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South Sudan: Execution spree continues as four people hanged in September

Today, on World Day Against the Death Penalty, Amnesty International expresses concerns about the execution of four people in South Sudan on 27 and 30 September. One of those executed was a child at the time of the crime.

On 10 September 2015, the High Court in Lakes state, convicted a child aged about 17 for murder and sentenced him to death. He was executed by hanging on 30 September 2019 in Wau Central Prison. The imposition of the death sentence and execution violate South Sudanese laws and the country's obligations under international law.

Also, on 30 September 2019, Wau Central Prison authorities executed a man by hanging. The High Court in Tonj State had sentenced him to death on 29 November 2018 for first degree murder.

Amnesty International also documented the execution by hanging of two other men in Juba Central Prison on 27 September 2019.

The use of the death penalty against people who were children at the time of the crime is strictly prohibited under international human rights law and South Sudan's 2011 Transitional Constitution. Article 21(2) of the Constitution states that 'No death penalty shall be imposed on a person under the age of eighteen'. Article 37(a) of the Convention on the Rights of a Child, to which South Sudan is a party, stipulates that 'neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age'.

The continued presence on death row of at least one child – a boy of just 17 years of age – also clearly contravenes South Sudanese law and international human rights law and standards.

Philip Deng (not his real name), who was a student in secondary school, was sentenced to death by hanging on 14 November 2017 after being convicted of murder. He was 15 years of age at the time of the incident and conviction. Besides, he did not have legal representation during the trial. He later gained access to a lawyer who appealed the court's decision on 27 December 2017. He was transferred from Torit State Prison to Juba Central Prison on 9 September 2018 where he still languishes as he waits for his appeal to be heard.¹

¹ Amnesty International, 'I told the judge I was 15': The use of the death penalty in South Sudan, (Index: AFR 65/9496/2018)

With the four executions that took place in September 2019, the total number of executions carried out in state prisons in 2019 amounts to 11 – the highest recorded number in South Sudan, in any year, since the country’s independence in 2011.

On 7 December 2018, Amnesty International reported that South Sudan had carried out more executions in a single year than it had done in all previous years since gaining independence in 2011, with a child among seven people known to have been executed in 2018 and with a child still on death row.²

In March this year, Amnesty International again expressed concerns after South Sudanese authorities executed at least seven people in February 2019 alone, three of whom were members of the same family.³ These were as many as were executed in the whole of 2018 and represented a shocking spike in the use of the death penalty in the country.

South Sudan’s Penal Code provides for the use of the death penalty for murder; bearing false witness resulting in an innocent person’s execution or for fabricating such evidence or using as true evidence known to be false; terrorism (or banditry, insurgency or sabotage) resulting in death; aggravated drug trafficking; and treason.

Hanging is the method of execution provided for in the Code of Criminal Procedure. Before a person sentenced to death can be executed, the Supreme Court and the President must confirm the death sentence.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to execute the prisoner.

The death penalty - the premeditated and cold-blooded killing of a human being by the state in the name of justice - is the most fundamental denial of human rights. It violates the right to life as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

Amnesty International calls on South Sudan to:

- Immediately establish an official moratorium on executions with a view to abolishing the death penalty;
- Commute all death sentences to terms of imprisonment;
- Ensure full compliance with international law and standards on the use of the death penalty, including the prohibition on the use of the death penalty against persons below 18 years of age at the time of the commission of the crime.

Public Document

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² Amnesty International, *'I told the judge I was 15': The use of the death penalty in South Sudan*, (Index: AFR 65/9496/2018)

³ Amnesty International, *South Sudan: Seven men including members of one family hanged amid spike in executions* ([Press release](#), 1 March 2019)
