

AFRICAN UNION		UNION AFRICAINE
الاتحاد الأفريقي <i>African Commission on Human & Peoples' Rights</i>		UNIÃO AFRICANA <i>Commission Africaine des Droits de l'Homme & des Peuples</i>
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Communication 736/20

**Lado James Paul, Ayume Dada & others
(Represented by John Gerry Emmanuel)**

v

Republic of South Sudan

Adopted by the

African Commission on Human and Peoples' Rights

During the 67th Ordinary Session done virtually from 13 November to 3rd December 2021



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Commissioner Solomon Ayele Dersso
Chairperson of the African Commission
on Human and Peoples' Rights




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Ms. Lindiwe Khumalo
Ag. Executive Secretary to the African
Commission on Human and Peoples' Rights

Decision of the African Commission on Human and Peoples' Rights on Withdrawal

Communication 736/20 – Lado James Paul, Ayume Dada & others (Represented by John Gerry Emmanuel) v The Republic of South Sudan

Summary of the Complaint

1. The Secretariat of the African on Human and Peoples' Rights (the Secretariat) received a Complaint on 4 December 2017 from John Gerry Emmanuel (the Complainant) on behalf of Lado James Paul, Ayume Dada and others (the Victims), against the Republic of South Sudan (the Respondent State).
2. The Complainant alleges that in July 2014 and on 5 January 2015, Lado James Paul and Ayume Dada were arrested and detained in Juba by the national security on allegations that they support the Sudan People's Liberation Movement-in-Opposition (SPLM - IO), a breakaway group from the Sudan People's Liberation Movement (SPLM) and a lawful political party in the country.
3. The Complainant alleges that the National Security Service established a detention centre in the capital, which continue to be used to detain people (the other Victims) without charges or access to judges. The Complainant alleges that the number of detainees and their conditions are unknown to anyone but the Service officers, since information about them is denied and access to the facility is prohibited.
4. The Complainant further alleges that in addition to the ousting of the jurisdiction of the court through the provisions of Article 21(1) (c) of the National Security Service Act, the Complainant alleges that the judiciary in South Sudan cannot be said to be independent and impartial, particularly since members of the judiciary went on strike on 21 April 2017 to protest allegations of corruption and maladministration. He states that this resulted in the President dismissing fourteen (14) of the striking judges, without reason, leaving the remaining judges with a fear of reprisal from the executive.

Application for Withdrawal



5. The African Commission on Human and Peoples' Rights (African Commission) was seized of the Communication during its 27th Extra-ordinary Session, held from 19 February - 4 March 2020.
6. A request for withdrawal and discontinuation of the Communication was received from the Complainant on 4 June 2020. The Complainant submitted that he appointed a new legal representative and upon notice of seizure of his Complaint, it was learned that the circumstances have changed, which affects the merits of the Complaint. In consultation with his legal representative, he has decided to discontinue the process of this Communication.

Analysis of the African Commission

7. The Commission sees no objection in granting this request.

Decision of the African Commission

8. The Commission decides to grant the request for withdrawal.
9. Based on the above, the Commission declares the Communication closed.

**Done Virtually, this 67th Ordinary Session,
held from 13 November to 3 December 2020**

