

Customary Laws In Southern Sudan

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Study on the Harmonisation of Customary Laws and the ...

Customary ownership and control of land is an essential component of any consideration of land tenure and access in South Sudan and Africa in general. Customary traditions of land tenure emphasize moderate use, restoration, and community health and prosperity. Returnees to South Sudan access land primarily through the customary system.

Justice in Practice: South Sudan - LSE Blogs

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The documentation of customary law will contribute to the strengthening of the principle of the rule of law in South Sudan, assist the courts in their application of customary law, and contribute towards the efforts by the communities themselves to continue in their commitment to serve as custodians of customary law.

Reports on Ascertainment of Customary Laws in South Sudan ...

Customary Laws in Southern Sudan: Customary Laws of Dinka and Nuer. This summary is an invaluable reference for anyone who wishes to acquire a good basic knowledge of the customary laws of Southern Sudan. It provides, in an easily understandable form, a simplified explanation of the customary laws of the Dinka and Nuer peoples and their tradition-based background.

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Women's Security and the Law in South Sudan

The Constitution recognizes the customary laws and traditions of over 80 South Sudanese ethnic groups as governing personal matters, including marriage and divorce, for their members. 2 There does not appear to be a minimum age for marriage under the customary laws of the various ethnic groups in South Sudan, and in practice girls are frequently married off once they attain puberty, often without their consent. 3 Divorces are granted in accordance with the applicable customary law of the ...

STUDY ON THE HARMONISATION OF CUSTOMARY LAWS AND THE ...

This report relies on the ascertainment study of customary laws in South Sudan to produce an analysis of the harmonisation of the various customary laws across South Sudan, as well as emerging alignment of customary laws with the Transitional Constitution of South Sudan (TCSS), international human rights law, and, as applicable, recent South Sudan legislation, such as the Land Act and Local Government Act that have clarified aspects of customary jurisdiction.

CUSTOMARY LAW AND LAND RIGHTS IN SOUTH SUDAN

Customary Laws In Southern Sudan: Customary Laws Of Dinka And Nuer [Dr. Mohamed Fadlalla] on Amazon.com. *FREE* shipping on qualifying offers. This summary is an invaluable reference for anyone who wishes to acquire a good basic knowledge of the customary laws of Southern Sudan. It provides

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In South Sudan's courts. Local Justice in Southern Sudan (the United States Institute of Peace (USIP) and the Rift Valley Institute (RVI), 2010) examined the relationship between customary courts and the state judiciary, analysing the possibilities for codifying the informal laws used by chiefs in customary courts and harmonising them

Forced Marriage Overseas: South Sudan

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Introduction - The cultural and legal pluralism of Sudan

systems of customary law in South Sudan operate through a tiered structure that extends from family to clan to county. The Local Government Act (LGA) of 2009 recognizes customary law courts as a source of law and establishes a formal hierarchy of Boma ("A" Courts), Payam ("B"

Customary Laws In Southern Sudan: Customary Laws Of Dinka ...

of South Sudan to harmonize customary law with the formal justice system and to ensure that our traditional leaders conduct their duties in line with the Constitution of South Sudan.

Customary law and land rights in South Sudan - South Sudan ...

Customary law courts do not have jurisdiction to hear criminal cases unless they have a "customary interface" and have been referred to the customary law court by a statutory court. [45]] Given that many cases in South Sudan involve familial disputes and sexual transgressions, a some suggest that the "customary interface" requirement is often met.

2. The Legal System of the Republic of South Sudan

system is that of customary law, which consists of numerous unwritten bodies of law that have regulated South Sudan's tribes for centuries. The laws of both systems are binding. The 2005 Comprehensive Peace Agreement, which marked the end of the war, recognized customary law as valid, stating that:

Customary Laws of South Sudan - Gurtong

Customary courts in South Sudan are also constrained by being placed within the local government bureaucracy, which is widely recognized as ineffective and provides little support.

Guide to Law Online: South Sudan | Law Library of Congress

Customary ownership and control of land is an essential component of any consideration of land tenure and access in South Sudan and Africa in general. Customary traditions of land tenure emphasize moderate use, restoration, and community health and prosperity. Returnees to South Sudan access land primarily through the customary system.

Manual for Traditional Authorities on Customary Law in ...

"Customary Law is a manifestation of our customs, social norms, beliefs and practices. It embodies much of what we have fought for these past twenty years. It is self-evident that Customary Law will underpin our society, its legal institutions and laws in the future" Chief Justice Ambrose Thiik.

Laws of South Sudan

Indeed, under the terms of the recent peace agreement for Sudan, customary law will dominate in the South Sudan. It is presently unclear how the customary law system will in the future formally interact with the development of a formal legal system in the South, as well as with the justice system in the north of the country.

Customary Laws in Southern Sudan: Customary Laws of Dinka ...

Normally, laws are a reflection of a country's constitution, but as the New Sudan has no constitution yet, its laws had to be built on resolutions taken at the occasion of the SPLM Convention of 1994 which later become the charter of the movement.