

URGENT ACTION

JOURNALIST HELD IN INCOMMUNICADO DETENTION

Joseph Afandi, a journalist with the 'El Tabeer' daily newspaper was arrested and detained by the South Sudanese National Security Service (NSS) on 29 December 2015. He is currently being held incommunicado at the NSS headquarters in Juba.

Joseph Afandi was arrested by members of the NSS while having tea in Hai Thoura, Juba at around 6pm. His arrest is believed to be in connection with an article he wrote criticising the Sudan People's Liberation Movement (SPLM), the ruling party. The article was published in the 'El Tabeer' daily Newspaper on 23 December 2015.

Though the NSS have confirmed that they have Joseph Afandi in their custody, they have not formally charged him with any offence or presented him before a competent judicial authority. His family and lawyer have not been given access to see him or speak to him. They are concerned about his safety and wellbeing in detention. He is at risk of torture and other ill-treatment while in detention.

The NSS has also stopped any printing of the 'El Tabeer' daily newspaper until further notice. The paper started publication in November 2015.

Please write immediately in English or your own language:

- Calling on the authorities to charge Joseph Afandi with a recognizable criminal offence and present him before a competent judicial authority or immediately release him;
- Urging them to ensure that during his detention, Joseph Afandi is not subjected to torture and other ill-treatment;
- Urging them to ensure that during his detention, Joseph Afandi is given unrestricted access to his family, a lawyer of his choice and adequate medical treatment.

PLEASE SEND APPEALS BEFORE 21 MARCH 2016 TO:

Minister of Information and Broadcasting

Michael Makuei Lueth
Ministry of Information and Broadcasting
Ministries Road, Juba, South Sudan
Email: makueimichael@yahoo.com

Salutation: Your Excellency

Minister for Justice

Paulino Wanawilla Unango
Ministry of Justice
Airport Road, Juba, South Sudan
Salutation: Your Excellency

And copies to:

Minister for National Security Service in
the President's office

Obote Mamur Mete
Ministry of National Security Service
Juba, South Sudan

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The Transitional Constitution of South Sudan (TCSS) of 2011 mandated the NSS to 'focus on information gathering, analysis and advice to the relevant authorities' and established the civilian police service as the only law enforcement authority in South Sudan. Despite this provision, the NSS have for a long time gone outside their mandate and performed policing functions.

In October 2014, a National Security Service bill passed by the South Sudan National Legislative Assembly sought to give the NSS extensive and broad powers of arrest, detention and seizure without adequate safeguard mechanisms or safeguards against abuse. The bill does not specify permissible detention sites or guarantee basic due process rights, such as the right to counsel or to be tried within a reasonable period of time as guaranteed by the TCSS. In March 2015, the Justice Minister announced that the Bill, passed by Parliament on October 8 2014, had become law. This is despite domestic and international opposition to its passage, the absence of the President's signature, its unconstitutionality and other views rejecting this position.

Amnesty International has documented several cases of human rights violations by the NSS and other security organs such as the Sudan People's Liberation Army (SPLA) since the country's independence in 2011. Cases of enforced disappearances, arbitrary arrests, extra-judicial killings and prolonged detention are common and have been on the rise since the beginning of the mid-December 2013 conflict, with reports of torture and ill-treatment while in custody. Similarly the NSS have harassed, intimidated, and arbitrarily detained journalists and dissenting voices; shutdown newspapers and seized or held entire print runs of newspapers several times. These abusive practices have greatly eroded the freedom of expression and curtailed civic space in the country.

Name: Joseph Afandi

Gender m/f: m

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