

Brief on Violence Affecting Civilians

HIGHLIGHTS

- ❖ Between January and March 2023, the UNMISS Human Rights Division (HRD) documented 194 incidents of violence affecting 920 civilians (405 killed, 235 injured, 266 abducted, and 14 subjected to conflict-related sexual violence (CRSV)).
- ❖ This represents a 12 per cent increase in violent incidents compared to the same reporting period in 2022 (from 173 to 194). The number of victims increased by 22 per cent (from 754 to 920). The proportion of civilians killed increased by 35 per cent (from 300 to 405), while the number of victims injured decreased by 12 per cent (from 266 to 235). Abductions significantly increased by 113 per cent (from 125 to 266), while CRSV decreased by 78 per cent (from 63 to 14).
- ❖ In comparison to the previous quarter, there is a four per cent decrease in violent incidents (from 202 to 194) and a five per cent decrease in civilian casualties (from 969 to 920). The killings decreased by 10 per cent (from 450 to 405), while injuries slightly increased by five per cent (from 224 to 235). While abductions increased by 31 per cent (from 203 to 266), the number of CRSV decreased by 85 per cent (from 92 to 14).
- ❖ Violence involving community-based militias and/or civil-defense groups accounted for 92 per cent of victims, while five per cent was attributed to parties to the conflict.
- ❖ The scope of the brief includes data and trends on sexual and gender-based violence (SGBV).

CONTEXT

This quarterly brief presents an overview of trends in violence affecting civilians between January and March 2023, by assessing four major forms of individual harm (killing, injury, abduction, and CRSV) experienced throughout the conflict in South Sudan. While the impact of violence extends beyond these forms of harm, they have been the most common incidents documented throughout the country.

In addition, the brief highlights key human rights concerns monitored by the UNMISS Human Rights Division during the first quarter of 2023, including their impact on civilians.

In accordance with its mandate, UNMISS has issued this 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 fulfill 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 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.

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.

GENERAL TRENDS

Between January and March 2023, HRD documented more than 194 incidents involving at least 920 civilians who were subjected to one of the four major forms of harm (405 killed, 235 injured, 266 abducted, and 14 subjected to CRSV). Ten of these incidents, though recorded in the current reporting period, occurred during the previous quarter.

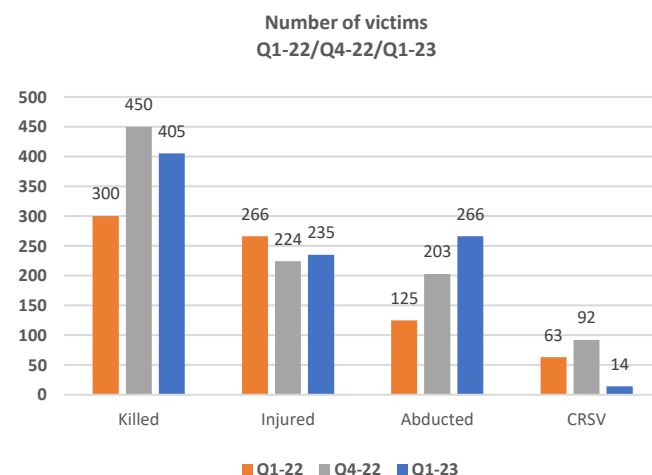
By comparison, between January and March 2022, 173 incidents were documented, involving at least 754 civilian victims (300 killed, 266 injured, 125 abducted, and 63 subjected to CRSV), the majority arising from inter-communal or intra-communal violence involving community-based militias and/or civil defense groups. This reflects a 12 per cent increase in violent incidents (from 173 to 194) and a 22 per cent increase in the number of victims (from 754 to 920), when comparing the first quarter of 2023 and the same period in 2022.

In comparison to the previous quarter, between October and December 2022, there is a four per cent decrease in violent incidents (from 202 to 194) and a five per cent decrease in the number of victims (from 969 to 920).

