

ANNUAL BRIEF ON VIOLENCE AFFECTING CIVILIANS

HIGHLIGHTS

- ❖ In 2022, UNMISS documented at least 3,469 civilians affected by violence and subjected to killing, injury, abduction, and conflict-related sexual violence (CRSV) in South Sudan. This represents an increase of two per cent as compared with 2021 when 3,414 victims were recorded.
- ❖ The vast majority of violence was geographically concentrated in 208 payams (39 per cent of the 540 payams in the country), accounting for more than 92 per cent of the victims.
- ❖ The number of killings decreased by 16 per cent as compared with 2021, while the number of recorded cases of injuries increased by 17 per cent and the number of abductions increased by six per cent. However, the number of CRSV cases increased significantly by 96 per cent, remaining an issue of great concern.
- ❖ Despite a 27 per cent overall decrease of violence in 2022 (from 982 to 714), civilians continue to be at risk of violence. Sub-national violence involving parties to conflict accounted for 38 per cent of the documented incidents and accounted for 48 per cent of victims, while community-based militias and/or civil-defense groups are accounted for 54 per cent of the incidents involving 47 per cent of the victims.

CONTEXT

This annual brief presents an overview of trends in violence affecting civilians from January to December 2022, by assessing four major forms of individual harm experienced throughout the country (killing, injury, abduction, and CRSV). While the impact of violence extends beyond these forms of harm, they have been the most common incidents documented across the conflict in South Sudan. In addition, the brief also highlights key human rights concerns monitored by UNMISS Human Rights Division (HRD) in 2022.

Sources of information include victim and eyewitness accounts, as well as reports from secondary sources identified during field missions by the UNMISS HRD. All reported incidents, particularly those involving sub-national violence, are deconflicted with incidents documented by the UNMISS Civil Affairs Division. Incidents determined as cases of CRSV are corroborated in consultation with the Office of the Senior Women's Protection Advisor. In accordance with its mandate, UNMISS has issued this annual brief as an advocacy tool to reduce the impact of armed violence on civilians. UNMISS also continues to urge national authorities to hold all perpetrators accountable.

South Sudan is a State party to the African Charter on Human and Peoples' Rights and has ratified three core United Nations 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.

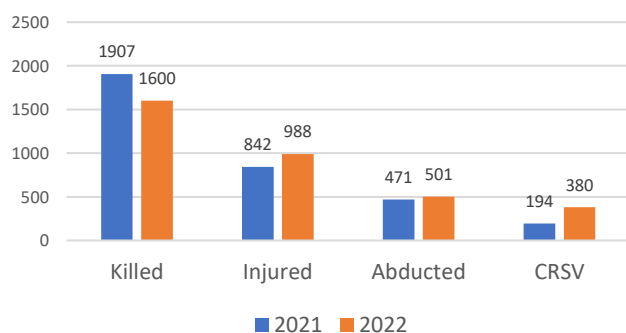
International humanitarian law applies to the non-international armed conflict in South Sudan. All parties to the conflict are obligated to abide by the relevant rules of customary international law applicable in non-international armed conflicts, including the principles of distinction, proportionality, 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.

GENERAL TRENDS

In 2022, civilians continued to bear the brunt of predominantly sub-national armed violence in South Sudan. Between January and December, HRD documented more than 714 violent incidents (982 in 2021) involving at least 3,469 civilians (3,414 in 2021) subjected to one of the four major types of individual harm (killing, injury, abduction, and CRSV). This constitutes a 27 per cent decrease in the number of incidents and a two per cent increase in the number of victims, as compared with 2021. It is important to note that the constraints on UNMISS HRD to comprehensively document the number of victims affected by armed violence, include capacity constraints, access restrictions, and other challenges that hindered its ability to verify and document all incidents, which may have resulted in the underreporting of the number of incidents and victims.

As illustrated by the following chart comparing civilian casualty data between 2021 and 2022, killings declined by 16 per cent (from 1,907 to 1,600), cases of injury increased by 17 per cent (from 842 to 988) and abductions slightly increased by six per cent (from 471 to 501), while there was a significant increase in the number of victims of CRSV by 96 per cent (from 194 to 380).

