

Brief on Violence Affecting Civilians

HIGHLIGHTS

- ❖ In the fourth quarter of 2023, at least 862 civilians were directly affected by violence (406 killed, 293 injured, 100 abducted, and 63 subjected to conflict-related sexual violence (CRSV), which represents a 11 percent decrease compared with the same period in 2022, largely due to the overall decline of violence in the Greater Upper Nile region.
- ❖ Compared to the previous quarter (July to September 2023), there was a four percent increase in the number of violent incidents; and a 35 percent increase in the total number of civilians affected by violence recorded.
- ❖ Sub-national violence involving community-based militias and/or civil-defense groups decreased marginally by one percent compared to the previous quarter and accounted for 86 percent) of the victims (740 persons), with the vast majority concentrated in Warrap State.

CONTEXT

This brief presents an overview of trends in violence affecting civilians between October and December 2023, by assessing the four major forms of individual harm most commonly experienced by victims in the context of the armed conflict in South Sudan, i.e. killing, injury, abduction, and CRSV. Entrenched patterns of violence involving community-based militias and/or civil defense groups remained the primary driver of sub-national violence throughout the country. While incidents of violence attributable to the conventional parties to the conflict remained relatively low.

The information contained in this brief was obtained from victim and eyewitness accounts and reports from secondary sources identified during field missions, including service providers, community leaders and local authorities. Unless specifically stated, all information in the report has been verified using independent and credible sources. All incidents of intercommunal violence are deconflicted with incidents documented by the UNMISS Civil Affairs Division (CAD). Incidents determined as cases of CRSV are corroborated in consultation with the Women's Protection Advisory Unit.

In accordance with its mandate, UNMISS has issued this brief as an advocacy tool to reduce the impact of armed violence against civilians. UNMISS also urges the Government of South Sudan to investigate human rights

violations and abuses and hold all perpetrators accountable.

South Sudan is a State Party to the African Charter on Human and Peoples' Rights and has ratified three core international human rights treaties. Pursuant to this legal 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.

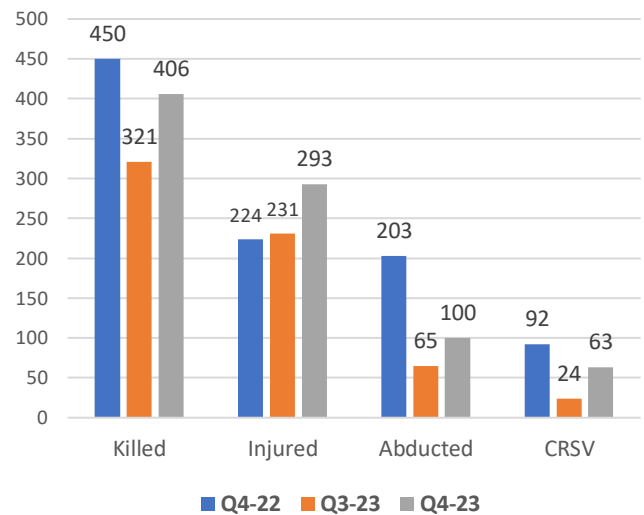
International humanitarian law applies to the non-international armed conflict in South Sudan. All parties to the conflict are obligated to abide by the relevant rules of customary international law applicable in non-international armed conflicts, including the principles of distinction, proportionality, and precaution. Additionally, in 2012, South Sudan incorporated the provisions of the four Geneva Conventions and its Additional Protocols into domestic law. Consequently, acts with a nexus to the non-international armed conflict which constitute breaches of Common Article 3 of the Geneva Conventions, may be prosecuted before the South Sudanese courts.

