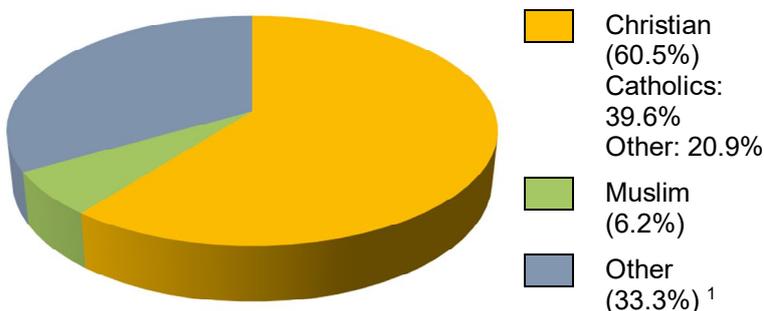
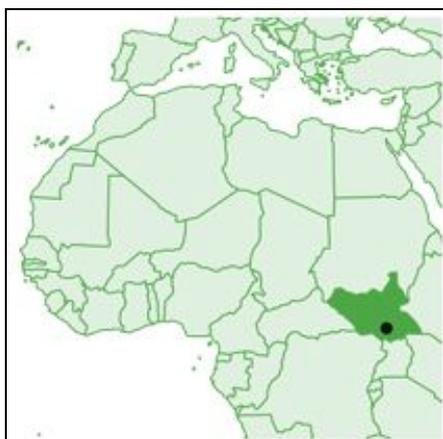


SOUTH SUDAN



Area: 619,745 km ²	Population: 12.8 million	Political system: Autocracy ²	Major Language(s): English, Dinka, Nuer, Shilluk, Arabic
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Legal framework of religious freedom and its application

The religious make-up of South Sudan – as with so many other aspects of life in this newly emerging country – is dominated by its hard struggle to achieve independence from its dominant northerly neighbour, Sudan, from whom it gained secession on 9th July 2011. Independence followed a bitter and bloody conflict which, at 22 years, ranks as Africa’s longest civil war.³ With two million losing their lives, the death toll was one of the highest of any conflict since the Second World War. South Sudan’s effort to overcome what was widely seen as Khartoum’s drive to Islamise the region still informs the religious sensibilities of a country which came to birth as one of the poorest nations on earth.⁴

For the past two years, the country of Southern Sudan has gone through one of the most turbulent periods of its short history. Divisions within the ruling elite brought about bloody armed conflicts in different regions of the country which have had a huge toll on the civil population. According to the United Nations Office for the Coordination of Humanitarian Affairs, up to February 2016 nearly 1.7 million people had been displaced solely as a result of the armed conflict.⁵ In addition, more than 500,000 citizens have fled to neighbouring countries. Massive human rights violations have taken place and the civilian population has suffered badly. When crimes or human rights violations have been committed, impunity among military cadres, government at all levels and politicians is the norm. South Sudan is now close to becoming a failed state with high levels of oppression against free media, human rights activists and any kind of civil society whistle-blowers or critics of the state. At the moment, a feeble peace agreement between the warring parties has been signed but still South Sudan remains one of the most volatile areas of the world.

The transitional constitution officially promulgated on 9th July 2011 enshrines the separation between religion and state (Article 8.1), the fact that all religions shall be treated equally and that religion should not be used for divisive purposes (Article 8.2). In Article 23, the constitution outlines the people’s religious rights as protected by the supreme law.

There is already a mechanism of registration of religious groups, though there is not yet any law regulating the details of such process. The general impression is that the government is fairly tolerant of different groups, provided they remain within the law and especially if their activities are not perceived as a threat to the security of the state or its citizens. The understanding of this last

point varies according to the standpoint of the rulers, the citizens and the social activists. During the period under review, a number of radio stations have been closed, with the government reacting negatively to the broadcasters' commitment to impartial and professional reporting standards. Such media refusals to compromise on quality have met with resistance by government officials, especially at times of armed confrontation or political crisis. The same has happened with any kind of criticism of the established authority at local, regional or national level. It seems the government would prefer faith-based radio stations which are tame, free from any political involvement and adhering strictly to spiritual matters without any other social implications.

Religious leaders from different religions and Christian denominations are part of the National Healing, Peace and Reconciliation Committee. Their moral authority is widely recognised but their real influence on political leaders is very limited. This is also because their presence on advisory bodies is more often than not a nuisance to members of the ruling elite, who are reluctant to submit to scrutiny or face criticism. In the gravest moments of the present armed crisis, religious leaders have been trying to initiate a Church-led reconciliation process and eventually reinforce other peace programmes.⁶

Incidents

Censorship

16th July 2014: National Security offices threaten Spirit FM, a Christian radio station in Yei.⁷

16th August 2014: Security officers in Juba close down Bakhita Radio, a Catholic radio station, and arrest the News Editor "on the grounds of national security".⁸ Amid reports that security was not the reason for the shutdown, it was stated that the officers acted in response to the radio's information about fresh armed clashes around the Bentiu area. The Chief News Editor was released three days later without charges.