✓ *Conventional parties*

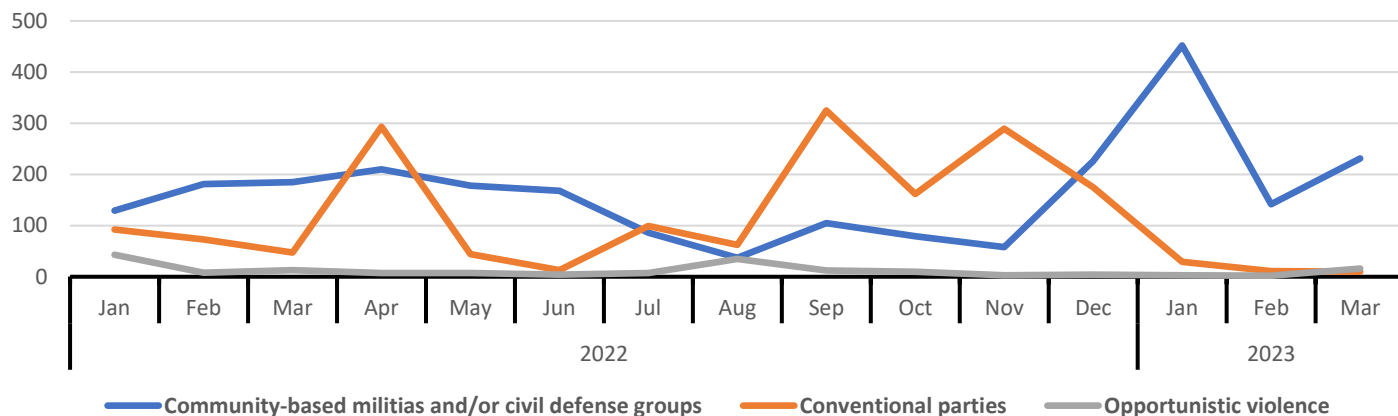
Since the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in September 2018, the overall number of violent incidents reported, as well as the impacted civilians attributed to conventional parties to conflict, generally declined due to a reduction in clashes between Government forces and organized armed groups. However, during the fourth quarter of 2022, a significant increase in violence involving conventional parties was noted due to the armed confrontations in the Greater

Upper Nile region by splinter groups of the Sudan People's Liberation Army-In Opposition. Nevertheless, in the current reporting period, violence involving parties to the conflict decreased by 43 per cent (from 42 to 24) compared to the same period in 2022 and 77 per cent (from 105 to 24) compared to the fourth quarter of 2022. These groups were responsible for five per cent of the overall civilian casualties documented during the period, involving at least 50 victims (10 killed, 15 injured, 20 abducted and five subjected to CRSV).



Such recorded incidents include the on-going operations by the South Sudan People's Defense Forces (SSPDF) in the southern areas of Central Equatoria State (such as Lujulo and Otego Payam), aimed at dislodging the National Salvation Front (NAS), which continues to undermine the human rights and protection situation while displacing affected civilians to remote areas near the border of the Democratic Republic of Congo and the other areas within Yei River County. Likewise, the operations by the Sudan People's Liberation Army in

Trends in the number of victims, January 2022 to March 2023



Opposition continue to pose a threat to the civilians in the area. Separately, allegations of abductions by the National Salvation Front for forced recruitment and forced labor as punitive measures against civilians perceived for collaborating with the government remain a concern.

Between January and March 2023, abductions by NAS in the areas of Wundabi Payam in Morobo County, accounted for 18 victims, including 13 women, in three separate incidents. Further, the confrontation between the SSPDF and the NAS - when the latter ambushed a platoon of SSPDF soldiers in Tore Payam - resulted in the killing of one male civilian and injury of three others by crossfire.

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

Entrenched patterns of violence affecting civilians continue to persist in South Sudan mainly in the form of sub-national violence, particularly “inter-communal violence,” which is often perpetuated by community-based militias and/or civil-defense groups. Although violence among tribes and sub-clans is historically rooted in traditional societal practices, particularly among pastoralist societies (such as protecting cattle from attacks), over the years, it has taken an increasingly militarized character, with the involvement of elements 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, and provision of weapons and ammunition. This localized violence, exacerbated by pre-existing communal tensions, constitutes a destabilizing factor undermining peace in

South Sudan and, therefore, cannot be dissociated from national political and military dynamics.

