

April - June 2022

Brief on Violence Affecting Civilians

HIGHLIGHTS

- ❖ Between April to June 2022, UNMISS Human Rights Division (HRD) recorded 188 incidents of violence affecting 922 civilians (549 killed, 183 injured, 69 abducted, and 121 subjected to conflict-related sexual violence).
- ❖ In comparison to the same reporting period in 2021, there is a 27 per cent decrease in violent incidents (from 257 to 188) and a 15 per cent decrease in victims (from 1086 to 922).
- ❖ In comparison to the same quarter in 2021, those killed decreased by 4 per cent (from 574 to 549), while injuries decreased by 40 per cent (from 306 to 183). However, abductions decreased significantly by 59 per cent (from 168 to 69), and conflict-related sexual violence increased significantly by 218 per cent (from 38 to 121).
- ❖ In comparison to the previous quarter, January to March 2022, there is a 9 per cent increase in violent incidents (from 173 to 188) and a 22 per cent increase in victims of civilian casualties (from 754 to 922).
- ❖ Sixty per cent of civilian casualties are attributed to community-based militias and self-defense groups, while conventional parties to the conflict were responsible for 38 per cent of civilian casualties.
- ❖ The new scope of the quarterly brief of UNMISS HRD includes data on sexual and gender-based violence.

CONTEXT

This quarterly brief presents an overview of trends in violence affecting civilians between April and June 2022, by assessing four major forms of individual harm experienced throughout the conflict (killing, injury, abduction, and conflict-related sexual violence). While the impact of violence extends beyond these forms of harm, they have been the most common incidents documented throughout the conflict in South Sudan.

In addition, the brief also highlights key human rights concerns monitored by UNMISS Human Rights Division during the second quarter of 2022, including sexual and gender-based violence.

South Sudan is a State party to the African Charter on Human and Peoples' Rights and has ratified three core international human rights treaties. Under this framework, South Sudan is legally bound to respect, protect, promote, and fulfil the human rights of all persons within its territory or under its jurisdiction or control.

International human rights law applies both in times of peace and armed conflict. South Sudan is also bound by norms of international human rights law that have attained the status of customary law.

International humanitarian law applies to the non-international armed conflict in South Sudan. All parties to the conflict are obligated to abide by the relevant rules of customary international law applicable in non-international armed conflicts, including the principles of distinction, proportionality, and precaution. In addition, in 2012, South Sudan incorporated the provisions of the Four Geneva Conventions and its Additional Protocols into domestic law. As a result, there can be prosecutions for acts that have a nexus with a non-international armed conflict before the South Sudanese courts for breaches of Common Article 3 of the Geneva Conventions.

METHODOLOGY

The UNMISS Human Rights Division (HRD) has developed an incident-based tracking mechanism to document conflict-related violations and abuses. This data is disaggregated by the sex and age of victims. Sources of information include victim and eyewitness accounts, as well as reports from secondary sources identified during field missions, including service providers, community leaders and local authorities. All reported incidents, particularly those involving intercommunal violence, are deconflicted with incidents documented by the UNMISS Civil Affairs Division (CAD). Incidents determined as cases of conflict-related sexual violence are corroborated in consultation with the Office of the Senior Women's Protection Advisor.

GENERAL TRENDS

Between April and June 2022, HRD documented more than 188 incidents involving at least 922 civilians who were subjected to one of the four major forms of harm (549 killed, 183 injured, 69 abducted, and 121 subjected to conflict-related sexual violence).

In comparison to the same reporting period in the previous year (April – June 2021), there is a 27 per cent decrease in violent incidents (from 257 to 188) and a 15 per cent decrease in the number of victims (from 1086 to 922). This can be largely attributed to a decrease in civilian casualties from intercommunal violence in Jonglei, Lakes, and Northern Bahr el Ghazal States. The number of victims killed decreased by four per cent (from 574 to 549), injuries decreased by 40 per cent (from 306 to 183), while abductions decreased by 59 per cent (from 168 to 69). However, civilians subjected to conflict-related sexual violence increased significantly by 218 per cent (from 38 to 121).