17th August 2014: Christian radio station Weer Bei FM in Aweil East, Northern Bahr El-Ghazal, is temporarily shut down. When the station re-opens it refuses to provide exclusively pro-government reportage.⁹

8th November 2014: Bakhita Radio, closed down by the government on 16th August, starts broadcasting again.¹⁰

Political

15th August 2014: Government of Sudan rejects mediation of religious leaders in the peace talks.¹¹

Investigations

11th January 2015: UN investigation into killings carried out in April 2014 in Bentiu and Bor decides that there is enough evidence to carry out prosecutions. On 15th April 2014 about 306 civilians were killed in Kalibalek Mosque at the hands of the Sudan People's Liberation Army-In-Opposition (SPLA/IO).¹²

Arrests

27th March 2015: Adam Haron, a 37-year-old convert from Darfur, Sudan, is arrested and mistreated by alleged Islamists around Aweil, where he was reportedly evangelising Muslims.¹³

18th November 2015: About a dozen youths accompanying some Catholic priests are arrested by security officers under suspicion of being related to subversive groups, and some of the priests' belongings are confiscated in Nzara county (Western Equatoria State).¹⁴

Attack/Murder

28th December 2015: Five armed men break into the Solidarity Teacher Training College in Yambio, threaten the staff and steal equipment and personal items belonging to the religious Sisters.¹⁵ Other reports speak of one Sister being sexually assaulted by the attackers.

16th May 2016: Sister Veronika Terezia Rackova, a Slovakian Missionary Sister working at the St Bakhita's Medical Centre in Yei, is killed by SPLA soldiers as she transports a woman in labour in the middle of the night.¹⁶

Destruction of assets/building

16th January 2016: The church building belonging to the Sudanese Church of Christ in Yida refugee settlement is set on fire. Muslim extremists from Sudan are suspected of having carried out this attack.¹⁷

Prospects for freedom of religion

The ongoing violence in South Sudan does not have any religious connotation; rather it has an ethnic, political, sexual and inter-communal nature. Having said that, religious leaders put themselves at great risk in their service of their flock. The incidents reported here and those of the period since December 2013, when the hostilities broke out, show the high price religious leaders are paying when missions, churches, convents and other religious spaces are targeted. The priority at the moment is for basic human rights to be respected so that people can go back safely to their home areas. The situation is also compounded by high levels of corruption and nepotism found at all levels of administration, in both the public and private sectors. The future of the country will be very much influenced by how the leadership is able to stabilise the situation, correct the ongoing shortcomings of the state and create an atmosphere of transparency, trust and accountability in all levels of government.

¹ Here I am not able to quote the demographic data in www.thearda.com as it is suggested since it stills considers Sudan and Southern Sudan a single country. These data proceed from the specialized magazine on African issues "Mundo Negro", Africa Data 2016. May 2016. Madrid.

² https://en.wikipedia.org/wiki/Democracy_Index

³ BBC News *South Sudan country profile* <http://www.bbc.co.uk/news/world-africa-14069082>

⁴ GOV.UK *South Sudan: a new country for Africa (9/7/11)* <https://www.gov.uk/government/news/south-sudan-a-new-country-for-africa>

⁵ OCHA South Sudan <http://www.unocha.org/south-sudan>

⁶ *South Sudan: Church leaders launch peace initiative*, COMBONI SOUTH SUDAN (9th August 2015) <http://www.combonisouthsudan.org/index.php/1367-south-sudan-church-leaders-launch-peace-initiative>

⁷ National Security Service threaten radio station in Yei, Radio Tamazuj (16th July 2014)

<https://radiotamazuj.org/en/article/national-security-service-threaten-radio-station-yei>

⁸ *South Sudan Official shuts down Catholic Radio Station*, RADIO TAMAZUJ (16th August 2014)

<https://radiotamazuj.org/en/article/south-sudan-official-shuts-down-catholic-radio-station>

⁹ *Aweil East radio station to reject censorship orders*, RADIO TAMAZUJ (17th August 2014)

<https://radiotamazuj.org/en/article/aweil-east-radio-station-reject-censorship-orders>

¹⁰ *Catholic Radio Bakhita FM reopens after nearly 3 months*, RADIO TAMAZUJ (8th November 2014)

<https://radiotamazuj.org/en/article/catholic-radio-bakhita-fm-reopens-after-nearly-3-months>

¹¹ Timeline: Violence against churches in South Sudan, Radio Tamazuj (29th August 2014)

<https://radiotamazuj.org/en/article/timeline-violence-against-churches-south-sudan>

¹² *UN says evidence of ethnic massacres in S. Sudan may be sufficient for prosecutions*, RADIO TAMAZUJ (11th January 2015) <https://radiotamazuj.org/en/article/un-says-evidence-ethnic-massacres-s-sudan-may-be-sufficient-prosecutions>

¹³ *Pastor in South Sudan jailed, lashed after radical Muslims threaten him*, THE MORNING STAR (27th March 2015)

<http://morningstarnews.org/2015/03/pastor-in-south-sudan-jailed-lashed-after-radical-muslims-threaten-him/>

¹⁴ Group of youths travelling with priests detained in Yambio, Radio Tamazuj (18th November 2015)

<https://radiotamazuj.org/en/article/group-youths-traveling-priests-detained-yambio>

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- ¹⁵ Attack on Church personnel in Yambio, Comboni South Sudan (2nd January 2016)
<http://www.combonisouthsudan.org/index.php/1490-attack-on-church-personnel-in-yambio>
- ¹⁶ *Nun dies after being shot in South Sudan*, IOL (20th May 2016) <http://www.iol.co.za/news/africa/nun-dies-after-being-shot-in-south-sudan-2024270>
South Sudan mourns Sister Veronika Rackova, VATICAN RADIO (23rd May 2016)
http://en.radiovaticana.va/news/2016/05/23/south_sudan_mourns_sister_veronika_rackova/1231748
- ¹⁷ *Muslim extremists from Sudan suspected of burning church building in South Sudan*, THE MORNING STAR (26th January 2016) <http://morningstarnews.org/2016/01/muslim-extremists-from-sudan-suspected-of-burning-church-building-in-south-sudan/>