Number of victims 2021/2022



Sub-national violence accounted for most victims (89 per cent or 3,085 civilian casualties) documented across the country. The intensity of this violence fluctuated throughout the year but was marked by three distinct surges: between April and May in southern Unity State; between July and September in Warrap State; and between August and December in the Upper Nile region. A decline in sub-national violence was observed in the month of June following the decrease of violence in southern Unity State involving joint-Government forces and its allied militias and the SPLM/A-IO (RM).

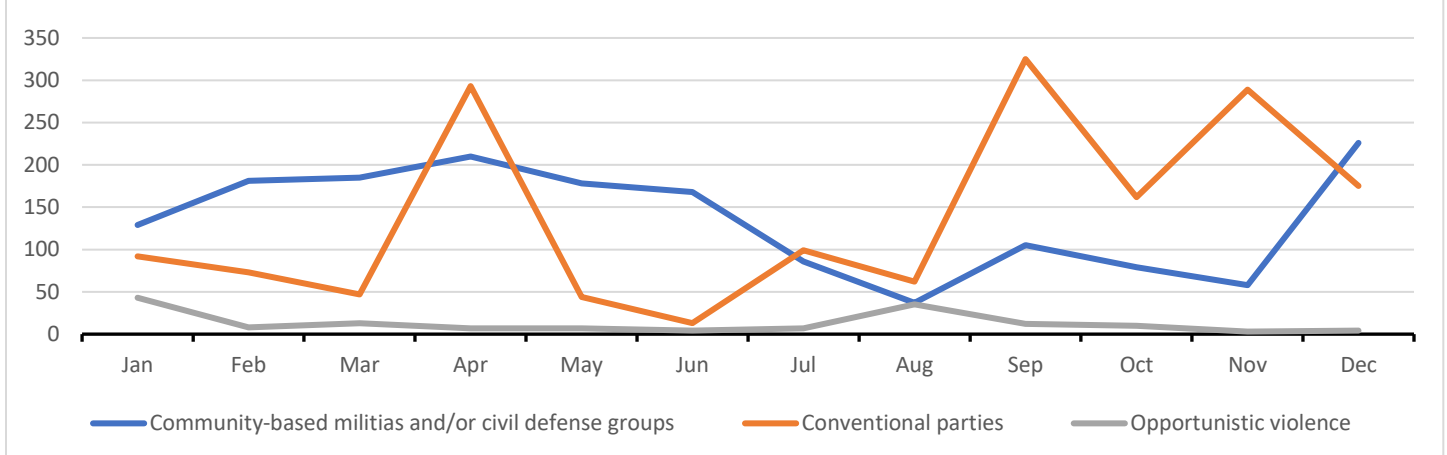
Community-based militias and/or civil defense groups

While sub-national violence, particularly cattle-raiding, is historically common among pastoralist communities in South Sudan, the incidents referred to as “intercommunal violence” involves community-based militias and/or civil defense groups. This continues to persist with greater viciousness resulting in devastating consequences on local populations. The entrenched patterns of violence among various ethnic groups, tribes, and sub-clans have taken on an increasingly militarized character over the years, with the involvement and support of conventional parties to the conflict in most incidents. Furthermore, political, and administrative elites at local and national levels have contributed to the intensification of violence, including through instigating and/or participating in the planning of attacks, financial and logistical support, and provision of weapons and ammunition. Sub-national or intercommunal violence, therefore, cannot be dissociated from local and national political and military dynamics.

In 2022, intercommunal violence by community-based militias and/or civil-defense groups accounted for more than 47 per cent (1,642) of civilian casualties, the vast majority (1,325 casualties) were concentrated in three States. In Warrap, in addition to the clashes and revenge attacks between Dinka sub-clans, implementation of the Cessation of Hostilities Agreement signed in April 2022 and the Communiqué on Peace signed in October 2022 between Dinka Twic Mayardit and Dinka Ngok in Abyei Administrative Area (AAA) was unsuccessful due to persistent intercommunal fighting between the two communities over a border dispute. Similarly, in Jonglei State and Greater Pibor Administrative Area (GPAA), the peace achieved through a rapprochement between the community leaders of the areas was undermined by the upsurge of violence perpetrated by the Nuer community-based militias against the Murle. The massive attack launched by the Nuer on 24 December 2022 in the GPAA was, in part, in retaliation to Murle community-based militias’ persistent small-scale attacks in various areas of Jonglei (such as Uror, Nyirol, and Akobo).

