

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

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Organization: Lawyers' Rights Watch Canada

Item: Item 4: Interactive Dialogue with the Commission on Human Rights in South Sudan

Date: 16 September 2019

Speaker: Paul Scambler

Oral Statement to the 42nd Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status

Mr. President,

Lawyers' Rights Watch Canada thanks the Commission for its oral report. We share the Commission's concern about the securitization of the state and the absence of accountability mechanisms in South Sudan.¹

LRWC deplores the enforced disappearances and extrajudicial killings of lawyer and human rights activist Dong Samuel Luak and political opposition member Aggrey Idri, who were abducted from the streets of Nairobi in January 2017.² Both men were vocal critics of the South Sudanese government. In April 2019, the UN Panel of Experts on South Sudan reported that it has corroborated evidence strongly suggesting that these men were kidnapped by the National Security Service (NSS), transported from Kenya to Juba, and executed at an NSS detention facility in Luri on January 30, 2017.³

We are alarmed by the apparent cooperation of Kenya in the enforced disappearances of Mr. Dong and Mr. Aggrey, and by the failure of Kenya and South Sudan to impartially and thoroughly investigate these cases. Those responsible have not been held accountable and the families of the victims continue to be denied access to adequate remedies for the losses they suffered.

We call upon the Council to urge the Governments of Kenya and South Sudan to:

1. Establish a swift, impartial, independent, transparent and thorough investigation into the status and whereabouts of Mr. Dong and Mr. Aggrey; and
2. Release all lawyers under arbitrary detention and end the repression and persecution of lawyers in South Sudan.

¹ UN Human Rights Council, UN Commission on Human Rights in South Sudan: Localization of conflict and unaddressed community grievances serve as barriers to sustainable peace, 23 August 2019, available at <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24914&LangID=E>

² Amnesty International, Kenya: Two South Sudanese at Risk of Deportation: Dong Samuel Luak and Aggrey Idri, 26 January 2017, available at <https://www.amnesty.org/en/documents/afr32/5569/2017/en/>

³ UN Security Council, Letter dated 9 April 2019 from the Panel of Experts on South Sudan, S/2019/301, paras 42-47, available at <https://www.un.org/securitycouncil/sanctions/2206/panel-of-experts/reports>

Thank you, Mr. President.