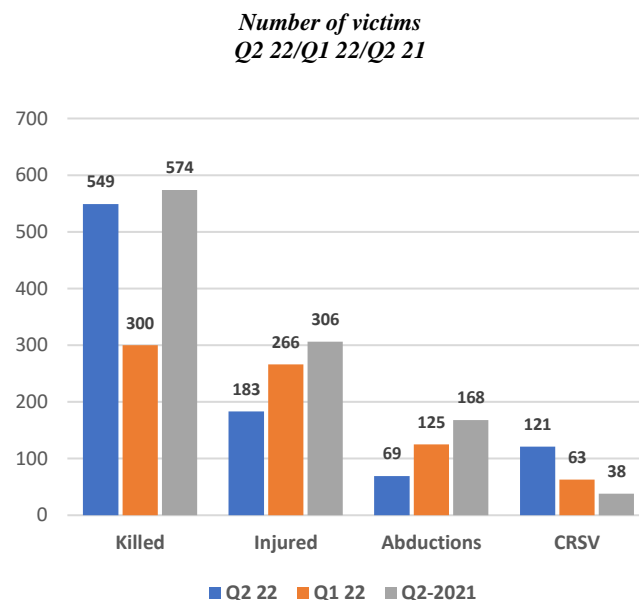
In comparison to the previous quarter, between January and March 2022, there is a nine per cent increase in violent incidents (from 173 to 188) and a 22 per cent increase in the number of victims (from 754 to 922).

✓ *Conventional parties*

In the second quarter of 2022, conventional parties were responsible for 38 per cent of civilian casualties (348 victims), a significant increase compared to the second quarter of 2021, where they were responsible for eight per cent (90 victims) of civilian casualties. The signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in September 2018, led to a decrease in the overall number of civilian

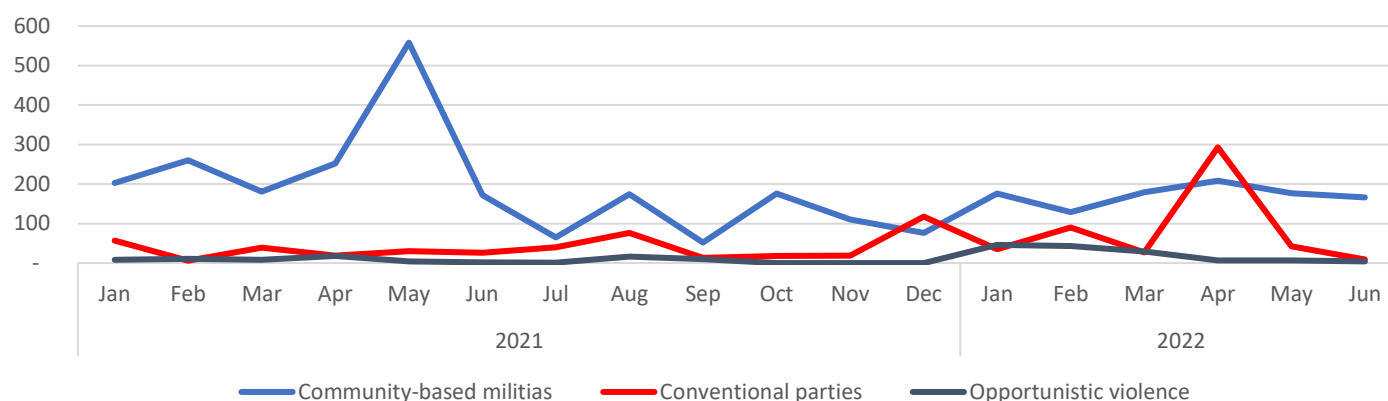
Nevertheless, the data presented in this brief should not be considered as comprehensive due to challenges faced by HRD in monitoring and reporting on violations of international human rights and humanitarian law. These include limited access to various locations due to security considerations, access denials by parties to the conflict, as well as inaccessibility due to road conditions. Challenges also include victims and eyewitnesses' unwillingness to speak due to fear of reprisals and underreporting of sexual and gender-based violence due to associated stigma.

casualties (defined as civilians killed, injured, abducted and subjected to conflict-related sexual violence) attributed to conventional parties to the conflict, due to the relatively lower number of direct clashes between Government forces and organized armed groups.