On another note, the inter-communal violence in Eastern Equatoria State was characterized by attacks and involvement of the cattle keepers from Greater Bor region (Bor South, Duk and Twic East) commonly known as ‘Dinka Bor’ during the first half of 2022, especially in and around Magwi County. In addition, intercommunal violence involving civil-defense groups from Buya,

Trends in the number of victims, January to December 2022



Didinga, Logir, Lotuko and Toposa communities, as well as cross border armed elements from Turkana community of neighboring Kenya (southeast of South Sudan) and armed Murle elements from GPAA (north of Eastern Equatoria State) continued to pose threat of violence in the region. In July, a particular attack in Kapoeta resulted in the killing of 271 and injury of 86 individuals involved in the attacks, in addition to 23 civilian casualties (13 killed and 10 injured) from the same incident.

Conventional parties to conflict

Adherence to the 2018 Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) contributed to the overall reduction of violent incidents attributed to the conventional parties to conflict during the most recent years. However, in 2022, while the number of violent incidents attributed to parties to the conflict declined by 37 per cent (from 428 to 272), the number of victims harmed increased by 58 per cent in comparison to 2021. The increasing reliance of the use of proxy armed elements and/or affiliated militia groups to engage in hostilities by the government and other armed groups has contributed to the increase of human rights violations and abuses attributed to parties to the conflict. The joint operations carried out by these groups accounted for 69 per cent of the overall attribution to parties to the conflict. The majority- of the victims during this type of joint operations were subjected to killing and injury (86 per cent or 997 civilian casualties).

For instance, the armed violence between the South Sudan People’s Defense Forces and People’s Liberation Movement/Army – In Opposition (SPLM/A-IO) in southern Unity State was characterized by government officials’ heavy reliance on the mobilization and direct command of their affiliated militia groups against the SPLM/A-IO. Similarly, conflict dynamics, confrontations, and extended fighting between the SPLA-

IO splinter groups in Upper Nile were substantiated by the strength of their respective proxy armed elements. The *Agwelek* Forces fought alongside Shilluk armed elements or community-based militias led by Gen. Johnson Olony, while the Kitgwang group headed by Gen. Simon Gatwech Dual strengthened their capacity with the support of armed Nuer militias. The fighting which erupted in Tonga on 10 August rapidly escalated and spread to neighboring locations, including areas of Jonglei State, accounted for 23 per cent of the overall civilian casualties in 2022. Since the beginning of conflict, HRD documented 325 civilians killed, 278 injured, 150 cases of abduction, including 100 women, and 72 cases of women and girls subjected to sexual violence during the fighting between these parties.

In Warrap State, incidents of violence under the pretext of ‘restoring law and order’ linked to the government security forces’ response to the 25 June 2022 armed clashes between the South Sudan People’s Defence Forces (SSPDF) and the armed Rual-Bet youths in Tonj North County continue to be documented. In 2022, HRD recorded at least 42 civilians killed, the majority of them through extrajudicial execution, injury of six, and 53 cases of CRSV, including 12 girls. 325 civilians were detained, including 56 as reprisal for attempting to speak with the Rual-Bet Investigation Committee established by President Kiir. These detained civilians are at risk of being subjected to grave human rights violations, including torture and extrajudicial execution.

In the southern areas of Central Equatoria State, operations by the conventional parties to the conflict remained active. Allegations of abductions by the National Salvation Front for forced recruitment, forced labor, and as punitive means to civilians perceived for collaborating with the government remain a concern. Between January and December, abductions in the areas

of Lasu, Otego and Tore payam of Yei County, Mukaya payam of Lainya County, and Lojulo of Morobo County by NAS accounted for 16 incidents of abductions involving 145 victims, including eight women and 25 minors - of which 24 were boys, mostly in their teens. Separately, SSPDF operations in the area, aimed at dislodging NAS, continue to undermine the human rights and protection situation of the population while displacing affected civilians, including the killing of 14 civilians, injury of seven civilians, and conflict-related sexual violence of 12 women and eight girls. Likewise, the SPLA-IO in Panyume threatened the protection of civilians in the area. In September, members of the said group reportedly raped four women, harassed the community, and looted civilian properties leading to the

displacement of approximately 1,000 civilians to Morobo County.