GENERAL TRENDS

During the fourth quarter of 2023, UNMISS Human Rights Division (HRD) continued to record violent incidents that negatively impacted the protection and security of civilians in South Sudan. Between October and December 2023, UNMISS HRD documented 223 incidents of violence involving at least 862 civilian victims who were subjected to one of the four major forms of individual harm: 406 killed, 293 injured, 100 abducted, and 63 subjected to CRSV. Sixteen (16) of these incidents occurred prior to the reporting period but were documented and verified during the current reporting quarter. In comparison to the third quarter of 2023 (July to September) when 215 incidents were documented involving at least 641 civilians (321 killed, 231 injured, 65 abducted and 24 subjected to CRSV), there was a slight increase of four percent in violent incidents (from 215 to 223) and a notable 35 percent increase in civilian victims (641 to 862) recorded in the fourth quarter of 2023 (October to December), with the majority arising from intercommunal violence.

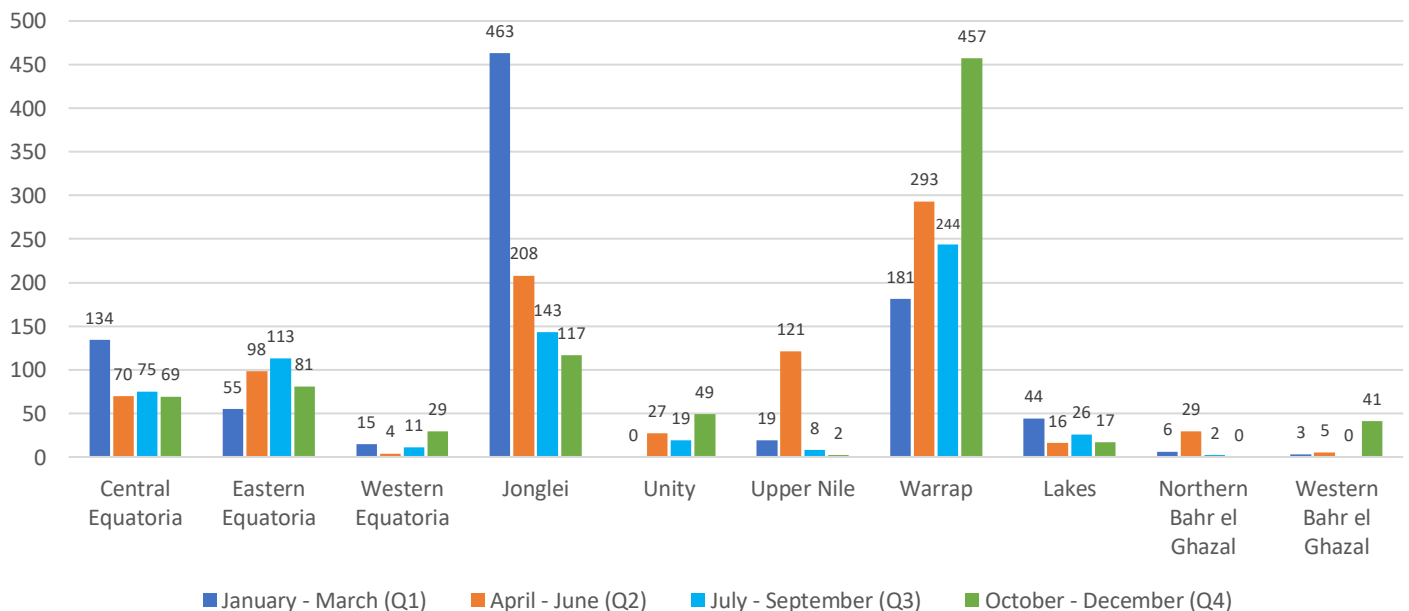
In comparison to the same period in 2022 where HRD documented 202 incidents involving at least 969 civilians harmed, an increase of nine percent in violent incidents (from 202 to 223) and a 11 percent decrease in the number of victims (from 969 to 862) were observed. The reduction in the number of victims is mainly due to the notable decrease in violent incidents in the Greater Upper Nile region by the parties to the conflict and their affiliated armed groups.

Number of victims
Q4-22/Q3-23/Q4-23



Despite the overall decrease in the number of victims, Warrap State experienced a significant increase of 87 percent (from 244 to 457) in the number of civilians affected by violence compared to the previous quarter of 2023, mainly due to the increase of cattle-related armed violence in the region.

