

**United Nations Human Rights Council
Universal Periodic Review of the Republic of South Sudan**

I. Background

1. Jubilee Campaign, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Republic of South Sudan as a contribution to the Universal Periodic Review.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.

2. South Sudan has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment; the Optional Protocol of the Convention against Torture; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; and the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography.
3. South Sudan has not ratified the International Covenant on Civil and Political Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Convention for the Protection of All Persons from Enforced Disappearance; the Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the Convention on the Rights of Persons with Disabilities.

Recommendation(s)

Jubilee Campaign urges the Republic of South Sudan to:

4. Ratify the International Covenant on Civil and Political Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; the Convention for the Protection of All Persons from Enforced Disappearance; the Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the Convention on the Rights of Persons with Disabilities.

III. Violations of international human rights obligations, considering applicable international humanitarian law

A. Freedom of thought, conscience, and religion

5. South Sudan's Constitution of 2011 states that, in accordance with "a decentralized democratic system", it is "a multi-cultural, multi-lingual, multi-religious and multi-racial entity where such diversities peacefully co-exist." In that same vein, the constitution stipulates that secular and religious issues will remain separate, and that "all religions shall be treated equally and religion or religious beliefs shall not be used for divisive purposes." More specifically, Article 23 provides South Sudanese citizens with the right to worship and assemble; the right to maintain houses for worship; the right to publish and disseminate religious materials; the right to teach religion; the right to seek and receive donations; the right to choose religious leaders; and the right to observe religious holidays.
6. In May 2020, South Sudanese officials arrested self-proclaimed prophet and leader of Cush International Church, Abraham Chol Maketh, for violating the proscription of church congregations and religious gatherings during the COVID-19 pandemic. According to bystanders of the arrest, authorities physically beat Meketh before stripping him of his clothing and throwing him into the police car naked.¹
7. In mid-June 2020, members of the South Sudan People's Defense Forces (SSPDF) and the militant National Salvation Front (NAS) "tortured civilians, looted property and abducted two ordained priests of the Episcopal Church of South Sudan, part of the Anglican communion." Priest Theophilus Abugo Dalima and church member Joel Milla Oliver were killed. Archbishop Dr. Paul Pitiya Benjamin Yugusk reported that "You know, we are the victims. Those are two giants [the government and NAS forces] fighting, and eventually, the anger is released on the civilians and the church."²
8. In July 2020, unidentified gunmen ambushed a building of the Episcopal Church of South Sudan's Diocese of Atooch in Jonglei, taking six children as hostage and killing the church's dean and 14 women. Following the attack on the church, the assailants continued their onslaught in the village of Makol Chuei, killing another ten civilians.³
9. On Christmas Eve 2020, three officers of the South Sudan People's Defense Forces (SSPDF) attacked Christian civilians and members of the Revival

¹ Radio Tamazuj, "COVID-19: 'Prophet' Abraham Chol sentenced to 1 month in jail", 1 May 2020.

Ajak Deng Chiengkou, "'Prophet' Abraham Chol was beaten by police in Juba, he never removed his clothes", *SBS Thuonjāj*, 2 May 2020.

² Juma Peter, "Anglican Priest Killed In South Sudan In Renewed Military Conflict", *Religion Unplugged*, 15 June 2020.

³ Juma Peter, "Gunmen attack South Sudan Anglican cathedral, killing at least 23", *Episcopal News Service*, 4 August 2020.

Movement of Loka, Archbishop Dr. Yugusuk reported that the soldiers forced the Christians to drink alcohol, locked five Revival members in a hut and set it on fire, and even kidnapped and raped three women. Fortunately, there were no casualties – the five men trapped in the hut were able to escape – but there were fifteen injured civilians. The SSPDF arrested the three soldiers responsible for the attack and visited the victims in Lainya Hospital.⁴

10. In April 2021, Italian Roman Catholic priest Rev. Christian Carlassare was seriously injured when unidentified assailants ambushed his home and shot indiscriminately 13 times in the Diocese of Rumbek.⁵

Recommendation(s)

Jubilee Campaign urges the Republic of South Sudan to:

11. Ensure that the South Sudan People’s Defense Forces (SSPDF), and relevant militant groups, cease the practice of arbitrarily arresting and detaining Christians; similarly, take measures to prevent and prosecute any SSPDF or militant group violence towards Christians and civilians;
12. Investigate, locate, and prosecute unidentified assailants of attacks against civilians.

B. Sexual Violence

Improvements

13. Some improvements were made in South Sudan with regards to addressing sexual violence. ⁶ The Ministry of Gender, Child and Social Welfare started a hotline for victims to dial in regarding personal cases of sexual violence; one-stop health centers were constructed in Akobo and Aweil, as well as a shelter in Western Bahr el-Ghazal; training on the prohibition of sexual violence was provided to security, militia, and police forces.
14. The South Sudan People’s Defense Forces (SSPDF) in November 2020 took punitive action against 26 of its members who had perpetrated sexual violence and/or rape between 2019 and 2020; they received various prison sentences. Civilian courts have also brought to justice two other SSPDF soldiers, one South Sudan National Police Service (SSNPS) officer, and three members of the South Sudan People’s Liberation Army (SPLA-IO) for rape.⁷

⁴ Radio Tamazuj, “SSPDF soldiers set men on fire in Loka: Archbishop”, 30 December 2020.

