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UN HUMAN RIGHTS EXPERT CALLS FOR INDEPENDENT INVESTIGATION INTO THE KILLING OF AMERICAN-BRITISH JOURNALIST IN SOUTH SUDAN

This week marks the third anniversary of the killing of journalist Christopher Allen in South Sudan. He was the first foreign journalist to be killed in the South Sudan conflict, and he was a dual US/ UK national. He was shot dead on 26 August 2017 by South Sudanese armed forces.

Three years on, there has still been no justice, and no official investigation into the killers or the circumstances of his killing by the South Sudanese authorities or any other law enforcement agency. This is despite lawyers for the family and specialist NGO Reporters Without Borders (RSF) repeatedly requesting that South Sudan ensure an independent, impartial criminal investigation take place, and despite a formal request to the US Federal Bureau of Investigation (FBI) in August 2019 – a year ago – to open a criminal investigation into whether war crimes were committed against Christopher Allen.

Today, in her first statement on this case, a UN human rights expert has criticised the long delays and lack of action, and called for a full, independent investigation into Christopher Allen’s killing. In a statement released on 25 August, **Dr Agnès Callamard**, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, said:

“The fact that for three whole years there has been no independent investigation into Mr. Allen’s killing sends a very dangerous signal that journalists and media workers can be targeted with impunity.

“Three years is too long to leave a bereaved family without answers,” she said. “Investigation into crimes committed against journalists – not only in South Sudan, but around the world – is a key element in preventing future attacks and ending impunity. The governments of South Sudan and the United States can and must take steps to ensure that the circumstances of Mr. Allen’s murder are fully, independently and fearlessly investigated.”

Background

Dual US/UK national Christopher Allen was 26 years old when he was killed. He was a talented freelance journalist who had worked for and had been published by multiple newspapers and media organisations, including Al Jazeera, The Telegraph, Vice News, The Toronto Star and The Independent. At the time of his death he was documenting armed clashes between the Sudan People’s Liberation Army in Opposition and South Sudanese armed forces in the town of Kaya, close to the border with Uganda. After he was killed, photographs circulated online of Christopher Allen’s body, with his horrific injuries visible and his genitals exposed. These photographs were eventually taken down after the family appealed to the South Sudanese authorities via US diplomats to have them removed.

In August 2019, lawyers acting for the bereaved family made a formal request to the FBI to open a criminal investigation into suspected war crimes committed against him. They asked the FBI to investigate two alleged breaches of the US’ own War Crimes Act: one concerning the way in which Christopher was killed, and one concerning the degrading treatment of his body after his death. In their August 2019 letter the lawyers stated that:

- There is reasonable cause to suspect that the killing was a war crime, in violation of international law. The available evidence suggests that Christopher Allen was deliberately

targeted because he was a journalist taking photographs, and that this was not an accidental crossfire death. This is supported by the views of international experts who have read the autopsy report, who consider that Chris was the subject of a direct attack and his killing was not ‘collateral damage.’ It is also supported by the statements of South Sudanese government soldiers given to a freelance journalist based in the country.

- There is also reasonable cause to suspect that the act of taking photographs of the body in the immediate aftermath of his death, with his genitalia exposed, and of posting those photographs on the internet is a war crime.
- The FBI was asked to confirm it would immediately commence an investigation into these suspected war crimes against a US citizen.

One year later, the family have yet to receive a substantive response to their request. They received a brief letter from the FBI in February 2020, apologising for the delay and refusing to provide them with any information.

The family has also repeatedly asked the South Sudanese authorities to ensure an independent, impartial criminal investigation is conducted into the circumstances of Christopher Allen’s killing and the treatment of his body afterwards. These repeated requests continue to go unanswered, three years since his death.

Given these delays and lack of action, the family complained to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in December 2019. Dr Callamard issued an official communication to the South Sudanese authorities on 30 January 2020, raising concerns about the case and recommending that they take action, but the South Sudanese authorities have yet to respond, seven months later. In the absence of any investigation by South Sudan, Dr Callamard also called on the FBI to conduct an independent inquiry into the killing. In today’s statement, she has called for the governments of South Sudan and the US to take action without further delay.

In addition, the family has serious concerns regarding the UN’s own conduct in the aftermath of Christopher Allen’s killing. His body was in the possession of the UN Mission in South Sudan (UNMISS) before repatriation to the US, but vital evidence was not secured and obtained and there was no investigation into the suspicious and violent circumstances of his death.