Trends in the number of civilians affected by states in 2023



Community-based militias and/or civil defense groups

During the fourth quarter of 2023, intercommunal violence by community-based militias and/or civil defense groups constituted the primary source of violence affecting civilians and accounted for more than three-quarters of victims (86 percent or 740 individuals). Mainly, this resulted from the evolving nature of the violence, which is often carried out in military-style tactics, using military-grade weapons. For instance, at least five separate incidents of attacks in Warrap State claimed the lives of more than 100 civilians, of which nine were women and four children.

Incidents of violence involving community-based militias and/or civil defense groups generally vary significantly in scale and intensity. Their frequency fluctuates mainly due to the competition for shrinking grazing lands, particularly during drought, as well as territorial ownership and disputes, compounded by the depreciation of the local currency, the dire humanitarian situation and the intention of accumulating wealth or replacing lost livestock through cattle-raiding.

In Warrap State, the territorial and cattle-related retaliatory attacks involving Dinka sub-groups, Lou and Nuer armed elements along the borders with Lakes, Western Bahr el Ghazal and Unity States remained a concern. Further, the unresolved border dispute between the Dinka Twic Mayardit community of Twic County and the Dinka Ngok community of the Abyei Administrative Area exacerbated the pre-existing communal tension and fragile security situation in the region, accounting for 52 percent of the civilian casualties (263 killed and 186 injured). In one such incident, at least 42 civilians were reportedly killed, and 24 others injured. Further, destruction and looting of civilian properties were also documented during these attacks, intensifying the

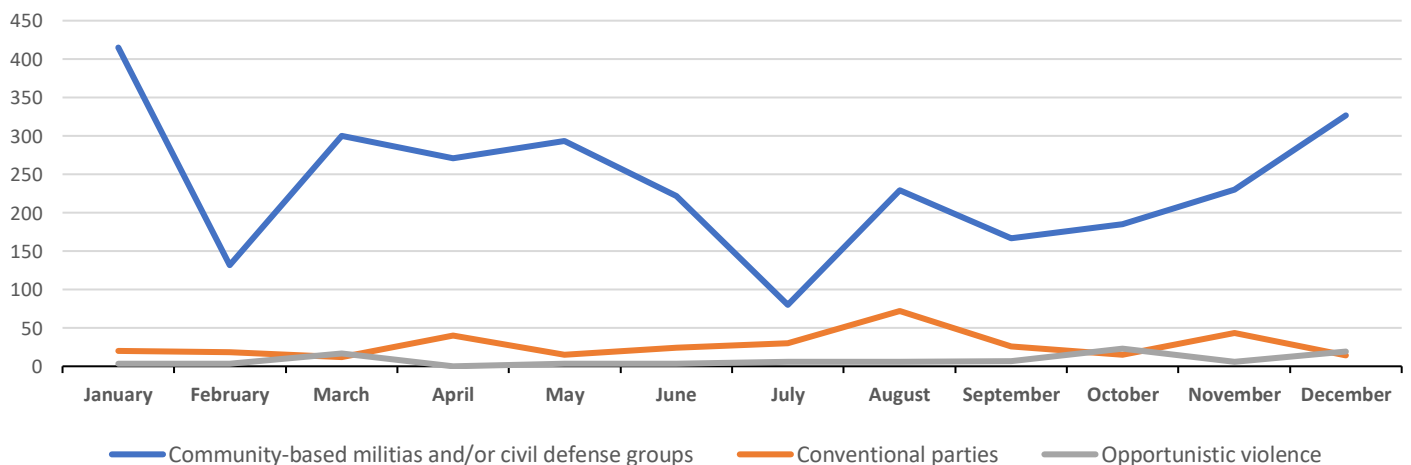
protection and security challenges of the civilian population.