Opportunistic actors

HRD also documented a relatively small number of incidents by unidentified but related armed elements, which do not fall specifically within one of the two categories described above, but which bear a link to the conflict based on the suspected perpetrators, location, modus operandi, and other factors. These actors were primarily engaged in opportunistic violence and were responsible for five per cent of all affected victims documented in 2022.

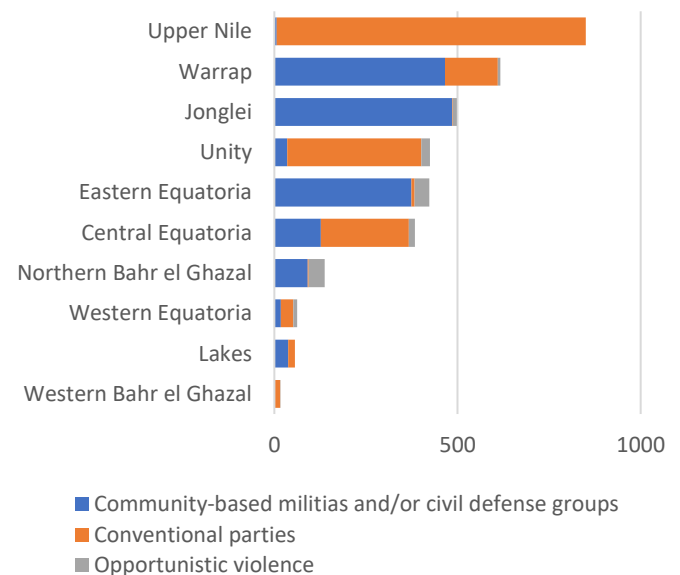
GEOGRAPHICAL TRENDS

In 2022, Upper Nile and Warrap States were mostly affected by violence, accounting for 42 per cent of the victims recorded throughout South Sudan followed by Jonglei, Unity, Eastern Equatoria and Central Equatoria States, which together accounted for approximately 50 per cent of the victims. While Eastern Equatoria, Jonglei, and Warrap States were mostly affected by sub-national violence involving community-based militias and/or civil defense groups, Upper Nile and Unity States were impacted by parties to the conflict and its proxy armed elements and/or affiliated militia groups. Central Equatoria State was affected by both intercommunal violence by civil defense groups and/or community-based militias around various areas of Juba and Terekeka Counties and by the parties to conflict in the areas of Yei, Morobo, and Lainya. However, it is important to note that these incidents of violence were concentrated in specific counties, with 208 (out of 540) payams accounting for more than 92 per cent of victims, including where longstanding grievances persist among communities and where pastoralists compete for vital grazing areas and access to water.

For instance, three payams notably in areas along the river basin of Greater Upper Nile (between Upper Nile and Jonglei States) were devastated by intense violence since 10 August, which led to the killing and injury of at least 603 civilians by the parties to the conflict and its proxy militia groups. Meanwhile, 17 payams in Warrap were marred by chronic armed violence among sub-sections of Dinka communities, resulting in 340 civilian casualties, including 17 women and 20 children - amounting to 21

per cent of the overall victims attributed to community-based militias and/or civil defense groups in 2022.

