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**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF SOUTH SUDAN
FOR THE 40TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

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Introduction

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of South Sudan (South Sudan) for the 40th Session of the Universal Periodic Review (UPR).

Background

2. Located in east-central Africa, South Sudan has an estimated population of 10.9 million people¹. About 60% of the population identifies as Christian, 33% as folk religions, 6% as Muslims, and the rest as other or unaffiliated².

3. South Sudan's previous review was held on 7 November 2016³. During the previous UPR, South Sudan received 233 recommendations, 203 of which South Sudan supported. One recommendation, which Sudan supported, called for the government to “[i]mmediately desist from violations of human rights, including attacks on civilians and unlawful killings, acts of rape and sexual violence, arbitrary detentions, abductions and lootings”⁴. Another supported recommendation was for South Sudan to “[p]romptly ratify the International Covenant on Civil and Political Rights”⁵. There were no recommendations made regarding religious liberty, however, the ongoing conflict has put the lives of Christians and other citizens at risk.

4. In 2011, South Sudan gained independence from Sudan. Since 2013, civil war has ravaged South Sudan, resulting in a massive humanitarian crisis. Despite a ceasefire signed in February of 2020⁶, there are still hundreds of reports from across the country of innocent civilians being killed by the South Sudan People's Defense Force (SSPDF) and opposing insurgent groups. In addition, unknown assailants often target and attack Christians⁷.

Legal Framework

5. Under the Transitional Constitution of South Sudan, Article 11, “[e]very person has the inherent right to life, dignity and the integrity of his or her person which shall be protected by law; no one shall be arbitrarily deprived of his or her life”⁸.

6. Furthermore, under Article 23 of the Constitution, citizens have “the right to worship or assemble in connection with any religion or belief and to establish and maintain places for these purposes”⁹.

7. Despite supporting recommendations from its 2016 review that it ratify the ICCPR, South Sudan has not done so. Ratifying the ICCPR would indicate that South Sudan is committed to the

principals espoused in its Constitution, as well as those enshrined within such articles as Article 18 of the ICCPR:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching¹⁰.

8. Furthermore, under Article 6 of the ICCPR, “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”¹¹.

Attacks on Christians

9. On 14 May 2018, “[a]t least ten people, including five children, [were] killed in an attack on a [Christian] college in South Sudan”¹². The attackers, later identified as members of the Sudan People’s Liberation Army “also raped the 14-year-old daughter of a staff member . . . and vandalized and looted college offices, single-staff houses, classrooms and the library”¹³.

10. In November 2019, “[f]our people were kidnapped after thousands of displaced civilians fled their homes during an attack on a church compound in South Sudan”¹⁴. According to the reports, the assailants were unknown and “no groups have claimed responsibility”¹⁵. The South Sudanese government did “not provide any security, leaving the people to live in fear of another attack”¹⁶.

11. On 27 July 2020, unidentified gunmen killed thirty-one people “in an attack in which [a] cathedral and [an] entire village were set ablaze”¹⁷. Among those killed in the attack was the Dean of St. Luke’s Cathedral along with “14 women and children who had sought refuge in the church’s compound”¹⁸. In addition to the children killed in the compound, “[s]ix children were abducted by the attackers and later killed”¹⁹.

12. During Christmas of 2020, at least 3 SSPDF soldiers stormed into a church, forced the congregants to drink alcohol, abducted clergymen and women, and locked five adults and three children into a hut before setting the hut on fire²⁰. All eight individuals were able to escape the burning hut, and all but one of those taken hostage were able to later escape²¹. One survivor stated, “[t]he soldiers threatened to kill all of us . . . They brought alcohol and forced us to drink. It was a choice of death and life”²². Another survivor further described the violence they face on a daily basis:

Those soldiers are here not to protect the civilians at all We are not free in Loka West. The degree of persecution is very high. We are now in the hospital. If we return home, they will kill us. We are afraid of returning to our house because those soldiers are waiting for us. They want us dead²³.

13. On 26 April 2021, two gunmen stormed the home of a Catholic priest and shot him several times²⁴. The Catholic Church has acted as a mediator in peace negotiations between the opposing

Dinka and Nuer tribes, and reports indicate that the attack was designed to deter the Catholic church from being involved in South Sudan's political affairs²⁵.

