

Government of Southern Sudan
(GOSS)

Office of The President

Ref: GOSS/PD/J/14/2011

Date: 25th March, 2011

GOVERNMENT OF SOUTHERN SUDAN (GOSS)

Pursuant to the powers conferred upon me by the provisions of section (5) of the Investigation Committees Act, 2006, I, General Salva Kiir Mayardit, President of the Government of Southern Sudan issue a Presidential Decree No. 14/2011.

1. TITLE:

This Decree shall be cited as Presidential Decree No. 14/2011 to convene an Investigation Committee to investigate into the human rights abuses at Dr. John Garang de Mabior Police Training Centre at Rajaf on the below alleged human rights violations perpetrated by various actors having responsibilities over the South Sudan Police Service (SSPS) recruits throughout the entire training in the year 2010 (April – Dec 2010).

2. COMMITTEE:

By this order, I appoint the following to be the members of the Investigation Committee in the position indicated against each.

S/N	Title/Rank	Name in Full	Position
1	Justice	Stephen Simon Bengingwa	Chairman
2	Judge	Malek Mathiang Malek	Member
3	Judge	Peter Ruai	Secretary

3. TERMS OF REFERENCE:

(a) The Committee shall investigate into the following Human Right Violations at Dr. John Garang de Mabior Unified Police Training Centre alleged to have been carried out by Inspector General of Police; Tito Achuil, Colonel Suleiman, some South Sudan Police Service (SSPS) trainers, SSPS Commanders of the training camp and some members of the special force referred to as Commandos.

(b) The Committee of investigation thereof shall pay attention to the following violations:

- (i) Who was the overall commanding officer of the training centre;
- (ii) Investigate the alleged, cruel and degrading treatment against the recruits;
- (iii) Investigate into sexual intercourse with female recruits without consent by the trainers;
- (iv) Dismissal of one female recruit without legal ground for her dismissal;
- (v) Extrajudicial killing, rape and attempted rape;
- (vi) Violations of the right to food and health care which resulted to alleged malnourishment and death of a number of recruits;
- (vii) Investigate whether the Minister for Internal Affairs of the Government of Government of Southern Sudan (GoSS), high ranking officers of SSPS knew or ought to have known the alleged Human Right abuses carried over such a protracted period (April – December, 2010).

(c) If upon evidence, the Committee is of the opinion that a crime or an administrative wrong has been committed, it shall make recommendations for criminal procedures and/or

administrative disciplinary measures to be initiated against the perpetrators or doers.

- (d) The Committee shall be answerable and report to the President of GoSS.
- (e) The report of the United Nations Mission in Sudan (UNMIS) herein attached forms part of the terms of reference.

4. POWERS OF THE COMMITTEE:

The Committee shall exercise the following powers as indicated under section (12) of Investigation Committees Act, 2006:

