

# COUNTRY BRIEF: SOUTH SUDAN

## OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS



(Photo by Yasuyoshi Chiba/AFP)



## INTRODUCTION

In 2015, conflicting political factions in South Sudan ended the civil war with the signing of a Peace Agreement, followed more recently by the 2018 Revitalised Peace Agreement for Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). The parties committed to ensuring accountability for crimes and rights violations in accordance with international laws. The African Union and the Intergovernmental Authority on Development supported this approach.

African human rights bodies have called on the parties to implement Chapter V of the Agreement, in which the signatories committed to establishing a hybrid court, a truth commission and a compensation and reparation authority. While the cabinet [approved](#) the process to establish a Commission for Truth, Reconciliation and Healing, a Hybrid Court for South Sudan and a Compensation and Reparation Authority, a positive milestone envisaged in the Peace Agreement, these mechanisms still await operationalisation.

The implementation of the R-ARCSS remains slow, selective and significantly behind schedule, with [recent reports](#) indicating that one of the parties to the Peace Agreement, First Vice President Riek Machar's Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) forces, suspended its participation in the peace deal's oversight mechanisms because of government attacks on its military bases. In late November 2021, officials from the Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC), the regional body that monitors implementation of the peace deal, raised the alarm that delays in implementing the agreement could result in renewed conflict. The R-JMEC was concerned that the critical components of implementing the R-ARCSS – including planning for the 2023 presidential elections, writing a new constitution and merging security forces to form and train a national army – were still pending.

Despite the challenges in implementation of R-ARCSS, the country continues to make some positive, albeit slow, steps towards this goal. In early May 2021, President Salva Kiir [dissolved](#) parliament in accordance with R-ARCSS, a move that would start the process of reconstituting parliament. The new assembly would be composed of 550 legislators from opposing sides of the country's civil war, including 332 from the ruling Sudan People's Liberation Movement party. Parliamentarians would be nominated by different parties, rather than elected by citizens.

Civic space is rated [closed](#) by the CIVICUS Monitor. There has been no recent improvement in the human rights situation in South Sudan and violations against human rights defenders and activists continue. Impunity and high levels of violence persist and have included a five month-long [attack](#) by armed groups against civilians in Western Equatoria that killed dozens and displaced tens of thousands. Such violence continues to affect civilians, threaten the country's stability and endanger prospects for sustained and lasting peace.

As challenges remain in implementing the peace agreement and conflict continues to escalate in parts of the country, this brief outlines civic space trends and key rights violations over the past year in South Sudan.

## ABOUT THE CIVICUS MONITOR

The [CIVICUS Monitor](#), an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in South Sudan as “**Closed**”.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED

REPRESSED

OBSTRUCTED

NARROWED

OPEN



## ASSOCIATION

### Criminalisation of civil society organisations and their activities

On 17 July 2021, the National Security Service (NSS) [raided](#) and disbanded an event organised by the South Sudan Civil Society Forum to discuss the constitutional history of South Sudan. According to the NSS, ‘only parliament is authorised to discuss the constitution’.

In separate developments, on 2 August 2021, the NSS [arrested](#) Kuel Aguer Kuel, a member of the People’s Coalition for Civil Action (PCCA), a group of activists who have called on President Salva Kiir and other government leaders to step down. According to a PCCA [statement](#), the NSS shut down the Sudd Institute, of which Awolich serves as director. In addition, it detained staff members for questioning and made their release dependant on Awolich giving himself up to the police. The arrests were made just days after the formation of the PCCA.

Weeks later, the Central Bank of South Sudan froze the [accounts](#) of the PCCA and organisations connected to it, in line with a directive from the bank’s director general. On 1 March 2022, Human Rights Watch [called](#) on the government to release Kuel, who was still being held in pretrial detention.

As discussed in the following sections, the CIVICUS Monitor documents further civic space violations that stemmed from the criminalisation of the PCCA and its officials, among other unrelated violations.

## PEACEFUL ASSEMBLY

### Arbitrary arrests and violence against protesters

Arbitrary arrest, intimidation and use of force against protesters has characterised the authorities’ response to peaceful protests in South Sudan. Over the last year, there have been reported recurring incidents of law enforcement officials violently dispersing protests and intimidating and arbitrarily arresting protesters.

Ahead of planned nationwide anti-government protests scheduled for 30th August 2021, organised by the PCCA as part of a public campaign calling for political [change](#), the NSS and the police [cautioned](#) people against participating. Three days before the planned protests, on 27 August 2021, the streets filled with a large presence of police officers with orders to arrest any protesters. On this day, four [activists](#) were arrested in Wau and two others, together with a bishop, were arrested in Yei after the NSS accused them of ‘possessing information’ related to the PCCA.

