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The PCAA Celebrates the Release of Gov. Kuel and the Court Victory  

Fellow Citizens,  
The People's Coalition for Civil Action (PCCA) issues this statement to announce, with excitement, the release of Gov. Kuel Aguer Kuel, who has been under illegal detention in Juba for nearly 17 months. The Special Court, that was instituted in September this year, issued unequivocal verdict on Friday the 9th of December 2022, dismissing all the charges against Kuel and setting him free unconditionally.  

We therefore welcome Gov. Kuel back to freedom and we are celebrating this special moment with him, his family, and all those who stood with him during his dark days.  

The PCCA appreciates and applauds the Special Court for serving justice, which was denied for nearly two years. Friday's ruling is a major boost of confidence in the judiciary. The Judiciary of South Sudan suffers from crises of confidence owing to political interferences that have undermined the judicial system in South Sudan by the executive arm of government, especially the President.  

Fellow Citizens,  
The Court's decision not only absolved Gov. Kuel and the PCCA, but it is also a historic victory for the rule of law and a major affirmation of citizen's rights to freedom of speech, freedom of association and freedom of assembly, which the government of South Sudan has curtailed. The willful disregard for the rule of law has been the hallmark of President Kiir’s government and a major setback for peace, freedom, and democracy in South Sudan. We consider this a betrayal of the long heroic struggle of the people of South Sudan for freedom and human dignity.  

Considering this ruling and what it means for the people of South Sudan, the PCCA wishes to reiterate the following:
1. The ruling is a major victory for the PCCA and a reaffirmation that the course we have taken is constitutional and just and so citizens are now free to associate with the PCCA without fear.

2. Gov. Kuel Aguer Kuel’s detention was illegal as we have said all along and the restrictions on personal bank accounts of the PCCA members and their expulsion from the country were all unlawful and so the government has a case to answer.

3. Continuing detention of Pastor Abraham Chol and all political prisoners in the country, known or unknown, on similar politically motivated falsified charges, is illegal and all political prisoners must be released immediately.

4. The PCCA calls upon the government to respect the constitution by reopening both civic and political spaces in the country unconditionally and immediately revoke security clearance requirements for meetings and gatherings as they are a violation of Article 24 (1) of South Sudan Transitional Constitution 2011.

5. The PCCA renews its call for the citizens of South Sudan to challenge the burden of failed leadership imposed on them; leadership which has willfully disregarded the constitution, the R-ARCSS, the Resolutions of the South Sudan National Dialogue, and above all the vision of the struggle for the independence of our country.

6. Citizens are justified to take action as the political leadership has proven incapable of making peace, incapable of respecting the law, and incapable of implementing democratic transformation.

7. The PCCA is determined more than ever to press forward with its mission of mobilizing the citizens of South Sudan to challenge the failed leadership in South Sudan non-violently and to bring about popular change within the confines of our country’s constitution.

8. We call upon the civil society in South Sudan to reassert its role in protecting civil liberties and to push back against wielding of arbitrary dictatorial power on the citizens and to do a soul-searching and reflection in terms of its role in the society. The civil society has conceded to the government the exercise of arbitrary power so willingly and without a fight and therefore allowed the closure of both civic and political spaces without a legal battle. We hope this ruling will sufficiently demonstrate that it is okay to challenge the authorities, even if this means doing it unconventionally.

9. The PCCA congratulates Advocate Kiir Chol and his team of more than 30 lawyers, who voluntarily decided to put up a fierce defense of Gov. Kuel Aguer Kuel and the PCCA in court, despite the risk of doing so and without any financial benefits. These
lawyers are our heroes and South Sudan has taken a step towards freedom because of their actions. History will remember them as the people who have defended and saved the rule of law and the legal profession in South Sudan.

10. The PCCA calls upon the region and the international community to stand in support of civil society and all the dissenting voices in the country against a government that has preyed on its people, undermined their wellbeing, their freedom, and their democratic aspirations.

The PCCA wishes to thank those who stood with the PCCA in calling for Kuel’s release. We give thanks to Gov. Kuel’s family for standing firm, especially his daughter Tabo Kuel Aguer for keeping the world informed about the condition of her father while in jail.

We thank Senator Patrick Leahy of Vermont, who was the first to call for the release of Kuel and Pastor Abraham Chol and those arbitrarily arrested in South Sudan. We appreciate the United States Department of State for its diplomatic efforts that have led to Kuel being taken to court.

We thank Amnesty International, UN Human Rights Organization, Human Rights Watch, and the Coalition of Church leaders in the United States and Europe for their statements calling for Kuel’s release. We are grateful for the support and solidarity of the regional and international civil society organizations in demanding Kuel’s release and in condemning threats against PCCA members.

We appreciate the UN Panel of Experts on South Sudan for their reports on the violation of human rights in South Sudan, especially the repression against the PCCA. We thank friends of South Sudan Livingstone Prayer group for all their prayers and efforts to see Kuel release.

More importantly, we give especial thanks to the people of South Sudan for their support for the PCCA and Kuel Aguer Kuel during our most difficult time. We thank the members of the PCCA, who took all the risks across South Sudan to organize peaceful actions demanding Kuel’s release. We appreciate South Sudan’s civil society for its defense of the PCCA and Kuel Aguer Kuel.

In a special way, we commend the media fraternity in South Sudan – the South Sudan in Focus Program of the Voice of America, Eye Radio, Miraya FM, Sudantribune, Radio Tamazuj, Sudan Post, Hot in Juba and all other media houses both inside and outside South Sudan, for professionally covering the situation of Gov. Kuel Aguer during his unlawful detention. Some of the journalists covered the news at a great risk to their lives in the restricted media space in South Sudan. PCCA salutes and commends you for your courage and professionalism.

Lastly, we want to thank Kuel Aguer Kuel for his leadership, bravery, his commitment to the cause and for standing firm despite real threats to his life. We are proud of him and because he has suffered for a cause that is not his alone, the people of South Sudan consider him a leader and a hero. We are proud to fight alongside him for the freedom of our people.
Fellow Citizens,

The PCCA promises you this: the flame of freedom shall never go out in South Sudan if citizens like Kuel Aguer Kuel continue to speak and demand justice. The PCCA shall never give up the fight for peace, justice, and democracy using non-violent action until a people centered change is achieved in South Sudan. The PCCA shall never be intimidated with threats of imprisonment or death because the cause we have undertaken is just, and it is for posterity. The PCCA shall never surrender to any dictator the freedom for which millions of our martyrs laid their lives. There is no freedom when people's power is surrendered to one man to arbitrarily decide the fate of the whole nation. Freedom can only exist when power resides with the people, and when they can confer this power on those who seek to serve them. The PCCA seeks to end the imposition of failed leaders on our people and to restore people's constitutional and democratic power.

The People Shall Prevail!

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