In Jonglei State, cattle-raiding and small-scale attacks by the alleged armed Murle elements from the Greater Pibor Administrative (GPAA) continued to pose threats against civilians, particularly women and children, who were subjected to abductions during the attacks. For instance, during one of the alleged Murle attacks, 11 civilians (seven women and four children) were abducted from the Dinka community in Duk County. Further, HRD determined 27 incidents of attacks reportedly perpetrated by armed Murle elements in areas of Akobo, Ayod, Bor South, Duk, Nyirol, and Twic East counties, impacting at least 101 civilians (20 killed, 30 injured, 43 abducted, and eight subjected to CRSV), 36 of whom were women and 25 children. Further, HRD documented the killing of two male humanitarian aid workers in the GPAA by alleged armed Murle elements. Moreover, intending to recover their lost cattle, the armed Toposa elements from the bordering Greater Kapoeta of Eastern Equatoria State (south of Jonglei State) raided Maruwa Payam in Vertet County of the GPAA several times, resulting in three killings, one injury and looting of cattle and other civilian properties.

Conventional parties

Incidents of violence against civilians attributable to Government security forces¹ and organized armed groups² remained lower than those involving community-based militias and/or civil defense groups. Despite general respect for the Revitalized Agreement on the Resolution of Conflict in the Republic of South Sudan (R-ARCSS) across the country, conventional parties still accounted for eight percent of victims (72 victims) in the fourth quarter. This indicates a 44 percent decrease (from 128 to 72) compared to the previous reporting period.

Trends in the number of civilians affected (2023)



Incidents involving the National Salvation Front (NAS) remained a concern in parts of Central and Western Equatoria States and continued to put civilians at risk. For instance, in Mundri East County, Western Equatoria State, three incidents of abductions involving 10 civilians were documented in November, while in Yei County, Central Equatoria State, four incidents were recorded affecting four victims (one killed, one injured, one abducted and one subjected to sexual violence). On the other hand, civilians perceived as NAS collaborators or sympathizers by elements of the Government security forces continued to experience harassment, arbitrary detention, and killing.

Further, in Western Equatoria State, incidents of sexual violence by the South Sudan’s National Security Services (NSS); arbitrary detention by the South Sudan People’s Defense Forces (SSPDF); and unlawful detention by Sudan People’s Liberation Army – in Opposition (SPLA-IO) were documented, threatening the safety and protection of civilians.

Overall, during the reporting period, HRD documented 24 incidents of violence impacting 44 civilians (14 killed, six injured, and 24 CRSV) by the Government security forces throughout the country. Linked to these violations, incidents of extrajudicial executions were also documented. Further, 10 separate incidents were perpetrated by the SPLA-IO and NAS involving 28 civilians (24 abducted, one killed, one injured, and two subjected to CRSV).

Unidentified and other opportunistic armed elements

Incidents of violence by armed elements which do not fall within the above-noted categories but bear a link to the conflict or violence affecting civilians based on the modus operandi of the suspected perpetrators, location, and other factors were also documented. Overall, violence involving these armed elements accounted for six percent of violent incidents and 50 civilian casualties.

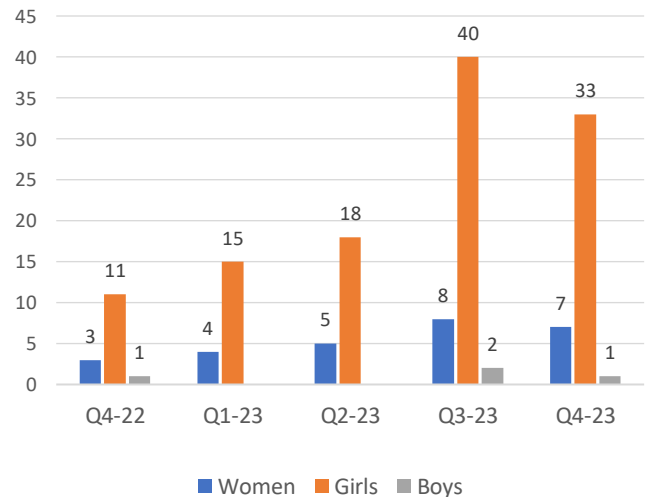
Unity State was the most impacted area by such actors, with eight incidents affecting 31 civilians (four killed, 11 injured, and 16 subjected to sexual violence), 22 of whom were women and children (two girls and three boys). In

one such incident, three minors were killed during an attack against the SSPDF’s Ariel barracks in Bombil village, Abiemnom County, Ruweng Administrative Area in October. Separately, in Liry Payam, Juba County, an unidentified armed group abducted three children (one girl and two boys).

