July 1, 2020

Hon.Gen. Obuto Mamur Mete
Minister for National Security,
Office of the President
Republic of South Sudan

Transmitted via email to: Hon. Jalpan Obac, Director of Legal Administration, Internal Security Bureau

Re: Role of the National Security Service in South Sudan

Dear Honorable Minister,

I am writing on behalf of Human Rights Watch to request for your comments regarding research Human Rights Watch has carried out on the role of the National Security Service, NSS, in South Sudan.

As you may know, Human Rights Watch is an independent organization that monitors human rights and reports in more than 90 countries around the world. We produce reports on our findings to raise awareness about human rights issues and to promote policy recommendations for change. We have documented human rights developments throughout Sudan including Southern Sudan for more than 20 years and have reported on human rights concerns in South Sudan since its independence.

Since September 2018, Human Rights Watch has been investigating the role of the National Security Service and documenting the human rights abuses by NSS officials. Our findings are based on 46 interviews with former detainees held at various facilities ran by the NSS at the Blue House, the Operations Division at Riverside, the External Security Bureau facility at Hai Jalaba and various other detention centres in Juba and other towns. We also interviewed human rights activists in South Sudan and in exile, journalists, analysts, opposition party members, civil servants and
former military and security/intelligence personnel, family members of NSS detainees and representatives of international groups.

In December 2018, March, August and December 2019 as well as January 2020, Human Rights Watch made written meeting requests to the Director General of the ISB and both oral and written requests to the Director of Legal Administration of the ISB but to date these meeting requests have gone unanswered.

As we finalize our report on our findings and recommendations to your government, we are requesting another opportunity to engage with your ministry and the NSS. We are, by this letter, sharing a summary of our findings and would appreciate your response to several questions attached in the annex. Our findings include the following allegations:

Violations of Due Process Rights:

- That NSS officers have committed numerous abuses, including arbitrary arrests, detentions, and ill-treatment of detainees, enforced disappearances, killings, and violations of freedoms of expression and assembly and privacy rights.
- That arrests are often carried out without warrants or legal grounds and detainees were held incommunicado for long periods of time, years even, without charge or being brought to trial. Detainees were often held on accusations of supporting rebels, petty offences, fraud, or at the behest of individuals seeking revenge or personal vendetta.
- Detainees were frequently released without ever being interrogated, charged or brought before a court. Some were released as “prisoners of war and political detainees” even though they were activists or petty criminals and did not fit this criterion; others paid money to be released, others were released due to the influence of senior government and military officials.

Poor detention conditions and Torture and Ill-treatment of detainees:

- Detainees interviewed were subjected to, and witnessed, various types of torture and ill-treatment. They told of beatings, being pierced with needles, having hot plastic dripped on them, being hung upside down from a rope, shocked with electricity, and raped.
- Detainees have died in custody because of poor conditions, medical negligence, torture and extrajudicial killings by officers.
- Detainees interviewed were often held in congested cells with inadequate access to food, water, exercise, and medical care. While most of the detainees we spoke to were adult males, we found evidence of arrest and detention of women and children as well as of people with mental disabilities.
Unlawful Surveillance:
- NSS conducts unlawful physical and technological surveillance and used information gained to support arrests, detention, and prosecutions.
- NSS has reached across borders. It has harassed, intimidated, and abducted people in Kenya and Uganda on accusations of various crimes or whom they deemed to oppose the government, sometimes with the support of authorities from these countries. These operations were carried out without warrants or extradition orders.

Lack of Accountability:
- We found that even where abuses are reported or are made public, the NSS rarely took disciplinary action, launched investigation or criminal prosecutions on officers accused or suspected of abuses.

Human Rights Watch is committed to producing material that is well informed and objective. We have therefore attached several questions about the above findings, and we would appreciate your response or comments by Friday, July 17, 2020, to enable us include information you provide in our forthcoming report.

Thank you for your consideration and we look forward to your responses to our inquiries. We would also welcome the opportunity to discuss these issues with you further over the phone or other medium. Should you have any questions, please do not hesitate to contact our East Africa director, Ms. Jehanne Henry on phone+ or email.

Sincerely,

Mausi Segun
Executive Director, Africa Division

CC: Lt. Gen. Akol Kur Kooc, Director General, Internal Security Bureau, 

CC: Lt. Gen. Thomas Duoth Guet, Director General, General Security Bureau,