During the first 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 92 per cent (847) of the overall civilian casualties. The nature of the conflict is evolving and is often carried out with military-style tactics and military-grade weapons. During the reporting period, 163 incidents of attacks involving community-based militias and/or civil-defense groups claimed the lives of more than 847 civilians.

Persistent cattle raiding, attacks and revenge attacks in Jonglei State and the Greater Pibor Administrative Area (GPAA) involving armed elements mainly from the Lou Nuer and the Murle community have caused a significant number of casualties and continue to threaten the protection of civilians in the area. The peace achieved through a rapprochement between the community leaders of the region was undermined by the upsurge of violence perpetrated by community-based militias from Jonglei, with the majority from the Nuer community, alongside other armed elements from Gambella, Ethiopia ¹ against the Murle in the GPAA wherein a massive attack was launched from 24 December 2022 to 9 January 2023, in retaliation to Murle community-based militias’ persistent small-scale attacks in various areas of Jonglei (such as Akobo, Bor South, Nyirol, and Urur). During the attacks, HRD documented at least 308 killed, 131 injured, 299 abducted and four subjected to sexual violence. These civilian casualties were in addition to the number of casualties highlighted in this brief. Similarly, attacks perpetrated by the armed Murle elements continued throughout the first quarter of 2023, including a series of

¹ The Gambella region of Ethiopia is also inhabited by Nuer community from South Sudan who crossed the borders (through Pagak in Eastern Upper Nile and Akobo East of Jonglei) of South Sudan. The armed elements described in this brief is a mix of Nuer from South Sudan and armed Ethiopians.

attacks in various areas of Akobo, Ayod, Duk, Nyirol, and Urur counties. Notably, humanitarian convoys and workers were not spared. During the reporting period, at least 20 violent incidents against humanitarian staff and assets have been documented, disrupting the delivery of food aid and other lifesaving supplies to the community. These Murle incursions accounted for 267 civilian casualties (97 killed, 78 injured, 90 cases of abductions, and two subjected to CRSV), including 79 women and 46 children.

In Warrap State, persistent intercommunal violence for cattle raiding between Dinka sub-clans and the prolonged intercommunal dispute between the Dinka Twic Mayardit and Dinka Ngok communities in the Abyei Administrative Area resulted in 168 civilian casualties (112 killed, 54 injured, one abducted and one subjected to CRSV). The clashes between the Dinka sub-clans accounted for 23 per cent of civilian casualties in the region while the clashes between Dinka Twic Mayardit and Dinka Ngok caused the remaining number of casualties despite the signing of the Cessation of Hostilities Agreement in April 2022 and the Communiqué on Peace signed in October 2022. Relatedly, in Lakes State, a significant armed confrontation between the Dinka Luanyjang and Dinka Pakam in February resulted in 39 civilian casualties in addition to the killing and injury of 137 individuals involved in the attacks.

In Central Equatoria State (CES), cattle-related security concerns and violence continue to impact negatively on civilians. The persistent presence and incidents of violence involving armed Dinka-Bor as well as armed Mundari and Murle cattle keepers in the areas of Lire payam in Kajo-Keji and Gondokoro, Lokiliri, Luri, and Mangalla payams in Juba, as well as other parts of the region, continue to pose threats to the civilian community. In January, an incident involving armed Dinka-Bor that transpired in Mangalla resulted in 17 civilian casualties (15 killed and two wounded). Similarly, in February, a particular incident in Kajo-Keji County claimed the lives of 26 civilians, including two women, and led to the displacement of at least 2,000 individuals, mainly women and children. Separately, armed Murle elements from the Greater Pibor Administrative Area (GPAA) attacked and looted a boat navigating through the River Nile near the Nyori area of Gondokoro Payam, Juba County, leading to the deaths of 10 civilians and injury of another from the Nuer community. The vessel was reportedly transporting commercial items towards Adok port in southern Unity State. During this quarter, violence involving these armed elements accounted for 91 civilian casualties (71 killed and 20 injured), including 11 women and five children.