Nevertheless, Government and opposition forces have increasingly relied on the use of proxy armed elements to engage in hostilities. The attacks between the South Sudan People's Defense Forces (SSPDF) and the Sudan People's Liberation Movement/Army – In Opposition (SPLM/A-IO) in southern Unity State, which resulted in approximately a third of civilian casualties in this reporting period, was characterized by government officials' heavy reliance on the mobilization and direct

Trends in the number of victims, January 2021 to June 2022



command of armed youth against the SPLM/A-IO (RM).

In southern Unity State, between 1 April and 31 May 2022, armed violence involving joint government forces and their allied militias/groups and the SPLM/A-IO affected at least 28 villages and settlements, during which approximately 171 civilians were killed (98 men, 24 women and 49 children) and seven others injured (five women and two children). In addition, 84 cases of rape or gang rape (66 women and 18 girls) were documented, and 22 women and a boy were abducted during the attacks.

Civilians continue to be affected by violence linked to the SSPDF and National Salvation Front (NAS) activities in Central and Western Equatoria States. SSPDF operations in Central Equatoria State, particularly in Yei and Juba Counties, aimed at dislodging NAS elements from the area, continue to undermine the human rights and protection situations, and resulted in five men killed, two civilians (one man and one girl) abducted, one man injured and 14 (nine women and five girls) subjected to conflict-related sexual violence.

NAS activities in Western and Central Equatoria State, particularly in Morobo, Yei, Mundri East and Mundri West Counties, resulted in the killing of four civilians (three men and one woman), abduction of 10 men, and injury of four civilians (three men and one woman).

✓ *Community-based militias and self-defense groups*

Entrenched patterns of violence affecting civilians have persisted in South Sudan. These include incidents commonly referred to as “intercommunal violence,” which are often perpetuated by community-based militias and self-defense groups. Although violence among tribes and sub-clans is historically rooted in traditional societal

practices, particularly among pastoralist societies, over the years it has taken on an increasingly militarized character, with the involvement of conventional parties to the conflict. Furthermore, political, and administrative elites at local and national levels have contributed to this

intensification of violence, including through instigating and/or participating in the planning of attacks, financial and logistical support, as well as provision of weapons and ammunition. Intercommunal violence therefore, cannot be dissociated from local and national political and military dynamics.

During the second quarter of 2022, intercommunal violence by community-based militias constituted the primary source of violence affecting civilians, accounting for more than 60 per cent (556) of civilian casualties. This reflects the evolving nature of intercommunal conflict, which is now often carried out with military-style tactics and military-grade weapons.

Civilian casualties in Warrap State accounted for 26 per cent of the total casualties perpetrated by community-based militia and self-defense groups. This includes renewed intercommunal fighting between the Dinka Twic Mayardit and Dinka Ngok communities in the Abyei Administrative Area (AAA), intra-communal clashes in Greater Tonj involving the Dinka Luanyjang Abuong and the Dinka Awan, as well as attacks by armed Dinka Apuk-Patok youth, armed Dinka Atok, armed Dinka Gok, and armed Nuer youth on communities in Tonj North County. Within the reporting period, 117 civilians were killed and 35 were injured. Despite an ongoing disarmament campaign led by Warrap State authorities in the Greater Tonj area, casualties from Tonj North, South and East Counties make up 55 per cent of civilian casualties in Warrap (84 out of 152).

In Eastern Equatoria, tensions between Dinka Bor cattle keepers and the host communities in Magwi County, have

resulted in the killing of 26 civilians (including five women and three boys), injury of 13 civilians, the abduction of two men, and four women subjected to conflict-related sexual violence. A particularly deadly attack by armed Madi youth on May 11 resulted in the killing of 20 Dinka Bor civilians (including three women and three children) and the injury of ten others. In the aftermath of the attack by the armed Madi youth, armed Dinka Bor cattle keepers launched a series of retaliatory attacks on the Madi and other Equatorial communities. HRD documented seven incidents which resulted in the killing of 18 civilians (including two women), injury of five men, abduction of three boys and gang rape of four women.

Persistent cattle raiding and revenge attacks in Jonglei and Greater Pibor Administrative Area (GPAA) continued to result in significant civilian casualties. HRD documented 30 attacks, primarily perpetrated by Murle, Gawaar Nuer and Lou Nuer armed elements, resulting in 60 civilians killed, 55 injured, 11 abducted and one subjected to conflict-related sexual violence.

