

Freedom of expression vital for peace in South Sudan

A United Nations report identifies 60 verified incidents which violated the legitimate exercise of the right to freedom of expression of 102 victims, including 17 women, in the period from July 2016 to December 2017.



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Genuine reconciliation and lasting peace will only be achieved in South Sudan if people are free and safe to express their opinions regardless of their ethnic or political affiliations, a UN report released recently says.

The report, co-authored by the UN Mission in South Sudan (UNMISS) and the UN Human Rights Office, warns that undue restrictions on freedom of expression are having a “chilling effect” and “further shrinking the space for debate and dissent”, while incitement to hatred also continues to cause mistrust, fear and violence.

“South Sudan’s conflict, with widespread human rights violations and abuses committed by all parties, has inflicted untold suffering on millions. People have been denied the right to life, the right to justice, and, as this report details, the right to freedom of opinion and expression – rights that are not luxuries but are essential to bring about peace and development,” said UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein.

Ongoing conflict

After five years of ongoing conflict in South Sudan, which has uprooted more than four million people, peace efforts are

under way both internationally and at grassroots level. Given the importance of these initiatives, which include the High Level Revitalization Forum in Addis Ababa, Ethiopia, and the National Dialogue process; civil society actors, journalists, media houses and associations must be able to operate freely without censorship, harassment or being threatened.

“It is vital that the voices of all the people of South Sudan are heard so that genuine, inclusive and durable peace can be achieved,” said the special representative of the secretary-general and head of UNMISS, David Shearer. “All parties to the conflict must respect people’s right to freedom of expression regardless of their ethnicity, beliefs or political views.”

The report identifies 60 verified incidents which violated the legitimate exercise of the right to freedom of expression of 102 victims, including 17 women, in the period from July 2016 to December 2017.

Incidents included the killing of two people, the arbitrary arrest and detention of 58 others, 16 people dismissed from their jobs, the closure or suspension of three newspaper printing establishments, censorship of newspaper articles and the blocking of websites. Those targeted were seen to be critical of the Government, tarnishing the country’s reputation, or dealing with issues deemed sensitive.

It is important to note that only violations within Government-controlled territory were able to be verified in the report because of insecurity and access restrictions in opposition-held areas.

Violations

The report found that Government security forces, including the National Security Service (NSS), Sudan People’s Liberation Army (SPLA) and the South Sudan National Police Service (SSNPS), were responsible for two-thirds of the verified cases of human rights violations. The NSS’ broad powers of surveillance, arrest and detention, including the embedding of its officers in some media offices, meant that people were deterred from participating and discussing the state of the country or human rights, the report stated. This has led to a growing climate of self-censorship.

Many victims said they had not lodged formal complaints because of fear of reprisals by influential people and a lack of trust in institutions including law enforcement and the judiciary.

The report acknowledges efforts by the Government, civil society, and other stakeholders to promote an inclusive and safe environment for the exercise of the right to freedom of expression and the promotion of democratic dialogue, including through the release of political activists and journalists from prolonged and arbitrary detention.

The report makes a number of recommendations, including:

- Amending legislation to decriminalise defamation and ensure that powers given to security forces do not infringe on the legitimate exercise of the right to freedom of expression.
- Ensuring that violations of the right to freedom of expression are promptly investigated and prosecuted.
- Strengthening mechanisms to combat incitement to hatred while fully respecting international human rights law.
- Supporting the training of journalists and state agencies.
- Ensuring the media authority is fully operational, independent and adequately resourced.

The report also calls on all armed forces to guarantee the protection of journalists, civil society, and human rights defenders and respect their right to monitor and report on the armed conflict.