…………………………………….. 2020

Mr. Salva Kiir Mayardit

President of South Sudan

Permanent Mission of South Sudan to the United Nations

336 East 45th Street, 5th floor

New York 10017

USA

Mr. President,

As a member/supporter of ACAT-Switzerland, the Action by Christians for the Abolition of Torture and the Death Penalty, I am writing to you on behalf of

**Magai Matiop Ngong**

who was sentenced to death on November 2017 in relation with the death of one of his cousins when Magai was only a child. At the age of 15, he got into a physical fight with a neighbor. When his cousin tried to stop the fight, Magai took his father’s gun and fired warning shots to the ground. One bullet bounced off the ground and hit his cousin, who later died in hospital. During his trial, Magai did not have a lawyer to represent him as required by law. He told the court his cousin’s death was an accident. He was found guilty of murder and sentenced to death. He eventually got a lawyer who is helping him to appeal this judgement. Now aged 17, Magai awaits the verdict of his appeal at the Juba Central Prison.

The use of the death penalty against children is strictly prohibited by Section 21(2) of the Transitional Constitution of the Republic of South Sudan (2011) and under international human rights law, specifically Article 37(a) of the Convention on the Rights of a Child, to which South Sudan is a Party.

**For these reasons, I urge you, Mr. President, to:**

* **commute the death sentence of Magai Matiop Ngong, taking into account the fact he was a child when the death of his cousin occurred, and that he is still a child.**
* **stop using the death penalty against people below the age of 18 at the time of the crime, in line with southern Sudanese and international human rights law.**

I thank you for the attention you will give to this concern.

Yours respectfully,

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**Copy:** **Embassy of the Republic of South Sudan in Germany, Leipziger Platz 8, 10117 Berlin, Germany**