

URGENT ACTION

FORMER GOVERNOR STILL ARBITRARILY DETAINED

Elias Waya Nyipuch has been in arbitrary detention since 26 June 2016. He has not been charged with any offence. He was initially detained at the Giyada military barracks before being transferred to Bilpam Military Headquarters on 21 October 2016.

Elias Waya Nyipuch, former governor of Wau state, was summoned to Juba by President Salva Kiir on 23 June 2016 and was relieved of his position as governor the following day. He was arrested by military police on 26 June 2016 and detained at Giyada Military barracks. He was then transferred to Bilpam military headquarters on 21 October 2016.

Elias Waya Nyipuch has not been informed of the reasons for his arrest. He has also not been interrogated or charged with any offence, presented in court, or provided access to a lawyer.

Please write immediately in English, Arabic or your own language:

- Calling on the South Sudanese authorities to either immediately charge Elias Waya Nyipuch with a recognizable offence and present him in court, or release him;
- Calling on them to ensure Elias Waya Nyipuch has access to a lawyer;
- Calling on them to end arbitrary arrests and detentions by the South Sudan military and initiate prompt, effective and impartial investigations into military detention practices, including enforced disappearances, deaths in custody, torture and other ill-treatment, to publicly disclose the findings and to bring all those suspected of criminal responsibility to justice in fair trials before ordinary civilian courts and without recourse to the death penalty

PLEASE SEND APPEALS BEFORE 2 MARCH 2017 TO:

President of the Republic of South

Sudan

Salva Kiir Mayardit

Office of the President

Juba, South Sudan

Salutation: Your Excellency

SPLA Chief of General Staff

Paul Malong

SPLA General Headquarters, Bilpam

Terekeka Road

Juba, South Sudan.

Salutation: General

And copies to:

Minister for Information and
Broadcasting

Michael Makuei

Ministry of Information and Broadcasting

Ministries Road

Juba, South Sudan

Email: makueimichael@yahoo.com

Salutation: Minister

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. HIS EXCELLENCY MR SABIT ABBE ALLEY, Embassy of The Republic Of South Sudan, Bentinck House, 3-8 Bolsover Street, London, W1W 6AB, Fax 020 7339 3001, info@embrss.org.uk, <https://embrss.org.uk/>

Please check with your section office if sending appeals after the above date. This is the first update of UA 224/16. Further information: <https://www.amnesty.org/en/documents/afr65/4927/2016/en/>

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ADDITIONAL INFORMATION

South Sudanese Military Police entered the residence of Elias Waya Nyipuch in the Rock City neighbourhood of Juba on 26 June 2016 at 10am with a letter signed by the Chief of General Staff, Lt. General Paul Malong, ordering his arrest. The military police arrested Elias Waya Nyipuch and detained him in a cell at Giyada military barracks in Juba, where he remained until his transfer to Bilpam Military Headquarters on 23 October 2016.

Elias Waya Nyipuch holds the rank of Lt. General in the South Sudan military. He fought with the Sudan People's Liberation Movement/Army (SPLM/A) during the Sudan civil war between 1983 and 2005. In 2012, he left active military service when he was transferred to the military's reserve list. Following the change in South Sudan's administrative boundaries to create 18 additional states, President Salva Kiir appointed Elias Waya Nyipuch as Governor of the newly formed Wau state, on 24 December 2015.

Between 24 and 26 June 2016, there was heavy fighting in Wau town, resulting in destruction of civilian property, murders, and the displacement of tens of thousands of people. A committee established by President Salva Kiir to investigate the fighting described in its report "total mistrust" between state security organs and Elias Waya Nyipuch, but did not identify him as having played a role in the violence.

Amnesty International has documented numerous cases of arbitrary detention and torture at both the Giyada and the Bilpam military barracks in Juba since the beginning of South Sudan's ongoing internal armed conflict in December 2013.

Further information on UA: 224/16 Index: AFR 65/5523/2017 Issue Date: 19 January 2017