✓ *Sexual and gender-based violence*

In the second quarter of 2022, HRD documented at least 13 SGBV incidents of rape or gang rape in nine states. The 13 incidents affected 14 victims (six women, seven girls and a boy). In comparison to Q1 2022, this represents

a 54% decrease in SGBV incidents. These 13 incidents (14 victims) are in addition to 30 conflict-related sexual violence incidents (121 victims) affecting a total of 135 civilians, in which cases of sexual violence are linked to the ongoing armed conflict.

At least 70 per cent of the alleged perpetrators were family members, fellow community members or neighbors well known to the victims and usually trusted by the families. This demonstrates that victims and potential victims require more protection in family and community settings, where they remain vulnerable due to the lower status of women and girls in South Sudanese society.

HRD considers that the cases and incidents are underreported due to various factors, including stigma, trauma, and fear of retaliation, that prevent victims and families from reporting. The dearth of formal justice structures across most of South Sudan impedes survivors’ access to justice. Consequently, families are compelled to instead resort to adjudication by traditional leaders. Furthermore, intersectional vulnerabilities faced by the victims often result in families preferring the immediate economic benefits from compensation ordered through customary courts and the perceived reduced stigma by addressing sexual violence through marriage between the perpetrator and victim rather than filing criminal charges for the prosecution of offenders.

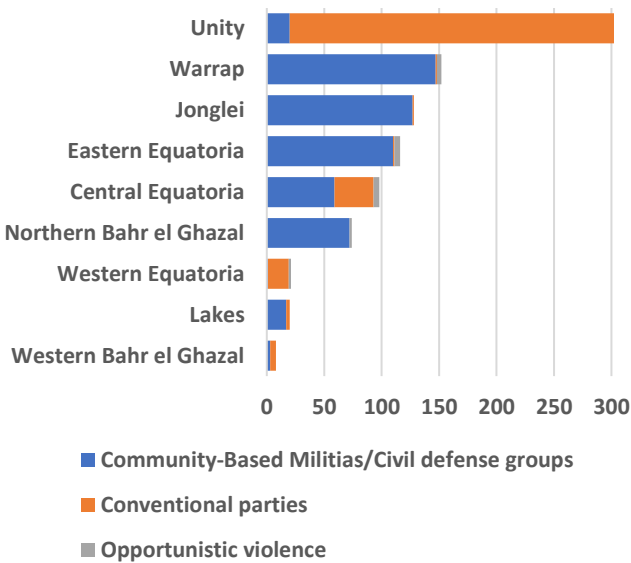
GEOGRAPHICAL TRENDS

The majority of victims were documented in Unity, Warrap, Jonglei and Eastern Equatoria States. With the exception of Unity State, where conflict broke out between government forces in alliance with, militia groups and SPLM/A-IO , the areas in Warrap, Jonglei and Eastern Equatoria are most affected by intercommunal violence perpetrated by community-based militia and self-defense groups.

