

Press Release



FOR IMMEDIATE RELEASE
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SSANSA condemns shoot-to-kill order for violators of curfew in Juba

(JUBA, July 8, 2013) – We condemn the shoot-to-kill order for violators of curfew announced by minister of Interior of South Sudan on Monday. We consider the order as inappropriate as it can easily be manipulated to expose innocent civilians to the threat to death in the hands of law enforcement agencies.

“The order fundamentally threatens the right to life of all citizens. If it becomes absolutely necessary to have such a curfew, the government should amend it such that the penalty for violation of the curfew shall be an arrest rather than death. This would give an opportunity for suspects to defend themselves and allow the police to gather evidence to ascertain any guilt”. Said Robert Marial, A human right activist from Lakes State, Member of SSANSA.

This order was reported to have been issued by the minister of interior on Monday, July 7 in response to the rising level of crime and violence in the capital Juba. It stipulates that anyone found to have violated the 8:00pm curfew should be shot with the intention to kill. The minister was quoted to have said it was endorsed by the council of ministers the previous month.

“This order is illegal in strict sense because the constitution of South Sudan presumes every citizen is innocent unless proven guilty by a competent court of law. Much as, law enforcement agencies are allowed to use lethal force, such usage are normally a last resort and in extreme cases, where a suspect poses direct threat to life or serious injury of a law enforcement agent or people around. So, the mere fact that a person is moving at night doesn’t pose any threat that would warrant any application of lethal force.” Said Geoffrey L. Duke, SSANSA secretariat Team Leader

Under the order, the police essentially have the power to execute without any verdict from a judge. The inspector General of Police attempted to clarify the order that it only applies to criminals. However, without any measure involving the court to establish the guilt of any suspect, such an order exposes all residents of Juba to the risk of arbitrary killing. Moreover, moving out at 8:00pm does not necessarily make one a criminal. It takes time for entire public to be aware of such an order, thus, without being accompanied with a reasonable level of awareness creation; the order is likely to result into killing a big number of people.

“Such an order cannot be implemented in South Sudan at this time as it will encourage further lawlessness within the security sector. It raises risks of wholesale victimization to unimaginable level. Policemen can shoot anyone before 8pm and claim they violated the curfew. Someone can be shot in their house and pulled out to the street and reported to have violated the curfew. There is no accountability measure in the order to deal with such risks.” Said Louis Kanyara, Program Officer at SSANSA

Therefore, we call upon the government of South Sudan;

- To issue an official order to nullify the current shoot-to-kill order without delay.
- If deemed necessary, adopt a curfew that is considerate of human rights, and which can be applied in conformity with national and international legal frameworks guiding the use of lethal force.
- To ensure similar orders are circulated officially and through relevant channels as verbal orders carries with them high risks of misinterpretations and similar orders coming from different sources causes confusion to the public.

For more information;

Contact Geoffrey L. Duke
Telephone 092 1 362 254
Email GeoffreyDuke@ssansa.org

South Sudan Action Network on Small Arms (SSANSA) is a nation-wide network of civil society organizations from across the 10 states of South Sudan working to reduce and prevent gun violence in South Sudan. The network was formed to facilitate civil society actions to make communities safer from gun violence by preventing and reducing the illicit proliferation and misuse of Small Arms and Light Weapons in South Sudan.