On 2 September 2021, the NSS [arrested](#) two staff members of the Foundation for Democracy and Accountable Governance for allegedly being among the individuals who planned the protests. On the eve of the planned protests, the government also [shut down](#) internet access until 30 August 2021, when it became clear the protests would not take place. The police service spokesperson [disallowed](#) the protests despite receiving a notification, on the basis that the protests would ‘cause public disorder’.

In a separate incident on 12 June 2021, the Melut County commissioner [ordered](#) the arrest of seven youth leaders, Adau, Kur Aguek, Thon Beny, Santino Doki, Dhieu John, Naywai Jok and Jok Nun, for protesting against the dumping of waste by Dar Petroleum Operating Company in their town and the company’s failure to provide clean water and road repairs as required by law.



Other arbitrary arrests of protesters were documented in 2022. On 12 April 2022, the police [arrested](#) four activists for protesting outside Freedom Hall, where members of parliament had gathered to consider a bill on the constitution-making process. The activists demanded the resignation of Dr Joseph Manyuil, the Unity State governor, due to ongoing violence in Leer County.

Use of force was documented on 9 February 2022, when security officers in Bor, Jonglei State violently dispersed protesters and injured approximately 17 people after civil servants gathered to [protest](#) against a planned reduction of their salaries by the state government.

## EXPRESSION

On 3 May 2022, Reporters Without Borders [released](#) its annual World Press Freedom Index, ranking South Sudan 128 out of 180 countries, an improvement from 139th position in 2021. The freedom of expression, however, remains under threat. Journalists in South Sudan [face](#) threats, intimidation and arbitrary arrests, resulting in self-censorship. According to the Association for Media Development, four articles were [removed](#) from newspapers in April 2022.

### Arbitrary arrests and harassment of journalists and media outlets

During the past year, cases of harassment, raids on media outlets and arbitrary arrests and detention of journalists by NSS officials, often without charges, were reported. These practices seem solely intended to disrupt media work and intimidate journalists.

Three days ahead of the August PCCA protests (see assembly section above), NSS officials [raided](#) and closed Radio Jonglei and [briefly detained](#) three journalists: Matuor Mabior Anyang, Deng Gai Deng and Ayuen Garang Kur. The officials also confiscated their phones and accused the radio station of 'sympathising with the PCCA', after the outlet broadcast a call for the planned 30 August protest. Prior to the raid, NSS officials summoned the station's director and ordered him to stop broadcasting political reports.

Separately, on 5 July 2021, the NSS arrested Alfred Angasi, a radio presenter at the state-owned South Sudan Broadcasting Corporation (SSBC) after he allegedly refused to read a news broadcast following a presidential announcement made two days earlier. Angasi was detained [without charge](#) at the NSS's headquarters in Juba and [released](#) after more than two weeks.

NSS officials briefly [detained](#) Ajou Luol, a reporter working for Al Jazeera, on 30 August 2021, for arguing with them during the presidential speech at the inauguration of parliament. They also threatened and confiscated the equipment of two other journalists, Maura Ajak and Yom Manas, for attempting to boycott the session in protest of Luol's detention.

Ayuel Chan, an SSBC news anchor, was also arrested and [detained](#) by the NSS on 21 October 2021. He believed this to be in relation to a story he authored about Governor Aleu Ayieny Aleu allegedly harassing and intimidating members of opposition party SPLM-IO in Warrap State. Chan was released the following day. In a similar vein, NSS officials [arrested](#) and confiscated the devices of eight journalists at the national parliament's premises on 22 February 2022, while they were covering a press conference that included members of opposition parties. The journalists were later released without charge.



## Attacks on journalists by state and non-state actors

Cases of blatant attacks on journalists by law enforcement agencies have been documented over the past year. On 19 June 2021, four Good News Radio media personnel, including the director, were [assaulted](#) by police officers while visiting a detained artist whose arrest was allegedly linked to an unreleased song that condemned police brutality. The four media personnel were reportedly tortured and later released but the artist remained in detention.

Other incidents were reported involving the use of threats by the NSS, as in the case of Ngor Deng, a reporter working with No 1 Citizen Daily, who [fled](#) after allegedly receiving phone threats from the NSS. He believed this to be related to a story he published in October 2021 on missing salaries of civil servants in Northern Bahr el Ghazal state.

Journalists also face the risk of attacks from non-state actors. On 2 March 2022, four unknown assailants [abducted](#) Woja Emmanuel, a journalist with the independent broadcaster Eye Radio, in Juba. The assailants blindfolded him and held him captive the entire day. They accused Woja of supporting the PCCA and the National Salvation Front, an armed group fighting the South Sudanese government in the Equatoria region. Woja, who believed the kidnappers were going to execute him, fled on foot after gunfire broke out between his captors and unidentified attackers.