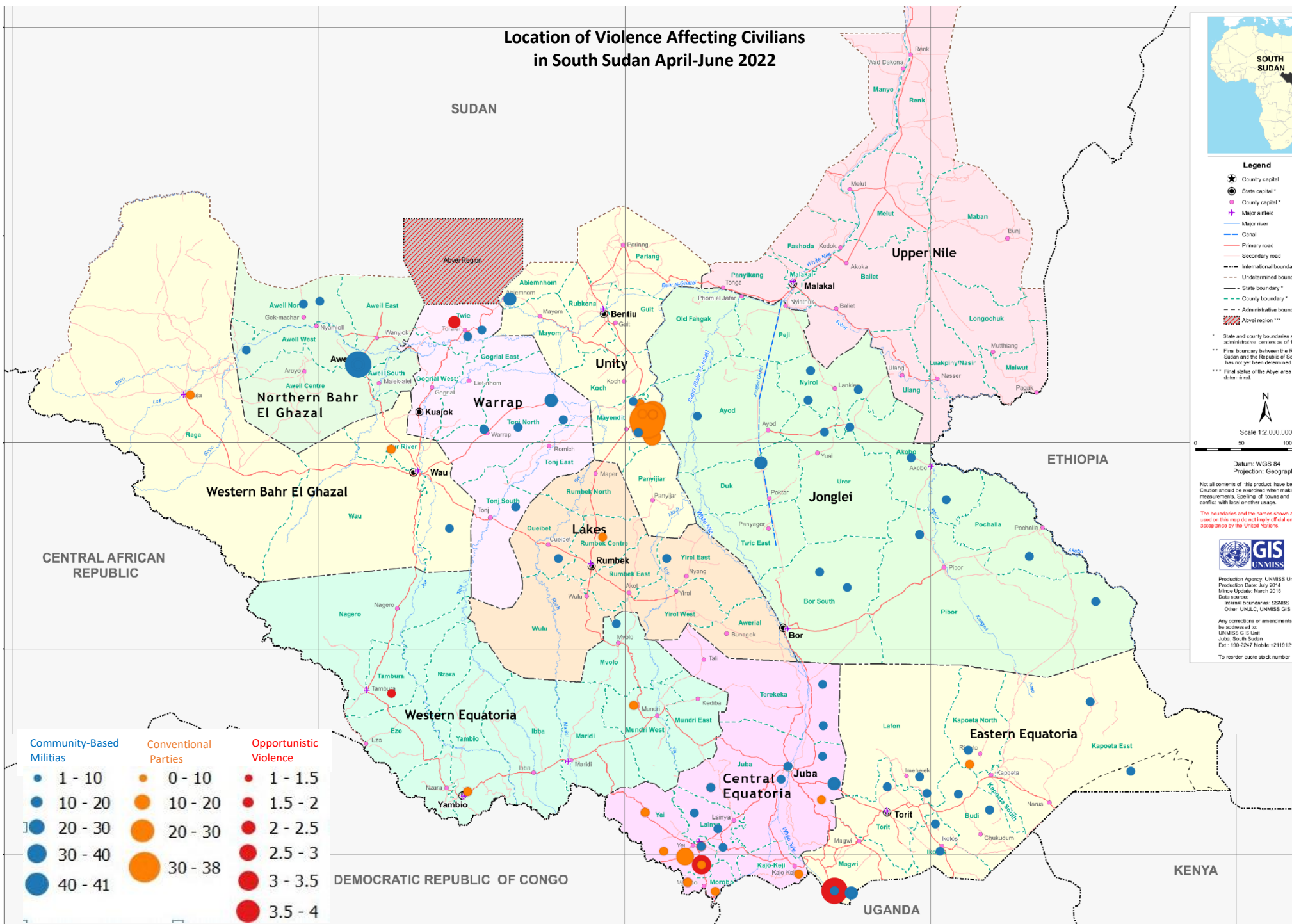
A closer examination reveals that 82 per cent of intercommunal violence was concentrated within 41 (of 50) counties, including where longstanding grievances persist among communities and where pastoralists compete for vital grazing areas and access to water.

Despite overarching respect of the ceasefire throughout the country, conventional parties to the conflict remained active in Yei, Central Equatoria, and Western Equatoria, where the incidents primarily involved government forces and elements of the NAS; and in Unity state, where incidents primarily involved SSPDF and SPLM/A-IO.

States most affected by violence



Location of Violence Affecting Civilians in South Sudan April-June 2022

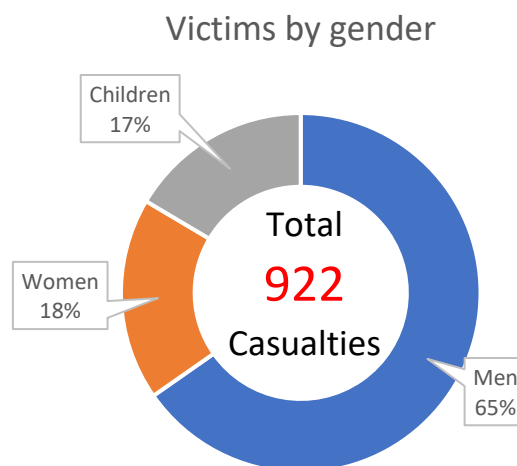


VICTIMS

HRD has established that men, particularly young men, comprise the majority of victims (65 per cent, or 602 individuals). Women are the second-largest group of victims, at 18 per cent (168 individuals), while children account for the remaining 17 per cent (152 individuals). However, beyond the direct impact of violence, women and children are disproportionately affected by the indirect effects of conflict, particularly in terms of access to health care, education, and livelihoods in volatile areas.