Joyce Krajian and John Allen, Christopher’s parents, said:

“Three years on from our beloved son’s killing, there has been no criminal investigation, no inquiry into the circumstances of his death, no explanation, and no one has been held to account. Chris was a US and UK citizen and we believe he died as a result of a war crime. South Sudan has failed to give us answers or ensure accountability. We now call on the US to come to our aid. We urge the FBI to comply with its mandate and immediately begin an investigation into his death. The FBI should now, finally, put an end to our waiting for answers and agree to investigate.”

Jeremy Bliss, Christopher’s cousin, added:

“Chris was killed in South Sudan, but his home countries, the US and the UK, must now ensure there is justice and accountability for his killing. The UN must also examine its own conduct. Chris’s body was in an UNMISS morgue before repatriation. We are concerned UNMISS obstructed our attempts to collect evidence, did not secure its own and did not investigate the killing for potential war crimes. We cannot keep repeating the same requests every year; it’s time for action.”

Mark Stephens CBE, the family's solicitor, said:

“Christopher Allen’s family has been fighting a lonely battle for three years to secure answers and accountability for his death. They have been ignored and dismissed for three years by South Sudan, and by the FBI when they turned to the US authorities for help.

We warmly welcome today’s statement by the UN Special Rapporteur, Dr. Agnès Callamard, making clear that it is long past time for an independent investigation to take place. The South Sudanese and US authorities have disregarded the family’s wishes for too long. We urge them to now listen to the UN Special Rapporteur, and ensure that an independent, impartial and thorough investigation commences forthwith.”

Caoilfhionn Gallagher QC, counsel for the family, said:

“Christopher Allen was a brave journalist who told the stories many others did not. His reporting in South Sudan shone a much-needed spotlight on suffering of the South Sudanese people. His killing is not only a deep personal loss to his family; it is also an attack upon the fundamental right to freedom of expression and the right of journalists to be protected when reporting on armed conflicts. It is also an affront to the public who were entitled to hear his reporting. There is reasonable cause to suspect that war crimes were committed against Christopher. It is imperative that there is now an independent investigation into those suspected crimes. Dr Callamard’s call must be answered.”

Reporters Without Borders (RSF) has been supporting the family and working closely with them to secure justice for Christopher Allen’s killing. **Rebecca Vincent**, RSF’s Director of International Campaigns, said:

“Reporters Without Borders fully supports Christopher Allen’s family in their pursuit of justice and accountability for his murder. We wholeheartedly welcome Dr Callamard’s statement, which we hope will mark the start of a new phase in the campaign for justice for Christopher. It is time for concrete action not only from the government of South Sudan, but also from the US and UK governments and the UN, to ensure justice is delivered without further delay. Achieving accountability for Christopher’s murder will help to chip away at the endemic impunity for the killings of journalists in South Sudan and globally – and lead to better protections for journalists everywhere.”

ENDS

Notes to Editors:

1. Christopher Allen was killed in South Sudan on 26 August 2017. His parents Joyce Krijan and John Allen are based in the US, and his cousin Jeremy Bliss is based between the UK and Australia.
2. Today’s statement by Dr Agnès Callamard is attached.
3. Christopher Allen is one of at least 10 journalists killed with impunity during the civil conflict in South Sudan that erupted in December 2013. South Sudan is ranked 138th out of 180 countries in RSF’s [2020 World Press Freedom Index](#).
4. Rebecca Vincent, RSF’s Director of International Campaigns, is available at rvincent@rsf.org. More information about the family’s campaign can be found on Twitter using the hashtag #JusticeforChris.
5. The bereaved family is represented by solicitors Mark Stephens CBE and Hugo Mason, Howard Kennedy LLP, and barristers Caoilfhionn Gallagher QC, Jonathan Price and Tatyana Eatwell, Doughty Street Chambers. Any queries concerning the legal proceedings or requests for interviews should be directed to Mark.Stephens@howardkennedy.com or 07831115000.

6. Dr Agnès Callamard will be speaking at an online event today, 25 August 2020, hosted by Reporters Without Borders, Howard Kennedy LLP and Doughty Street Chambers. Speakers also include Joyce Krajian, Christopher's mother; Mark Stephens CBE; activist Nyadol Nyuon; and it will be moderated by Rebecca Vincent. Register to join the event here: <https://www.eventbrite.co.uk/e/justiceforchris-ending-impunity-for-the-killings-of-journalists-tickets-116772671203>. The event will also be available to view online afterwards at <https://www.youtube.com/channel/UCD2xCYEF9459bK05UDdixSg>.