movements led by activists in South Sudan are further raising the awareness of the human rights violations committed by oil companies in South Sudan.

### **Background**

Sign of Hope conducted two major scientific studies on oil contamination in South Sudan. The studies were published in scientific journals.

A hydrological study conducted in the period between 2008 and 2013 proved that the ambient potable water is strongly contaminated, and that the causes of this contamination are oil exploration and production. (Rüskamp, H., Ariki, J., Stieglitz, K., Treskatis, C. 2014: "Effects of oil exploration and production on the salinity of a marginally permeable aquifer system in the Thar Jath-, Mala- and Unity oilfields, Southern Sudan" in *Zbl. Geol. Paläont. Part I*, 95-115.)

To determine the state of the health of residents in South Sudan's Unity and Lake states, Sign of Hope collected 96 hair samples from inhabitants of four communities. The resultant toxicological study (Pragst, F., Stieglitz, K., Runge, H., Runow, K.-D., Quig, D., Osborne, R., Runge, C., Ariki, J. 2017: "High concentrations of lead and barium in hair of the rural population caused by water pollution in the Thar Jath oilfields in South Sudan" in *Forensic Sciences International*) produced evidence that the hair samples of people living around the oilfields of Thar Jath contained high concentrations of lead and barium.

Between 2011 and 2018, Sign of Hope engaged in a number of dialogues with Petronas. These meetings were held in South Sudan (April 2011), in Germany (December 2012 and November 2015) and in Switzerland (April 2018). Sign of Hope's goal in pursuing the dialogues had been to jointly identify measures with the capability of improving the situation being experienced by the people affected in South Sudan. Sign of Hope could not detect the discussions with Petronas having resulted in any significant improvement of the lives of the people living in and around the oilfields.

A representative of South Sudan's Ministry of Petroleum and Mining (MPM) took part in a meeting that took place in November 2015 in Stuttgart, Germany. Also attending were representatives of Sign of Hope, Petronas and Daimler, which is Petronas' partner in the Formula 1 racing competition. At the end of the meeting, the representative of the MPM demanded that Sign of Hope refrain from publishing any allegations against any joint operating oil companies or stakeholders active in the Republic of South Sudan, unless such had been cleared by MPM on a prior basis. A failure by Sign of Hope to do such would be deemed an act committed against the Government of South Sudan and thus a threat to the

security of the country. This directly-issued threat compelled Sign of Hope to relocate its expatriate staff from South Sudan.

## **New figures prove: oil contamination affects more than 600,000 South Sudanese**

According to Sign of Hope's investigations and calculations, Petronas and the other oil companies operating in South Sudan are responsible for the contamination of the water drunk and used by more than 600,000 residents of South Sudan – equivalent to 5% of the entire population of the country.

The figures compiled by Sign of Hope comprise the population in and around the three oilfields in South Sudan. According to Sign of Hope's research and calculations,

SPOC has contaminated the water consumed by 238,000 people. This contamination has resulted from the consortium's exploration for and production of oil;

GPOC has contaminated the water consumed by 182,000 people. This contamination has resulted from the consortium's exploration for and production of oil;

DPOC has contaminated the water consumed by a further 184,000 people. This contamination has resulted from the consortium's exploration for and production of oil.

## **Measures to help affected people**

Sign of Hope formulated a comprehensive proposal that is designed to improve the situation of the people affected by oil pollution in South Sudan. This project is comprised of five individual steps. Sign of Hope presented the plan to Petronas and Daimler at the meeting held in Switzerland in April 2018 underlining that Sign of Hope could not be an implementing partner for Petronas and Daimler. Sign of Hope has yet to detect these participants' having made significant progress to address the concerns covered in these steps.

Sign of Hope's plan is designed to yield a significant improvement of the humanitarian situation of the populations affected. It consists of the following steps:

Water well rehabilitation. This in turn is to form part of a larger-scale WASH program, which is to be accompanied by an assessment of the health of the population. The plan includes a timeline that establishes milestones to be met over the next few years and decades.

Publication of all of the environmental impact, social impact and strategic environmental assessments required by the Petroleum Act 2012 of South Sudan.

Provision of access to clean drinking water to the entire population affected; and the achievement of significant improvements in the population's sanitation and hygiene, medical treatment, food security and education.

Introduction of a system for the management of produced water and of other wastes that accords to international standards; and the implementation of the recommendations included in the above mentioned assessments.

Ensuring that local communities partake of the benefits arising from the production of oil; the involvement of these communities in the decision-making processes undertaken by the oil companies.

## **Grassroots movements in South Sudan**

Sign of Hope has witnessed a rise of grassroots movements in South Sudan. Involving local activists, these movements are raising their voices against the pollution caused by oil companies in South Sudan.

An increasing number of local journalists are publishing reports on the contamination of water and on oil pollution-caused problems. A portal for these articles is [www.forsouthsudan.com](http://www.forsouthsudan.com). On April 23, 2019, Anataban" - the renowned collective of

South Sudanese activists - released "*Black Tide*" (<https://youtu.be/ZM5Z3xuDeK4>). This song is designed to raise the South Sudanese's awareness of the prevalence of and perils from oil's pollution of water.

## **Recommendations**

The United Nations Human Rights Council should urge the Government of South Sudan to immediately and unconditionally assure each human being in the country of having unimpeded access to clean drinking water.

The Human Rights Council should call upon the Government of South Sudan to comprehensively inform the population affected by the oil-related contamination of the drinking water issuing from the upper aquifer of this poisoning's causes and effects.

The Human Rights Council is to request of the Government of South Sudan the publishing of all Environmental Impact, Social Impact and Strategic Environmental Assessments; the carrying out of a comprehensive social and environmental audit of petroleum exploration, extraction, production and transportation in the country; and the taking of measures leading to a desisting of the pollution of the upper aquifer's water layer, to the remediation of the environment, and to the compensation of the people affected for damages to their lives and livelihoods, as stipulated in South Sudan's Petroleum Act of 2012.

The Human Rights Council is to urge the Government of South Sudan to establish an institution that operates either entirely independently or is attached to the country's Chamber of Auditors or to its Anti-Corruption Commission. This body's brief will be to publish petroleum-related information. The Human Rights Council is also to urge the Government of South Sudan to invite independent third party investigators to comprehensively assess petroleum-related activities while this body is in the process of being set up.

The Human Rights Council is to ask the Government of South Sudan to assess the health of the population affected by the consequences of oil exploration and production. The Government is also to make sure that the above-mentioned five project steps are undertaken, so as to ensure that those humans who have been poisoned by oil exploration and production immediately receive the appropriate medical treatment.

The Human Rights Council is to call upon the Government of South Sudan to stop harassing human rights defenders and to refrain from making threats against any person or organization that exercises rights of free speech.

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