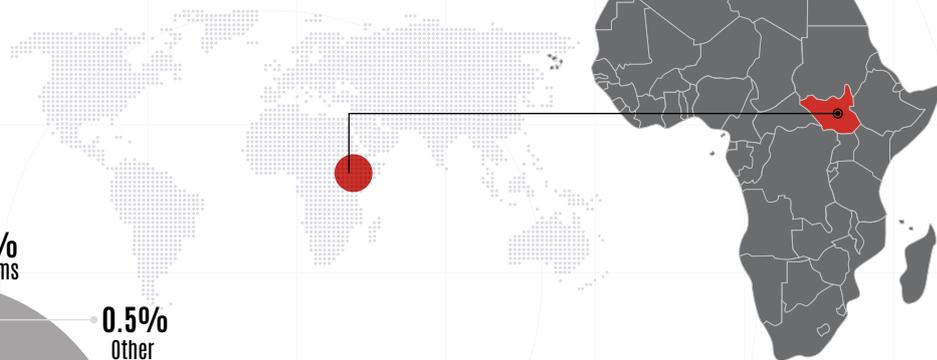
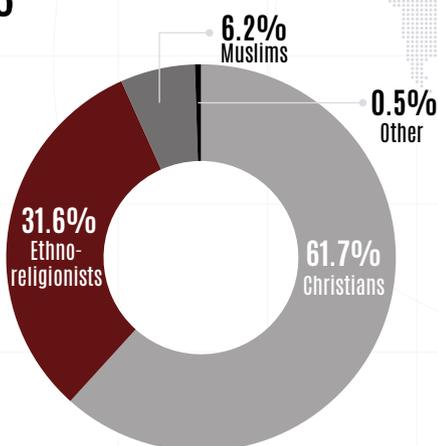




SOUTH SUDAN

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Peace Agreement signed in August 2015 by South Sudan President Salva Kiir Mayardit and rebel groups¹ stipulated that, 18 months after the establishment of the Transitional Government of National Unity, a new constitution would include points from an earlier agreement. A draft constitution, known as the Transitional Constitution Amendment Bill, was approved by the government in November 2017.² A year later, in November 2018, a bill was introduced in the legislative assembly in order to incorporate the 2018 “revitalised agreement” into the transitional constitution.³

The current transitional constitution, ratified on Independence Day (9th July 2011), and subsequently amended in 2013 and 2015, enshrines in Article 8 the separation between religion and state, and guarantees that all religious groups are treated equally. Article 23 details religious rights in the country.⁴

In general, there is a high degree of openness in South Sudanese society towards religion. Christian and Muslim groups take part in common initiatives. Religious groups

are able to register with the Ministry of Human Affairs through the Relief and Rehabilitation Commission⁵. In most public events, Christian and Muslim representatives read prayers, and the government usually provides translation from English to Arabic.⁶

Several religious groups are represented in government institutions. President Kiir Mayardit is a Catholic, while Sheikh Juma Saaed Ali, a leader of the Islamic community of South Sudan, is a high-level advisor on religious affairs.⁷

In general, religious education in public secondary schools and universities is included in the curricula, even though it is not government-mandated. Private schools are free to set their own religious curriculum.⁸

The security situation in different parts of the country has deteriorated significantly during the reporting period. Despite truces and peace agreements, lasting and meaningful peace is very far from the reality of most South Sudanese, with basic liberties at risk on a daily basis. Furthermore, political leaders and government officials are often accused of failing to protect the civilian population.

South Sudan’s precarious security situation over the last few years has had huge implications for the freedom of

faith-based groups. Numerous massacres and atrocities have been perpetrated in the country, with those responsible often enjoying total impunity. It is estimated that nearly 400,000 people have been killed since the end of 2013.⁹

Given the ethical concerns regarding South Sudan's government and political elite, with security forces suspected of being responsible for two thirds of human rights violations,¹⁰ religious leaders are often the only social actors with the necessary credible moral authority to challenge those in power and denounce acts of violence and injustice. This quasi-prophetic role often jeopardises the personal safety of those faith leaders who speak out. Some religious leaders have shunned the celebration of the National Day of Prayer called by the President Kiir, accusing him of being one of the root causes of the armed conflict.¹¹

INCIDENTS AND DEVELOPMENTS

The Catholic Church has been very actively engaged in peace initiatives in South Sudan. The country's bishops issued a statement in March 2019 saying that the revitalised agreement signed in September 2018 did not properly address the root causes of the ongoing conflict. They also emphasised that the hostilities continued, and that the agreement was not being implemented.¹²

A month later, in April 2019, the Pope invited the warring leaders to his residence in Casa Santa Marta for a retreat. The goal was to "heal bitter divisions".¹³ Pope Francis knelt to kiss the feet of President Kiir and Vice President Machar as he encouraged the leaders to resolve their problems and form a unity government, as they had committed to. President Kiir said that he "trembled" at that moment and urged Machar to return to the country to "expedite the peace process".¹⁴ Representatives of the South Sudan Council of Churches were also present at the retreat, as was the Archbishop of Canterbury and Primate of the Anglican Community, Justin Welby, who had proposed it.¹⁵