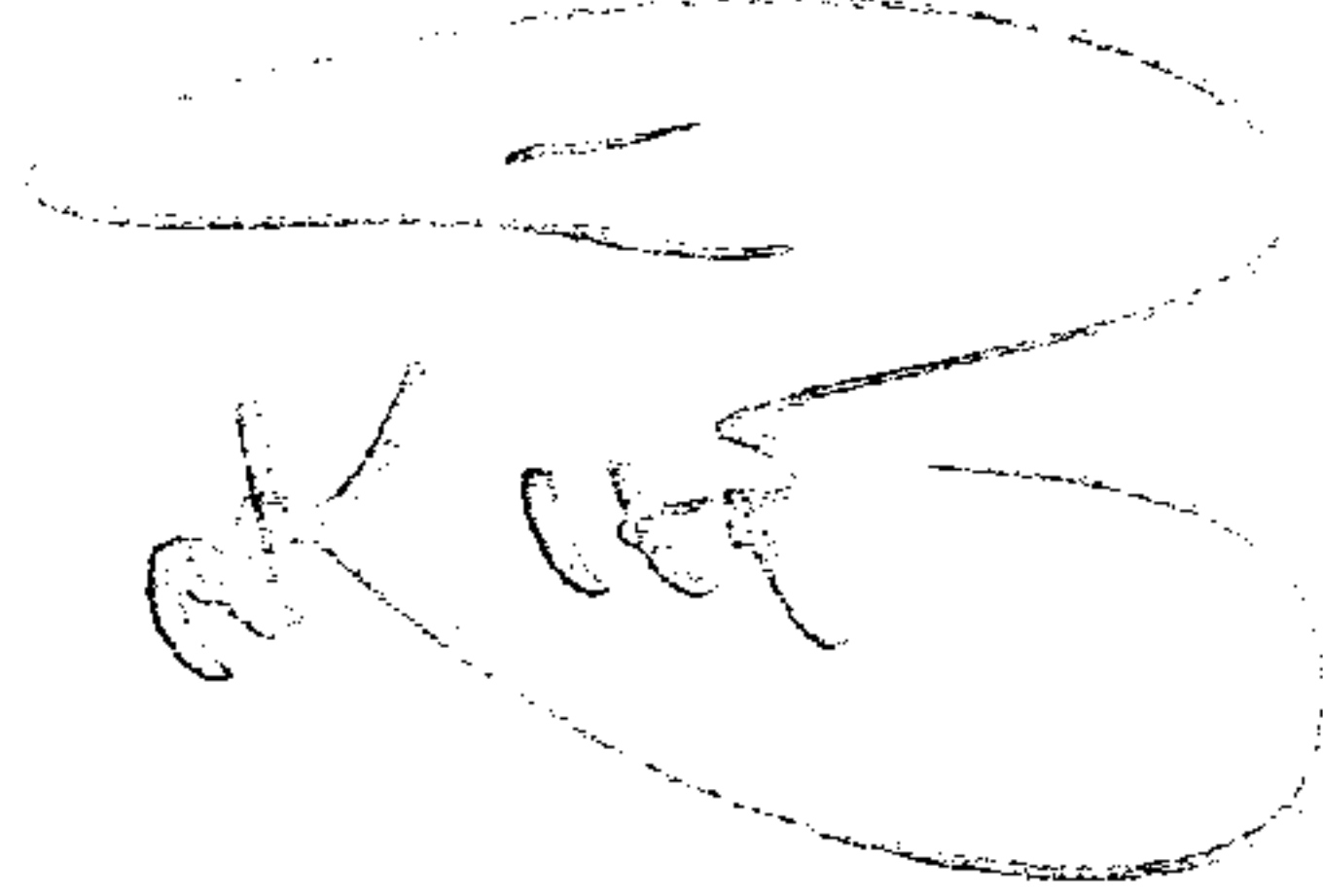
- (a) To interview witnesses who may have relevant information regarding the investigation.
- (b) To issue summons to any person to appear before it, if the Committee deems that there is a reasonable cause for summoning such a person to give evidence under oath.
- (c) Require the production of any document from anybody, anywhere, to ask the President to lift immunity on whoever might have constitutional immunity for the purpose of the investigation.
- (d) Issue warrant of arrest for any person who refuses to appear before it without a valid reason.
- (e) Seek opinion, help and expertise from any public or private body the Committee believes may be of relevance and benefit to the investigation.

5. PERIOD OF THE INVESTIGATION:

The Committee shall carry out its functions and compile its report to the President of GoSS within a period of two months from the date of the issuance for the decree.

The Chairperson may seek financial assistance from the office of the President to facilitate the work of the Committee of Investigation.

Issued under my Hand and Signature in Juba, this Twenty Fifth Day of March, 2011.

A handwritten signature in black ink, appearing to read 'Salva Kiir Mayardit', enclosed within a large, loopy oval shape.

General Salva Kiir Mayardit
First Vice President of The Republic,
President of The Government of Southern Sudan and
Commander-in-Chief of Sudan People's Liberation Army (SPLA)
JUBA