Sexual and gender-based violence

Sexual and gender-based violence (SGBV) remained one of the most critical threats to the protection and well-being of women and children, particularly girls. Despite the increase in awareness among women and the adjudication of sexual violence cases perpetrated by members of the government security forces through the military General Court Martial and the GBV and Juvenile Court in Juba, SGBV remained a concern. During the fourth quarter of 2023, HRD documented 39 incidents of sexual violence classified as SGBV across the country, which affected 41 victims (seven women, one boy and 33 girls) in addition to 31 CRSV incidents (63 victims, including 12 minors), which were linked to the armed conflict. Of these 39 incidents, 33 were incidents of rape, three gang rape, one sexual assault, and two forced marriages. However, compared to the previous quarter, this represents a 22 percent decrease (from 50 to 39) in SGBV incidents and a 20 percent decrease in the number of victims (from 51 to 41). The CRSV and SGBV incidents directly affected 104 victims in total.

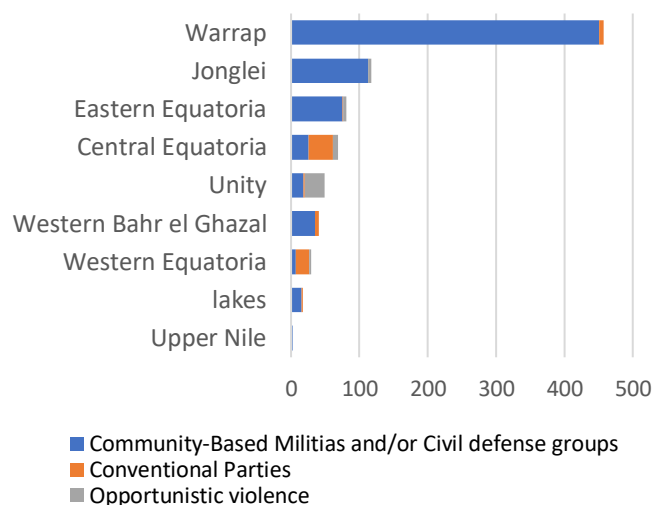
Trends in the number of SGBV victims (Q4-22/Q1-Q4 23)



GEOGRAPHICAL TRENDS

In the fourth quarter of 2023, Warrap state remained the most violence-affected area in South Sudan, followed by Jonglei and Eastern Equatoria states, accounting for 655 of the 862 victims recorded. In comparison to the previous quarter, the number of incidents in these areas dropped by two percent (from 150 to 147). Apart from Central and Western Equatoria, the majority of states were primarily impacted by violence involving community-based militias and/or civil-defense groups, which altogether accounted for 96 percent of the victims recorded.