In Eastern Equatoria State, inter-communal violence involving armed civil-defense elements from the Buya, Didinga, Logir, Lotuko and Toposa communities, as well as cross-border attacks by armed elements from Turkana community of neighboring Kenya (southeast of South Sudan) and armed Murle elements from the GPAA (north of Eastern Equatoria State) continued to pose threats to the civilians in the region. In addition, the recent presence of armed Surma elements from Gambella, Ethiopia (east of South Sudan) that crossed through Eastern Equatoria State to raid cattle exacerbated tensions in the areas of Kapoeta. Similarly, armed elements from the Kachipo community of Boma payam in the GPAA, shot and killed six civilians from the Toposa community on 16 March, reportedly in retaliation to the number of cattle raided by the Toposa armed elements earlier. Tensions and armed confrontations involving these groups accounted for 88 per cent (30 incidents) of violent incidents that resulted in the killing of 37 civilians (including eight women and one boy), 17 injuries and two abductions.

Relatedly, the aggressive presence of the “Ambororo Nomads’ from the Central African Republic who notoriously cross into South Sudan through the areas of Ibba and Nagero Counties, as well as around the Maridi area (approximately 16 kilometers away from the Maridi center) remains a threat to the protection of civilians in Western Equatoria. In March, three civilians (all female - one woman and two girls) were killed during attacks by these elements. In addition, a child was also injured during this incursion. Further, the said nomadic community reportedly shot and killed a local traditional leader from Ibba County.

✓ *Sexual and gender-based violence*

During the first quarter of 2023, HRD documented at least 19 rape or gang rape incidents in six states, which affected 19 victims (four women and 15 girls). In comparison to the fourth quarter of 2022, this represents a 36 per cent increase in SGBV incidents. These 19 incidents (19 victims) were in addition to 11 CRSV incidents (14 victims, including one girl) affecting 33 civilians, in which cases of sexual violence were linked to the ongoing armed conflict.

Most of the incidents happened within the community. However, most of the alleged perpetrators were not known to the victims and the sexual violence incidents were perpetrated with force, intimidation, and intent to take advantage of the victims. This demonstrates that victims and potential victims require more protection in community settings, where they remain vulnerable due to the lower status of women and girls in South Sudanese society, exacerbated by harmful traditional practices.

HRD considers that cases and incidents of SGBV 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, many 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.

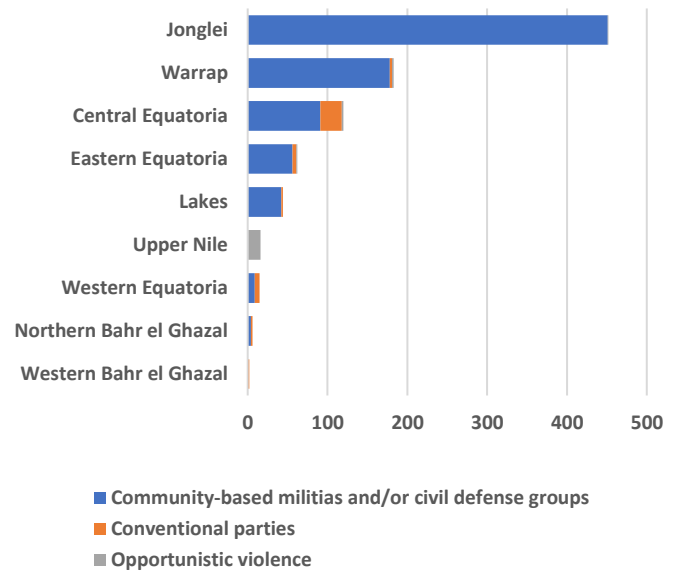
GEOGRAPHICAL TRENDS

Most of the victims were documented in Jonglei State and the GPAA, and Warrap and Central Equatoria States, with Jonglei and the GPAA being the most affected by violence, accounting for 50 per cent of the victims recorded throughout South Sudan during the reporting quarter, followed by Warrap, Central Equatoria, Eastern Equatoria, and Lakes states. Most of these states were generally impacted by violence involving community-based militias and/or civil-defense groups, which altogether accounted for approximately 92 per cent of the victims.