⁵ Claire Giangravé & Frederick Nzwili, “Italian bishop-elect shot in his home in South Sudan”, *America Magazine: The Jesuit Review*, 28 April 2021.

⁶ United Nations Security Council, *Report of the Secretary-General on Conflict-related sexual violence, S/2021/312*, 30 March 2021.

⁷ United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, “South Sudan: Special Representative Patten welcomes the conviction of perpetrators of sexual violence in Yei, Central Equatoria, marking a step forward in the fight against impunity”, 3 November 2020.

15. In mid-June 2021, South Sudanese Anglican Primate Archbishop Justin Badi Arama called upon the nation's Christian community to mark the 19th of June, the International Day for the Elimination of Sexual Violence in Conflict.⁸ More broadly, the South Sudan Council of Churches (SSCC) released a statement in which they called on churches to incorporate into their sermons messages that acts of rape, sexual slavery, forced marriage, and sexual violence are considered crimes under federal law and are in violation of the principles of faith.⁹

Existing Issues

16. The United Nations Mission in South Sudan's (UNMISS) Human Rights Division reported that 142 adult women, 46 children, and 5 men experienced conflict-related sexual violence between January and December 2020. Also in 2020, UNMISS verified an additional 25 cases of conflict-related sexual violence that took place between 2014 and 2019; these cases affected 14 adult women, 8 children, and 3 men.¹⁰ Of all cases of conflict-related sexual violence recorded between January and December 2020, 81% were cases involving rape, gang rape, or attempted rape; other recorded acts of sexual violence included forced nudity, forced marriage, and sexual slavery. UNMISS does clarify that due to the negative social stigma surrounding being the victim of sexual violence, the actual number of cases is likely much higher due to under-reporting.
17. The primary perpetrators of conflict-related sexual violence were members of the South Sudan People's Defense Forces (attributed to 27% of cases), the South Sudan National Police Service, the National Security Service, civil defense groups (32% of cases), and the National Salvation Front.
18. In March 2021, the UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (OSRSG-SVC) reported that sexual violence survivors in South Sudan face difficulties in accessing services, as they may be forced to travel far to visit shelters and clinics. Moreover, South Sudanese "survivors of sexual violence reported reduced access to clinics owing to fears of contracting the virus and higher rates of intimate partner violence and harmful traditional practices, such as early marriage."¹¹
19. Organisation for Nonviolence and Development (ONAD) and Women Development Group (WDG), both of which operate in South Sudan, report that the COVID-19 pandemic has directly caused an increase in gender-based

⁸ Anglican Communion News Service (ACNS), "South Sudanese Church leaders shifts sexual violence stigma from victims to perpetrators", 18 June 2021.

⁹ South Sudan Council of Churches, *South Sudan Council of Churches (SSCC) Messages Marking the International Day for the Elimination of Sexual Violence in Conflict*, 19 June 2021.

¹⁰ United Nations Mission in South Sudan (UNMISS), Human Rights Division, *Annual Brief on Violence Affecting Civilians: January – December 2020*, March 2021.

¹¹ *Supra note 6.*

violence. For many women, the closure of businesses to prevent the spread of the coronavirus forced them to work dangerous jobs where they are made more vulnerable to sexual violence and exploitation. In July 2020, three South Sudanese women were raped while they were collecting firewood in the city of Wau. For women who are unable to find another ordinary source of income, resorting to prostitution is an increasing reality.¹²

20. In April 2021, Ms. Caroline Atim, Founder and Director of the South Sudan Women with Disabilities Network, presented in front of the Human Rights Council regarding the threat of sexual violence against disabled women and girls in South Sudan. Already, more than 65% of South Sudanese women have been subjected to GBV, and disabled women on a global scale are 2-3 times more likely to experience GBV and sexual exploitation. Ms. Atim highlights the numerous obstacles to protection and remedy faced by South Sudanese disabled women, including: women with speech and/or hearing disabilities experience difficulties relaying their experiences to relevant authorities; women with physical disabilities struggle access already sparse clinics and support services; disabled women are preyed upon by perpetrators seeking vulnerable victims; and the misconception that disabled people cannot have consensual relationships prevents South Sudanese disabled women from being informed about body autonomy and sexual violence prevention.¹³

Recommendation(s)

Jubilee Campaign urges the Republic of South Sudan to:

21. Establish and promote health services and psycho-social services tailored to treat survivors of conflict-related sexual violence and gender-based violence (GBV) and encourage incident reporting among victims and witnesses;
22. Expand the existing health system to ensure greater accessibility of services for survivors with disabilities or who may have to travel great distances to seek help;
23. Promote ideas of gender equality, bodily autonomy, and emphasize the illegality and inhumanity of sexual violence and GBV;
24. Prosecute all perpetrators of sexual violence and GBV.

¹² SaferWorld, “It is like another war’: confronting gender-based violence amid COVID-19 in South Sudan”, 20 July 2020.

¹³ Working Group on Women, Peace and Security, “Statement by Ms. Caroline Atim at the UN Security Council Open Debate on Conflict-Related Sexual Violence”, 14 April 2021.