

Brief on Violence Affecting Civilians

HIGHLIGHTS

- ❖ Between July and September 2023, the UNMISS Human Rights Division (HRD) documented at least 215 incidents of violence affecting 641 civilians (321 killed, 231 injured, 65 abducted, and 24 subjected to conflict-related sexual violence (CRSV)).
- ❖ In comparison with the same period in 2022, this represents a 51 percent increase in the number of violent incidents (from 142 to 215) and a 14 percent decrease in the number of victims (from 745 to 641). The number of civilians killed increased by 13 percent (from 285 to 321), while the number of victims injured decreased by 25 percent (from 308 to 231). Abductions increased by eight percent (from 60 to 65), while CRSV decreased by 74 percent (from 92 to 24).
- ❖ In comparison with the previous quarter, there is a three percent decrease in violent incidents (from 222 to 215) and a 26 percent decrease in the number of civilians harmed (from 871 to 641). The number of civilians killed decreased by 19 percent (from 395 to 321), while injuries decreased by 18 percent (from 281 to 231). Abductions decreased by 61 percent (from 166 to 65), while the number of victims subjected to CRSV decreased by 17 percent (from 29 to 24).
- ❖ Sub-national violence involving community-based militias and/or civil-defense groups accounted for 77 percent (or 494) of victims, while 20 percent (or 128) was attributed to conventional parties to the conflict.
- ❖ Majority of the victims were documented in Warrap (38 percent), followed by Jonglei (22 percent) and Eastern Equatoria (18 percent).
- ❖ The scope of the brief includes data and trends on sexual and gender-based violence (SGBV).

CONTEXT

This brief presents an overview of trends in violence affecting civilians in the third quarter of 2023 by assessing four major forms of individual harm experienced during conflicts (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. Additionally, the brief highlights the key human rights concerns monitored by the UNMISS Human Rights Division during the third quarter of 2023, including the increase in cases of SGBV, and their impact on civilians. In accordance with its mandate, UNMISS has developed this brief as an advocacy tool to reduce the impact of armed violence on civilians, continue to urge national authorities to hold all perpetrators of violence accountable and foster respect for the rule of law.

Despite an overall reduction in civilian casualties (defined as killed or injured civilians) attributed to conventional parties to the conflict since the signing of the Revitalized Agreement on the Resolution of Conflict in the Republic of South Sudan (R-ARCSS) in September 2018,

entrenched patterns of violence involving community-based militias and/or civil defense groups continue to fuel intra- and inter-communal 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. Additionally,

in 2012, South Sudan incorporated the provisions of the four Geneva Conventions and its Additional Protocols into domestic law which allows prosecutions for acts

committed in the context of a non-international armed conflict before 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. 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

conflict-related sexual violence are cross-checked and harmonized in consultation with the Women’s Protection Advisory Unit. Nevertheless, the data presented in this brief should not be considered comprehensive due to challenges faced by HRD in monitoring and reporting on violations and abuses 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 and/or lack of resources. 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 July and September 2023, HRD documented a slight decrease of three percent in violent incidents and a 26 percent decrease in the number of civilians affected by violence (from 871 to 641) as compared to the previous quarter.

During the reporting period, HRD documented more than 215 incidents of violence involving at least 641 civilians who were subjected to one of the four major forms of harm (321 killed, 231 injured, 65 abducted, and 24 subjected to CRSV). Fourteen (14) of these incidents occurred prior to the reporting period but were documented and verified during the current reporting quarter.