14. On 16 May 2021, Sudanese militiamen barbarically attacked the northern village of Dungob Alei, killing 13 people and wounding 8 others²⁶. While the perpetrators of the attack remain unknown, the Episcopal Church of South Sudan stated that the Diocese of Abyei sits in “an area that experiences Islamic encroachments followed by harassment, intimidation and frequent attacks carried out by Arab Islamic militias”²⁷. Thus, this attack mirrors a long-term trend of violence against Christians in South Sudan, sending a clear message to Christians to either stop worshipping or constantly fear for their lives²⁸.

Conclusion

15. Religiously-motivated attacks, along with a raging civil war, make South Sudan one of the “most unstable government[s] in the world as well as one of the most dangerous countries to live in”²⁹. South Sudan's turbulent past fuels the current attacks against Christians. The government of South Sudan must do more to protect the rights enshrined in their Constitution and defend the lives and religious freedom of the South Sudanese.

¹ *South Sudan*, WORLD FACTBOOK (22 Mar. 2021), <https://www.cia.gov/the-world-factbook/countries/south-sudan>.

² *Id.*

³ *Universal Periodic Review Second – South Sudan*, UNHRC, <https://www.ohchr.org/EN/HRBodies/UPR/Pages/SSindex.aspx>.

⁴ UPR – of South Sudan Thematic List of Recommendations A/HRC/34/13/Add. 1 – Para. 4a, <https://lib.ohchr.org/HRBodies/UPR/Documents/Session26/SS/MatriceRecommendationsSouthSudan.docx>.

⁵ *Id.*

⁶ Juma Peter, *South Sudan Soldiers Locked Church Members in a Burning Hut, Raped Women*, RELIGION UNPLUGGED (5 Jan. 2021), <https://religionunplugged.com/news/2021/1/4/south-sudan-soldiers-assault-christians-rape-women>.

⁷ *South Sudanese Archbishop Calls for Prayer After “Barbaric Attack”*, PERSECUTION.ORG (20 May 2021), <https://www.persecution.org/2021/05/20/south-sudanese-archbishop-calls-prayer-barbaric-attack/>.

⁸ Transitional Constitution of South Sudan art. 11,

https://www.justice.gov/sites/default/files/eoir/legacy/2013/11/08/transitional_constitution_of_south_sudan.pdf.

⁹ *Id.* at art. 23.

¹⁰ International Covenant on Civil and Political Rights, 16 Dec. 1966, S. Treaty Doc. No 95-20, 6 I.L.M. 368 (1967), 999 U.N.T.S. 171, art. 18.

¹¹ *Id.* at art. 6.

¹² *Ten Killed as Christian College Attacked in South Sudan*, WORLDWATCHMONITOR.ORG (17 May 2018), <https://www.worldwatchmonitor.org/coe/32222/>.

¹³ *Id.*

¹⁴ *Fear Grips South Sudan after Church Attack*, AFRICANEWS (16 Nov. 2019) <https://www.africanews.com/2019/11/16/fear-grips-south-sudan-after-church-attack/>.

¹⁵ *Church Attack in Rimenze, South Sudan Displaces Thousands*, PERSECUTION.ORG (19 Nov. 2019) <https://www.persecution.org/2019/11/19/church-attack-rimenze-south-sudan-displaces-thousands/>.

¹⁶ *Id.*

¹⁷ Rebecca Paveley, *Gunmen Kill Dean and Set Fire to Cathedral in South Sudan*, CHURCH TIMES (14 Aug. 2020), <https://www.churchtimes.co.uk/articles/2020/14-august/news/world/gunmen-kill-dean-and-set-fire-to-cathedral-in-south-sudan>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *South Sudan Soldiers Locked Church Members in a Burning Hut, Raped Women*, *supra* note 6.

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Claire Giangravé, *Italian Bishop-Elect Shot in His Home in South Sudan*, AMERICA THE JESUIT REVIEW (28 Apr. 2021), <https://www.americamagazine.org/faith/2021/04/28/attackers-shoot-italian-bishop-elect-south-sudan-240548>.

²⁵ *Id.*

²⁶ *South Sudanese Archbishop Calls for Prayer After “Barbaric Attack”*, *supra* note 7

²⁷ *Id.*

²⁸ *South Sudan Soldiers Locked Church Members in a Burning Hut, Raped Women*, *supra* note 6.

²⁹ *Id.*