At the end of the year, in November 2019, the Pope declared that he wished to visit the country in 2020. However, this did not occur due to the situation caused by the COVID-19 pandemic.¹⁶ The pontiff called on the international community to "not neglect" the South Sudanese as their leaders worked towards reconciliation.¹⁷

In his Christmas message, in December 2019, the Pope sent his wishes to the population of South Sudan and as-

sured them of his "spiritual closeness as you strive for a swift implementation of the Peace Agreements."¹⁸ The South Sudan Council of Churches also issued a letter in which it called for forgiveness and reconciliation, and urged the parties who had not accepted the ceasefire agreement to do so. The prelates also thanked peacemakers and mediators to the conflict and called for an end to hostilities.¹⁹

Some international religious organisations are strongly involved in South Sudan's peace-building efforts. The Rome-based Community of Saint Egidio mediated a ceasefire agreement in early January of 2020, which became effective on the 15th of the same month. In an effort to move the peace process forward, representatives of the South Sudanese government and the country's opposition signed the 'Rome Declaration'.²⁰ The parties themselves thanked Pope Francis and other Church leaders for their involvement.²¹ The agreement was also welcomed by the Association of Members Episcopal Conferences in East Africa (AMECEA).²²

The Community of Saint Egidio again mediated talks that ended in a ceasefire agreement between the government and the Opposition Movement Alliance in October 2020.²³ A Comboni missionary Sister in the Diocese of Malakal, in the south of the country, complained about sporadic clashes between government forces and armed groups that had not signed the 2018 peace agreement. She emphasised that the crisis brought by the pandemic had increased poverty in the country.²⁴

In June 2020, the South Sudan Council of Churches deplored the escalation of violence taking place in almost all of the country's states. The bishops also called on the government to honour the agreements it signed.²⁵ In September 2020, Archbishop Stephen Ameyu Martin Mulla of Juba and Bishop Barani Edward Kussala of Tombura-Yambio met with President Salva Kiir. They congratulated him for his efforts towards peace in the country, and expressed their "willingness to collaborate with him [...] for peace and growth."²⁶ On the International Day for Peace, 21st September 2020, Bishop Kussala called for peace and unity between ethnic communities.²⁷

Throughout the period under review, religious institutions and communities continued to contribute to peace building and dialogue. The South Sudan Council of Churches (SSCC) held a series of grassroots talks aimed at promoting mutual understanding and respect between various groups, including religious groups. Along with the Islamic Council, the SSCC has served as a hub to coordinate

peace-building efforts.²⁸ Moreover, religious buildings often serve as places of refuge for people fleeing intense fighting.

The peace process in South Sudan has received support in the region. In September 2019, the African Council of Religious Leaders called for the implementation of the peace agreement and an end to the humanitarian crisis. It also warned that failure to do so would mean “collapsing back into war”.²⁹

Despite all the peace-building efforts, violent attacks have persisted. On 7th November 2019, unidentified gunmen attacked the Rimenze Catholic Church and the neighbouring village, killing four people and displacing thousands. According to eyewitnesses, the gunmen looted and burnt homes. The government did not boost security in the area, forcing many residents to sleep in the forest or take refuge in a local church.³⁰

To help the population affected by severe floods in November 2020, the SSCC appealed to international donors and the private sector, as well as faith communities. The Council delivered aid to various communities together with Caritas.³¹

Following the outbreak of the COVID-19 pandemic in March 2020, the SSCC set up a team to complement “the efforts of the country’s National High-level Taskforce”.³² During the pandemic, places of worship remained open due to the low number of reported cases, but precaution-

ary measures were implemented.³³ Bishop Kussala of Tombura Yambio called on the population to “comply with the indications given by the government, in particular for the protection and health of the poorest.”³⁴

PROSPECTS FOR FREEDOM OF RELIGION

According to the Office for the Coordination of Humanitarian Affairs (OCHA), there are approximately 1.6 million Internally Displaced Persons in South Sudan and 2.2 million South Sudanese are refugees elsewhere. Moreover, the humanitarian crisis caused by the armed conflict has left 8.3 million people in need of aid.³⁵ The efforts to move forward with the peace process and the signed ceasefires are encouraging, as is the formation of the unity government, but the situation on the ground continues to be dire for the population.

The Catholic Church, especially Pope Francis, has been active in promoting peace and reconciliation in South Sudan. Even though the conflicting parties seem committed to the peace process, clashes still occur. Furthermore, the tribunal established to judge those responsible for war crimes during the conflict is yet to be created, even though two years have passed since the Revitalised Agreement was signed. Prospects for religious freedom depend on the stakeholders to ensure that peace is achieved, and with it the possibility for human rights to prosper.

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