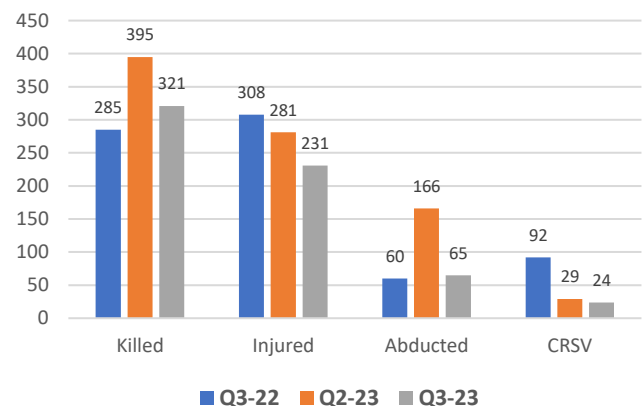
In comparison, between July and September 2022, 142 incidents were documented, involving at least 745 civilians harmed (285 killed, 308 injured, 60 abducted, and 92 subjected to CRSV), of which 62 percent resulted from violence involving conventional parties to the conflict. The comparison between the third quarter of 2023 and the same period in 2022 represents a 51 percent increase in violent incidents (from 142 to 215) and a 14 percent decrease in the number of victims (from 745 to 641).

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

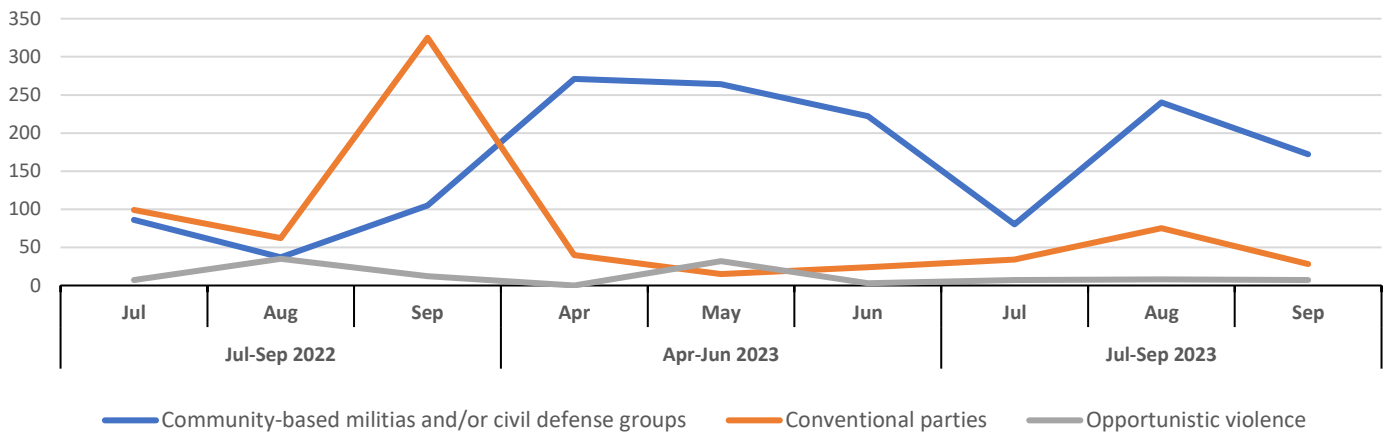
As illustrated in the chart, during the third quarter of 2023, inter-communal violence, mainly by community-based militias and/or civil defense groups continued to be the

main form of violence, accounting for more than 77 percent of civilians harmed including 61 women and 71 children (276 killed, 162 injured, 53 abducted and eight subjected to sexual violence). Despite an overall reduction in the number of violent incidents and civilians impacted by violence during the reporting period, the reoccurrence remains a general concern. In Warrap State, for instance, incidents of intra/inter-communal violence related to cattle raiding and retaliatory attacks involving armed Nuer elements from Unity State continued. Relatedly, renewed violence between the Dinka Ngok from the Abyei Administrative Area and the Dinka Twic Mayardit further undermined the resolutions of the Inter-Communal Peace Conference held between the two communities in April 2023 that was organized and facilitated by the Community Empowerment for Progress

Number of victims
Q3-22/Q2-23/Q3-23



Trends in the number of civilians affected (Q3-2022/Q2-2023/Q3-2023)



Organization, Concordis and IOM, with support from FAO, UNDP, UNISFA and UNMISS. Armed violence involving the Dinka Ngok and Dinka Twic communities accounted for 27 percent of the civilian casualties (71 killed and 57 injured) and four abductions. In one of the clashes, UNMISS documented at least 15 civilians killed and 21 injured. Likewise, inter-communal violence and sporadic inter-ethnic clashes among Dinka sub-clans continued to pose a threat to the protection of civilians in the greater Bahr-el Ghazal region.