State most affected by violence

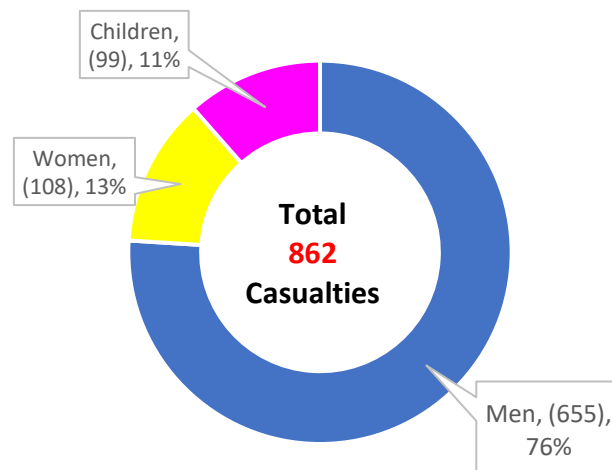


VICTIMS

Men, particularly young men, comprised the majority of victims (76 percent, or 655 individuals). Women were the second-largest group of victims, at 13 percent (108 individuals), while children accounted for the remaining 11 percent (99 individuals). However, beyond the direct impact of violence, women and children were disproportionately affected by the indirect effects of conflict – particularly related to access to health care, education, and livelihoods in volatile areas. 78 percent of adult male victims were either killed or injured, largely in the context of intercommunal violence by community-based militias and/or civil defense groups.

Women were primarily subjected to sexual violence (20 percent) and killing (32 percent), mainly in the context of intercommunal violence. Sexual violence cases, including rape and gang rape, were recorded in nine states, with the majority recorded in Central Equatoria followed by Western Equatoria state.

Victims by gender/sex



PERPETRATORS

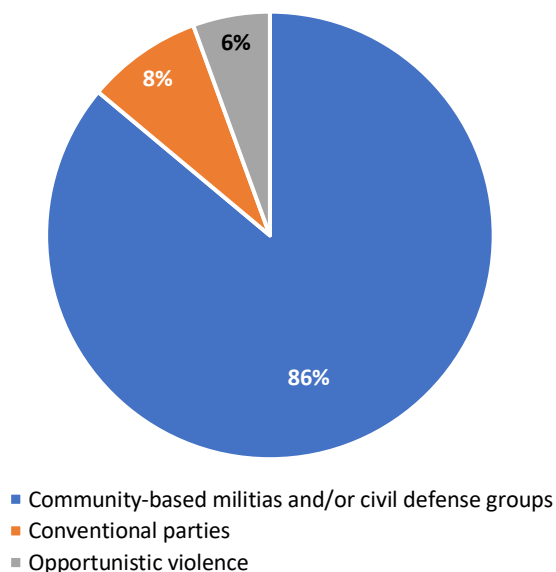
UNMISS HRD identified three major categories of perpetrators involved in conflict-related violence affecting civilians: i) conventional parties to the conflict; ii) community-based militias and/or civil defense groups; and iii) unidentified armed elements.

In the fourth quarter of 2023, HRD investigations attributed responsibility for 86 percent of victims to community-based militias and/or civil defense groups. These groups are a longstanding feature of pastoralist communities across South Sudan. Traditionally, their main objective revolves around protecting herds of cattle from external attacks. However, because of years of armed conflict and the resultant illicit proliferation of small arms amongst local communities, members of these community-based militias and/or civil-defense 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.

Compounding the increased violence is the investment of wealthy elites, both at the local and Juba levels, in cattle ownership, in this context, the “intercommunal” violence cannot be dissociated from local, regional and national dynamics and conflicts.