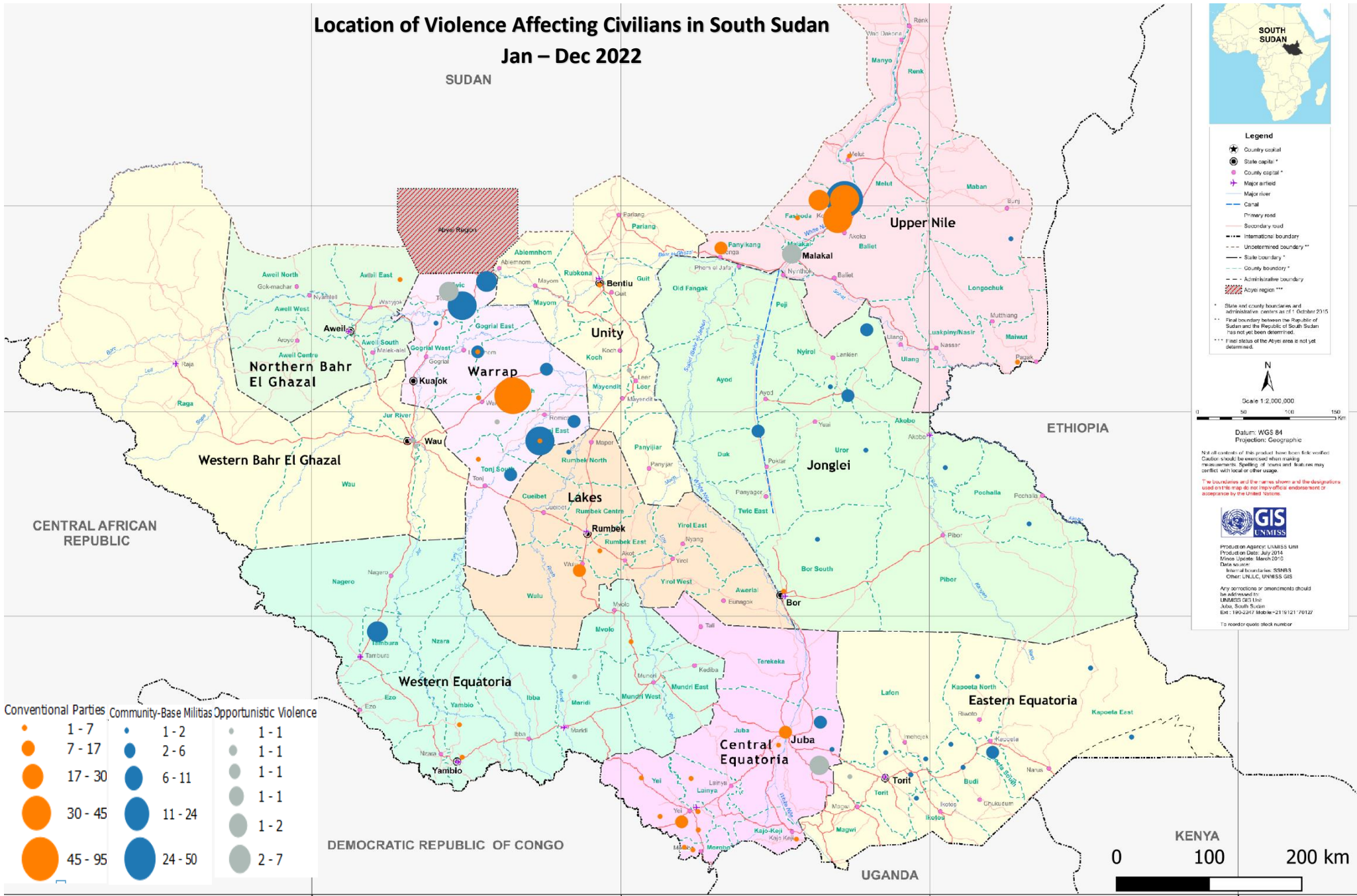
States most affected by violence



By contrast, in Central Equatoria, the sixth most violent state (with 11 per cent of all victims), 19 payams accounted for 60 per cent of the victims attributed to conventional parties (45 per cent) and community-based militias and/or civil defense groups (35 per cent). The remaining five per cent were recorded throughout the rest of the states.

Location of Violence Affecting Civilians in South Sudan

Jan – Dec 2022



Conventional Parties	Community-Base Militias	Opportunistic Violence
● 1 - 7	● 1 - 2	● 1 - 1
● 7 - 17	● 2 - 6	● 1 - 1
● 17 - 30	● 6 - 11	● 1 - 1
● 30 - 45	● 11 - 24	● 1 - 1
● 45 - 95	● 24 - 50	● 1 - 2
		● 2 - 7