This extensive and evolving nature of violence, which is at times conducted using military-style tactics and military-grade weapons, continued to contribute to significant variations in the intensity and scale of violence.

Competition over natural resources and grazing lands, seasonal variations, deflation of local currency, dire humanitarian situation, and frequent border disputes, factored in the frequency of inter-communal violence and undermined the peace process in South Sudan.

In Jonglei State, small-scale cattle raiding-related attacks perpetrated by armed elements from the Murle community of the Greater Pibor Administrative Area (GPAA) remained a concern and continued to put civilians at risk, especially in the areas of Bor, Duk, and Uror counties. Further, road ambushes targeting humanitarian convoys by Murle armed elements persisted. Overall, during the reporting period, Murle armed elements were responsible for 33 incidents of violence committed in the region, affecting at least 117 civilians (49 killed, 27 injured, 40 abducted, and one subjected to CRSV). Separately, civilians from the Anyuak community in Pochalla county experienced pervasive attacks from Murle armed elements.

Relatedly, in Eastern Equatoria, similar to the previous reporting period, inter-communal violence by community-based militia and/or civil defense groups involving Acholi, Buya, Didinga, Jie, Tenet, Toposa, Lango, and Lopit communities persisted. The majority of the attacks were perpetrated by armed elements from the Toposa community, which accounted for 21 percent (or 24 victims) of the civilians harmed by violence in the region. Incursions and cattle-related cross-border inter-communal violence between armed Toposa elements of Kapoeta East County and armed Turkana from the bordering communities in the Republic of Kenya who crossed into South Sudan in search of pasture continued to undermine the security and protection of civilians. In August, tensions involving these armed groups heightened and resulted in the killing of five civilians (three children, one man and one woman).

✓ **Conventional parties**

The Transitional Government’s ongoing commitment to the implementation of R-ARCSS, contributed to the overall reduction of incidents of violence and clashes between the Government security forces and other organized armed groups. Similar to the previous quarter, violence perpetrated by conventional parties to the conflict remained relatively low with exceptions in specific locations of Greater Equatoria State, such as parts of Juba, Lainya, Morobo, and Yei counties, where hostilities between the South Sudan People’s Defense Forces (SSPDF) and the National Salvation Front (NAS) adversely contributed to the protection of civilians in the area and further undermined negotiations between the two parties. Tensions between the SSPDF and NAS intensified over issues related to the control of natural resources in the goldmine area of Lobonok payam in Juba county in July 2023 and resulted in 11 individuals killed and three others injured, of which three were civilians (two women and a five-year-old girl).

Factored by internal divisions within the NAS and motivated by the intention of boosting their strength, incidents of abduction, mainly by the larger NAS faction led by General John Kenyi Loburon continued. Such incidents of abduction by these insurgent groups were not only limited to South Sudan, but also bordering areas of the Democratic Republic of Congo. In September 2023, NAS elements shot and killed two male civilians (both foreign nationals) and severely injured another during an ambush and attack against a humanitarian convoy in Lainya county. In total, incidents involving NAS elements affected 32 civilians, (14 killed, 10 injured, and eight abducted) including two women and one girl.

Widely known for their guerilla warfare technique, the fluidity of NAS' movements in many parts of Greater Equatoria threatened local communities in many areas of Maridi and Mundri counties in Western Equatoria state as the group's presence in the area limited the free movement of civilians in the community.