However, it is important to note that these incidents of violence were concentrated in specific counties, affecting 93 (out of 540) payams. Some of the violence also occurred in areas where longstanding grievances persist among communities and where pastoralists compete for access to pasture and water. The devastating effects of climate change, severe food insecurity, disruption of livelihoods, the price increase of food commodities, and depreciation of the local currency seemingly increased inter-communal violence and cattle-raiding as communities attempted to recoup and secure food sources prior to the next rainy season.

Despite signing the Cessation of Hostilities Agreement in April 2022 and the Communiqué on Peace signed in October 2022, tensions between Dinka sub-sections in Warrap remained a concern. Similarly, in Jonglei State and the 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 on 24 December 2022 to 9 January 2023 launched by the community-based militias from Jonglei State, mainly from the Lou Nuer, and supported by armed elements from Gambella, Ethiopia against the Murle in the GPAA was, in part, in retaliation to the Murle's persistent small-scale attacks in various areas of Jonglei (such as Akobo, Bor South, Nyirol, and Uror).

States most affected by violence



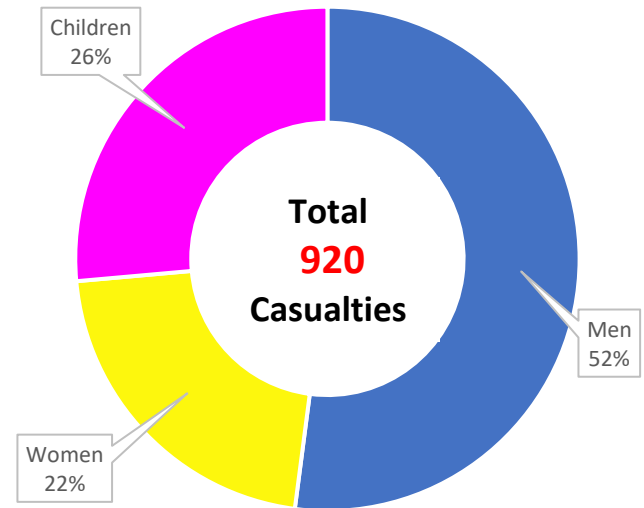
Conventional parties to the conflict remained active in Yei (Central Equatoria State) where the incidents primarily involved government forces and elements of the National Salvation Front. Separately, the continued presence and conflict caused by the Dinka-Bor cattle keepers, as well as armed elements from the Mundari and Murle communities in the region, posed grave concerns and negative impacts to the host communities.

VICTIMS

HRD's findings indicate that men, particularly young men, comprise the majority of victims (52 per cent, or 479 individuals). Children are the second-largest group of victims, at 26 per cent (243 individuals), while women account for the remaining 22 per cent. However, beyond the direct impact of violence, women and children are disproportionately affected by the 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 (38 per cent) were either killed, injured, or abducted largely in the context of armed confrontations and violence attributable to the community-based militias and/or civil-defense groups from Greater Jonglei region. Women were primarily subjected to CRSV (79 per cent), killed (15 per cent) and injured (nine per cent). Most of the cases of conflict-related sexual violence, including rape and gang rape, occurred in four States (Central Equatoria, Eastern Equatoria, Jonglei, and Warrap). Children were primarily killed (17 per cent), injured (10 per cent), or abducted (56 per cent).

