

INTERNATIONAL COUNSEL FOR SOUTH SUDAN POLITICAL PRISONER PETER BIAR AJAK FILES PETITION WITH UN WORKING GROUP ON ARBITRARY DETENTION

On Tuesday, Ajak Was Convicted of “Disturbing the Peace” and Sentenced to Two Years in Prison

Washington, D.C. and Juba – International human rights lawyer Jared Genser today [filed a petition](#) with the United Nations Working Group on Arbitrary Detention, requesting that it investigate the ongoing detention of renowned South Sudanese peace activist Peter Biar Ajak and conclude that he is being held in violation of South Sudan’s obligations under international law.

On Tuesday, June 11, Ajak was convicted under Section 80 of South Sudan’s Penal Code, which prohibits “Participating in [a] Gathering with Intent to Promote Public Violence, Breaches of the Peace or Bigotry.” His allegedly criminal actions consisted merely of giving a radio interview with Voice of America. For this, he was sentenced to [two years](#) in prison.

In commenting on the submission to the Working Group, Jared Genser said: “Peter Biar Ajak was convicted and sentenced to two years in prison simply for giving a radio interview. This represents an egregious violation of South Sudan’s Constitution and international law, which protect the right to freedom of opinion and expression. Moreover, throughout his detention, he has been repeatedly denied his due process rights, including access to counsel.

“To rectify this injustice, President Kiir should use the power of his office to issue a pardon, as he has done several times before. Just as he pardoned political rival Riek Machar and over fifty others in the name of peace, so too should he pardon Ajak, South Sudan’s champion of peace.”

Ajak was originally detained on July 28, 2018 while waiting for a flight at Juba International Airport. He was traveling to the town of Aweil, South Sudan, to attend Martyrs’ Day celebrations. However, before he could board the plane, he was arrested by officials with the National Security Service (NSS) and brought to the notorious “Blue House,” the NSS headquarters in Juba. Ajak was initially investigated for possible treason and terrorism charges but the investigation focused on his public statements, media appearances, work with civil society, and peace-building activities, all of which are protected under international law.

In flagrant violation of both South Sudanese and international law, Ajak was detained for nearly eight months without being charged or brought before a court. When he was finally brought to court in March 2019, the charges had nothing to do with the initial investigation or the ostensible reasons for his arrest. Rather, they related to an October 2018 protest in which some of the detainees at Blue House [staged an armed protest](#) against rights abuses within the prison. However, the evidence at trial demonstrated conclusively that Ajak never took up a weapon and, in fact, he had asked the other inmates to put their guns down and initiated dialogue with the Government to peacefully end the protest. As a result, the judge dismissed the charges

against him.

However, the judge allowed the case against Ajak to move forward on a brand new charge under Penal Code Section 80 based on a brief interview he gave with Voice of America during the prison protest. Despite the fact that, in the interview, he merely discussed the protest and shared facts that were already public knowledge, he was convicted on June 11 and sentenced to two years in prison.

One of the “Lost Boys” of South Sudan, Ajak spent much of his childhood in a Kenyan refugee camp. After being resettled in the United States as a refugee, he excelled academically, first at La Salle University and then at the Harvard Kennedy School. Ajak returned to South Sudan as an adult to help his country develop and find peace, working with the World Bank, the International Growth Centre, and the Centre for Strategic Analyses and Research (a think tank he founded in Juba). Deprived of his own childhood long ago, he also worked tirelessly for youth empowerment, co-founding the South Sudan Young Leaders Forum (SSYLF). A widely respected academic and commentator, Ajak has written and spoken extensively about South Sudan’s difficult search for peace.

Various organizations and prominent individuals have vocally denounced Ajak’s detention. On March 6, 2019, five [UN experts](#) “condemn[ed] in the strongest terms Mr. Ajak’s continued detention and urge[d] the South Sudanese authorities to release him immediately.” Members of the US Congress have also called for Ajak’s release, including Congresswoman Madeleine Dean (PA-4), who denounced his detention during a February 2019 [speech on the House floor](#). Senators Cory Booker and Chris Coons [issued a joint statement](#) condemning Ajak’s detention, and Senators [Marco Rubio](#), [Bob Menendez](#), and [Bob Casey](#) all demanded Ajak’s release via Twitter. On June 12, Amnesty International [denounced](#) the “sham trial” that resulted in his conviction.

The UN Working Group on Arbitrary Detention is an independent and impartial body consisting of five members appointed by the UN Human Rights Council. The members are currently from Australia, Benin, Latvia, Mexico, and South Korea. The Working Group has the authority to investigate and issue legal opinions about alleged cases of deprivation of liberty imposed arbitrarily.

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