According to HRD's findings, most adult male victims were either killed (70 per cent), injured (26 per cent), or abducted (4 per cent) were abducted. Women were primarily subjected to conflict-related sexual violence (51 per cent) and killing (29 per cent). Most of the cases of conflict-related sexual violence occurred during the hostilities in southern Unity State, including rape, gang rape, and abductions for the purpose of sexual slavery. Children were primarily killed (53 per cent) or abducted (15 per cent). Most of these abductions occurred in the

context of intercommunal violence. According to HRD's findings, 36 girls (24 per cent of children casualties) were subjected to conflict-related sexual violence.



PERPETRATORS

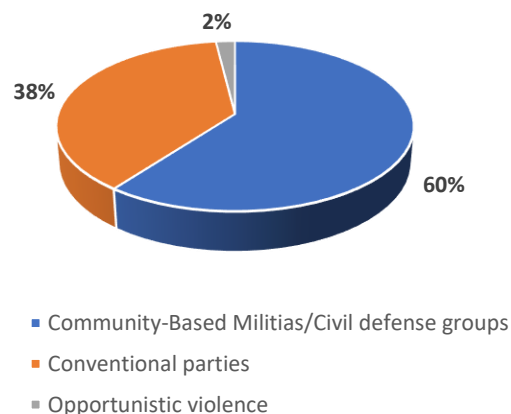
HRD's investigations have identified three major categories of perpetrators involved in conflict-related violence affecting civilians: i) conventional parties to the conflict; ii) community-based militias and self-defence groups; and iii) unidentified (but related) armed elements.

In the second quarter of 2022, HRD investigations attributed responsibility for 38 per cent of victims to conventional parties to the conflict. This category of perpetrators includes government security forces, as well as organized opposition armed groups.

Amongst government forces, acts of violence targeting civilians were mainly attributed to the SSPDF, the South Sudan National Police Service (SSNPS) and the National Security Service (NSS). As for organized armed groups, the SPLM/A-IO is a signatory to the 2018 peace agreement.

The distinction between government forces and organized armed groups should not obscure the extreme fluidity between and within these entities, whose loyalties may shift according to the formation of alliances of convenience, defections, and buy-offs.

Victims by category of perpetrators



In addition, NAS and affiliated armed elements, who are not signatories to the R-ARCSS, also committed abuses against civilians, primarily in the areas of Yei and Morobo, Central Equatoria and Mundri East and Mundri West, Western Equatoria.

In southern Unity State, joint government forces and allied militia/groups were responsible for 32 per cent of civilian casualties. While the operations were led by government officials with the involvement of SSPDF, combatants mainly comprised of armed youth mobilized from Koch and Mayendit Counties. Government officials were involved in the mobilization and direct command and control of these armed militia/groups, a marked difference from the existing trend of political and military elites supporting community-based militias and self-defence groups through indirect means, such as instigation of violence, political backing, and provision of ammunition and financial incentives. The link between conventional parties and their direct command of community-based militias and self-defence groups was first highlighted in the Q3 2021 report, where similar joint operations were identified on both sides during the conflict in Tambura County of Western Equatoria in 2021.

During the reporting period, a second category of perpetrators, community-based militias and self-defence groups, were responsible for 60 per cent of civilian victims. These groups are a longstanding feature of pastoralist communities across South Sudan. Traditionally, their main objective was to protect herds of cattle from external attack. However, as a result of years of armed conflict and the resulting illicit proliferation of small arms amongst local communities, members of these community-based militias and self-defence groups have been co-opted, armed and used as proxy armed elements by all parties to the conflict and by local actors, which has contributed to the progressive militarization of intercommunal violence.

A third category comprises unidentified but related armed elements that carry out acts of violence against civilians from their own or rival communities, without any clear strategic military objectives. In a context of extreme economic deprivation, coupled with the breakdown of the rule of law and the loss of power of traditional institutions, these unchecked criminal elements contribute to a normalization of insecurity, affecting civilians in their daily lives.