Victims by gender/sex



PERPETRATORS

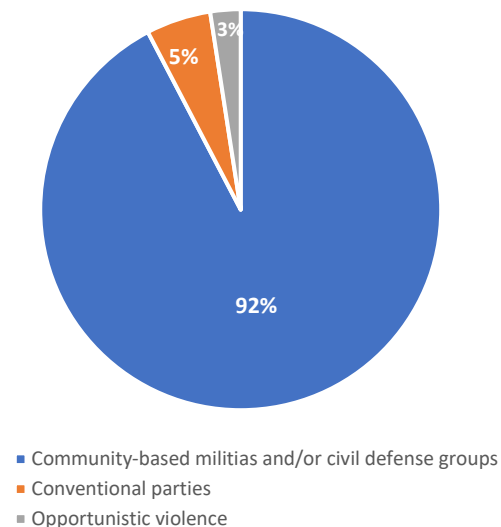
Notwithstanding, military operations and activities involving government forces, organized armed groups and their respective proxy armed elements, have continued to place civilians at risk in the areas of Jonglei and Warrap States, as well as in parts of Lakes, Unity, Upper Nile and Western Bahr el Ghazal States.

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 the first quarter of 2023, HRD investigations attributed responsibility for 92 per cent 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 was to protect herds of cattle from external attacks. However, as a consequence 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.

Civilian casualties by type of perpetrators



In Jonglei, Central Equatoria, Warrap, and Eastern Equatoria states, HRD found that these groups were armed with AK-47 type guns, PKM and light machine guns. Some elements were also reportedly equipped with rocket-propelled grenades and demonstrated a certain degree of planning and coordination. The increased militarization of these groups was one of the main factors behind the high numbers of civilian casualties caused by intercommunal clashes during the period.

During the reporting period, the second largest category of perpetrators were parties to the conflict, who were responsible for five per cent of the overall civilian victims. This category of perpetrators includes government security forces, as well as organized opposition armed groups, and their allied militias or groups. These allied militias are categorized as conventional parties because military and government officials were involved in the mobilization and direct command and control of these armed militia/groups. This is a marked difference from the existing trend of political and military elites supporting community-based militias and/or civil defense groups through indirect means, such as instigation of violence, political backing, and provision of ammunition and financial incentives.

Amongst government forces, acts of violence targeting civilians were mainly attributed to the South Sudan

People's Defence Forces, the South Sudan National Police Service, and the National Security Service. The National Salvation Front - which is not a signatory to the R-ARCSS, also committed abuses against civilians, primarily within the areas of Morobo and Yei, as well as other areas near the border of the Democratic Republic of Congo, along Tore (in Yei) and Ras-Olo (in Maridi, Western Equatoria) axis.

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.

A third category comprised of unidentified but related armed elements. These actors, who often have a historical affiliation with community-based militias and/or civil-defense groups, 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. In the context of extreme economic deprivation, coupled with the breakdown of the rule of law and the loss of power of traditional institutions, these elements contribute to a regularization of insecurity, affecting civilians in their daily lives.

Location of Violence Affecting Civilians in South Sudan

January – March 2023



Legend

- ★ Country capital
 - State capital *
 - County capital *
 - Major airfield
 - Major river
 - Canal
 - Primary road
 - Secondary road
 - International boundary
 - Undetermined boundary **
 - State boundary
 - County boundary *
 - Administrative boundary
 - ▨ Abyei region ***
- * State and county localities and administrative centers as of 1 October 2011
 ** Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined.
 *** Final status of the Abyei area is not yet determined.