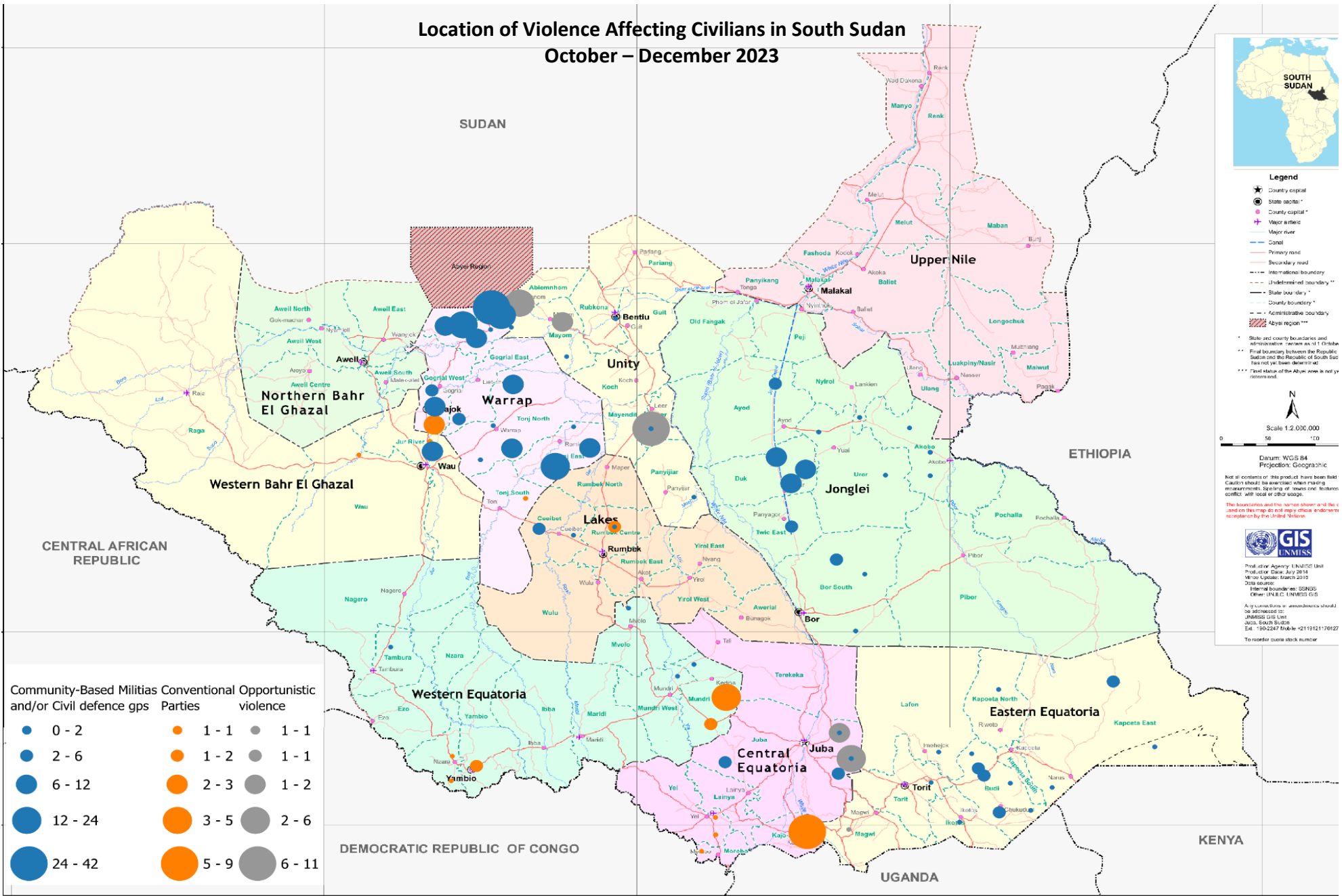
The second category of perpetrators remained the conventional parties to the conflict, including Government defense and security forces, as well as organized opposition armed groups, who were responsible for 15 percent of incidents and 72 of the victims documented during the reporting quarter.

Civilian casualties by type of perpetrators



Unidentified armed elements comprised the third category of perpetrators, primarily in the form of opportunistic violence, and accounted for six percent of civilians harmed during the reporting period. Often, they are deserters or have historical affiliations with the Government security forces or other organized groups, and community-based militias and/or civil-defense groups, who have progressively acquired autonomy from their sponsors and now carry out acts of violence against civilians from their own or rival communities, without any clear strategic or military objectives.

Location of Violence Affecting Civilians in South Sudan October – December 2023



Legend

- ★ Country capital
- State capital
- County capital
- ✚ Major arterial
- Major river
- Canal
- Primary road
- Secondary road
- International boundary
- Unkempt boundary
- State boundary
- County boundary
- Administrative boundary
- ▨ Abyei region

Scale 1:2,000,000

0 50 100

Datum: WGS 84
Projection: Geographic

Not all contents of this product have been field checked. Caution should be exercised when making measurements. Spelling of towns and features conflict with local or other usage.

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