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South Sudan: No Justice for Protester Killings

South Sudan state authorities have failed to carry out adequate investigations into the killing of eight peaceful protesters in December 2012 by government security forces, Amnesty International and Human Rights Watch said today.

On December 9, security forces opened fire on a peaceful protest, killing six people on the spot. Two more protesters died later in a hospital. The protest had been triggered by the killing of two men during an outbreak of violence between youth and security forces the evening before.

“Eight peaceful protesters are dead in South Sudan at the hands of security forces and apparently no one has been charged or prosecuted five months later,” said Daniel Bekele, Africa Director at Human Rights Watch. “This sets a bad precedent for a new country and undermines freedom of expression and peaceful assembly across South Sudan.”

The December 9 protest and the killing of the two men during an outbreak of violence the evening before took place during civil unrest in Wau, capital of Western Bahr el Ghazal state, over a decision to move a county administrative headquarters outside of the town.

Amnesty International visited Wau, and issued a report on the violence, in February 2013. Human Rights Watch visited Wau in February and in May 2013.

Governor Rizig Zakaria Hassan of Western Bahr el Ghazal state told Human Rights Watch in May that police shot the protesters while defending the nearby South Sudan Bank against “rioters.” However, eyewitnesses told Amnesty International and Human Rights Watch that protesters marched peacefully past the bank, and this account was corroborated by video footage.

“They started shooting as soon as they saw us,” an 18-year-old man, shot in both legs during the protest, told Human Rights Watch. “All the young men were at the front. I saw three of them fall dead to the ground.”

A doctor who saw the bodies after the protest said that the eight people killed were all shot in the head or in the chest. The identities of the forces responsible for the killings remain unclear.

Authorities should ensure full, effective and impartial investigations leading to the prosecution of those responsible for these killings more than five months ago and for a number of other deaths during the civil unrest in Wau, Human Rights Watch and Amnesty International said.

The right to peaceful assembly and association as well as the right of freedom of expression is protected by South Sudan’s transitional constitution. In order to protect every person’s right to life and security of person, international standards require that law enforcement officials must, as far as possible, apply non-violent means.

Firearms may only be used as a last resort – when strictly necessary in self-defense or defense of others

against the imminent threat of death or serious injury, and the intentional lethal use of firearms is only permissible when strictly unavoidable in order to protect life.

Based on accounts provided to Human Rights Watch and Amnesty International, the security forces made no efforts to control or disperse the crowds with non-violent or less than lethal means before opening fire at the protesters. They gave no warnings of their intention to use firearms, and they made no attempts to prevent or minimize death or injury.

“The security forces have a duty to protect lives and uphold the rule of law. It is therefore completely unacceptable for them to use live ammunition against peaceful protesters,” said Netsanet Belay, Africa Director at Amnesty International.

Under international standards, every use of lethal force in law enforcement operations, including those that are allegedly accidental, must be subject to an independent and impartial investigation.

No adequate investigation has been carried out and the identity of the individual officers within the security forces responsible for the killings remains unclear.