VICTIMS

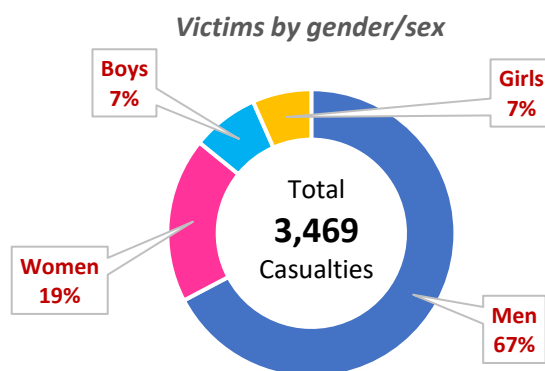
As previously noted, HRD’s capacity to comprehensively document the number of victims affected by armed violence was impacted by capacity constraints, safety and security concerns, as well as access restrictions, particularly in conflict-affected areas to verify and document all incidents, which may have resulted in the underreporting of the number of incidents and victims. Notwithstanding, HRD documented at least 3,469 victims of one of the four main forms of harm experienced in South Sudan, a five per cent decrease as compared with 2021.

HRD has established that men continued to comprise the majority of victims (67 per cent or 2,334 individuals). In line with trends observed in 2021, the vast majority of men (55 per cent) were killed or injured as a result of localized violence, while the remainder were mostly abducted for the purposes of forced military recruitment and/or forced labor. In 2022, at least 145 men were victims of abduction, primarily in the areas of Lainya, Morobo, and Yei (Central Equatoria) largely attributable to NAS.

During localized violence, women were primarily subjected to conflict-related sexual violence (seven per cent or 15 victims), predominantly rape and sexual slavery. Abduction accounted for 31 per cent of harms suffered by female civilians while killing constituted 10 per cent and injury constituted six per cent. Over a third (37 per cent) of these CRSV cases were documented in southern Unity States and about 17 per cent were recorded

in Warrap, involving parties to conflict, alongside allied/proxy militia, particularly in southern Unity.

Overall, the number of women recorded as victims of CRSV increased by 102 per cent between 2021 and 2022. Further, UNMISS has reason to believe that many abducted women and girls were subjected to sexual violence as well.



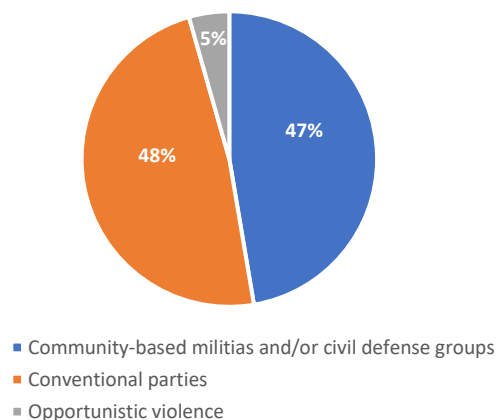
Boys were primarily subjected to abduction (23 per cent) while girls were predominantly subjected to CRSV (28 per cent). 11 per cent of the total number of children victims were killed during conflict, while five per cent were injured. As compared with 2021, there was a 10 per cent decrease in the number of abductions involving children in 2022 (from 178 to 160). Of these 160 victims, 33 per cent were abducted during localized violence, primarily in Jonglei and GPAA.

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/or civil defense groups; and iii) unidentified (but related) armed elements.

In 2022, HRD investigations attributed responsibility for 48 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 and their allied proxy armed elements who willfully perpetrated the violations under the control and direction of the former. These groups were responsible for 48 per cent of the victims. As illustrated

Civilian casualties by type of perpetrators



in the section on geographic trends, specific hotspots affected by the presence of these armed actors are located within Central Equatoria, Unity, Upper Nile, and Warrap States.

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.

During the reporting period, the second category of perpetrators – community-based militias and/or civil-defense groups – were responsible for 47 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 attacks. However, years of armed conflict and the resulting proliferation of small arms amongst local communities have contributed to members of these community-based militias and civil-defense

groups being co-opted, armed, and used as proxy armed elements by all parties to the conflict and by local actors, which has also led to the increased militarization of inter-communal violence. The increased militarization of these groups is one of the main reasons behind the high numbers of civilian casualties documented during the reporting period.

A third category is comprised of unidentified but related armed elements. These actors, who often have a historical affiliation with an armed group or community-based militias and/or civil-defense groups, have become autonomous 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. In a context of extreme economic deprivation, coupled with the breakdown of the rule of law and the loss of power of traditional institutions as “regulators” of social behavior, these unchecked elements contribute to a normalization of insecurity, affecting civilians in their daily lives.