Scale 1:2,000,000

Datum: WGS 84

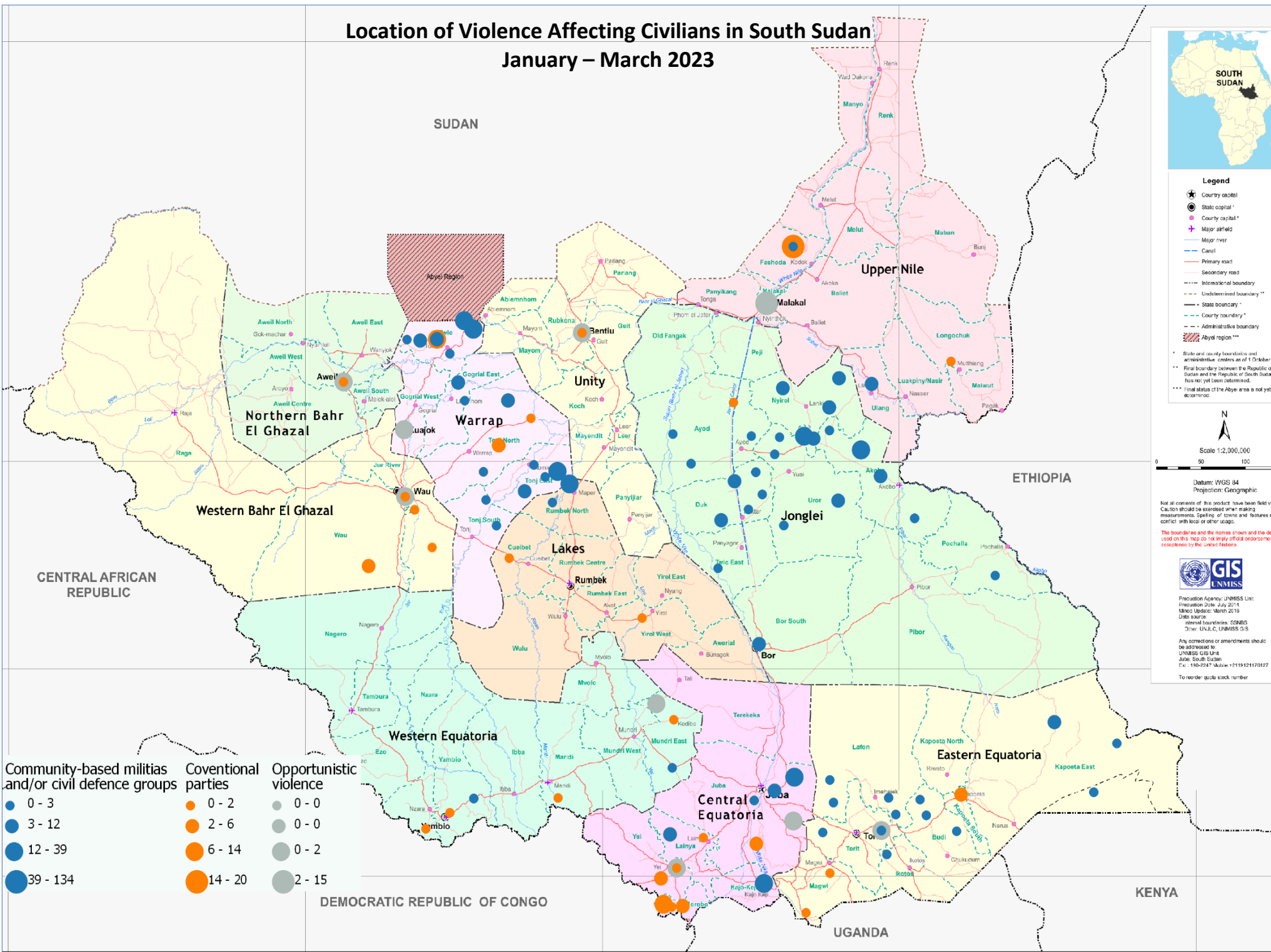
Projection: Geographic

Not all content of this product has been field verified. Caution should be exercised when making measurements. Spelling of names and features in conflict with local or other usage.
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- | | | |
|---|-----------------------------|-------------------------------|
| Community-based militias and/or civil defence groups | Conventional parties | Opportunistic violence |
| ● 0 - 3 | ● 0 - 2 | ● 0 - 0 |
| ● 3 - 12 | ● 2 - 6 | ● 0 - 0 |
| ● 12 - 39 | ● 6 - 14 | ● 0 - 2 |
| ● 39 - 134 | ● 14 - 20 | ● 2 - 15 |

DEMOCRATIC REPUBLIC OF CONGO

UGANDA

KENYA