Meanwhile, SSPDF operations against the NAS group, threatened the protection of civilians. During the reporting period, incidents of killing, injury, arbitrary arrest and detention, ill-treatment, looting of properties, harassment and displacement of civilians were documented, mainly involving civilians perceived to be collaborating or sympathizing with the NAS. For instance, in Lobonok payam, the village of Nyarbanga was abandoned by its inhabitants following the killing of three civilians and the injury of one by SSPDF soldiers during a foot patrol in Karpeto and Nyarbanga bomas. The civilians abandoned their farmland and fled to safer locations. Similarly, civilians from Morobo area fled to Yei town and the border areas of the Democratic Republic of Congo, as tensions between the SSPDF and NAS intensified. Further, with the depreciation of the national currency, coupled with frequent delays in the payment of monthly salaries to government security forces, incidents of extortion at checkpoints against civilians were increasingly reported. Relatedly, reports of harassment and abuse of authority were also noted during the ongoing disarmament process, particularly in Terekeka county of Central Equatoria. HRD documented increasing reports of ill-treatment, arbitrary detention of civilians, as well as corrupt practices by forcing detainees to pay cash or livestock for their release. Furthermore, HRD documented an incident of violence involving an SSPDF soldier who ran amuck and detonated a hand grenade following an altercation with a market trader in Gogrial West County, Warrap state, that resulted in the killing of three civilians and injuring 37 others.

Separately, in July 2023, during a consultative dialogue on freedom of movement and peaceful return of civilians, an armed confrontation ensued between the Sudan People's Liberation Army-in Opposition (SPLA-IO) soldiers and representatives from the local government and security forces, in Wunkur, Ruweng Administrative Area, resulting in the death of seven civilians and injury of another.

Incidents of CRSV perpetrated by parties to the conflict remained a concern. During the reporting period, UNMISS documented 12 incidents affecting seven women and six girls; seven of which were committed by the SSPDF, three by the SPLA-IO, one by the National Security Service, one by member of Necessary Unified Forces, and one by the South Sudan National Police Service.

Overall, incidents of violence involving parties to the conflict decreased by 37 percent, while the number of civilian casualties decreased by 72 percent (from 463 to 128 civilians harmed) compared to the same period in 2022. In comparison to the second quarter of 2023, civilian casualties increased by 62 percent (from 79 to 128). These conventional parties to the conflict were responsible for 20 percent of the overall civilians harmed that were documented during the period, involving at least 128 victims (43 killed, 64 injured, eight abducted and 13 subjected to CRSV).

✓ *Unidentified and other opportunistic armed elements*

HRD further documented incidents of violence by armed elements, which do not fall specifically within one of the two categories described above but which bear a link to the conflict or violence affecting civilians based on the modus operandi of the suspected perpetrators, location, and other factors. For instance, in Juba county, incidents of attempted abductions of women by unidentified armed elements have been recorded. In addition, HRD documented incidents of targeted killings of members of Government security forces following intensified tensions between the SSPDF and NAS in Lobonok, Central Equatoria state. Separately, in some parts of Ezo, Mundri, and Yambio, instances of killing targeting the Balanda and Nuer communities have been documented. Further, incidents of killings involving foreign armed forces persisted in Budi county, Eastern Equatoria against the local community. On 27 September, two male civilians from the Didinga community were killed by these foreign forces.

To sum up, violence involving these armed elements accounted for three percent of the civilian casualties documented during the reporting period.

✓ *Sexual and gender-based violence*

SGBV is one of the most critical threats to the protection and well-being of women and children in South Sudan. The government’s efforts to curb the issue by adjudicating cases of sexual violence perpetrated by members of the government security forces through the military General Court Martial as well as through the GBV and Juvenile Court in Juba, have not stopped security forces from committing crimes and have not held senior officials accountable. However, it is a step in the right direction to end the culture of impunity and initiate a shift in the mindset of the security forces while providing access to justice for victims. During the third quarter of 2023, HRD documented at least 50 incidents of rape or gang rape across the ten states, which affected 51 victims (eight women, two boy and 41 girls). In comparison to the second quarter of 2023, this represents a 150 percent increase (from 20 to 50) in SGBV incidents and 122 percent in the number of victims (from 23 to 51). These 50 incidents (51 victims) were in addition to 22 CRSV incidents (24 victims, including eight minors) documented, which were linked to the ongoing armed conflict. The CRSV and SGBV incidents directly affected 75 victims in total.

Central Equatoria accounted for the majority (or 55 percent) of the SGBV incidents. Most of the incidents happened within the communities; however, majority of the alleged perpetrators were not known to 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, which is exacerbated by harmful traditional practices.

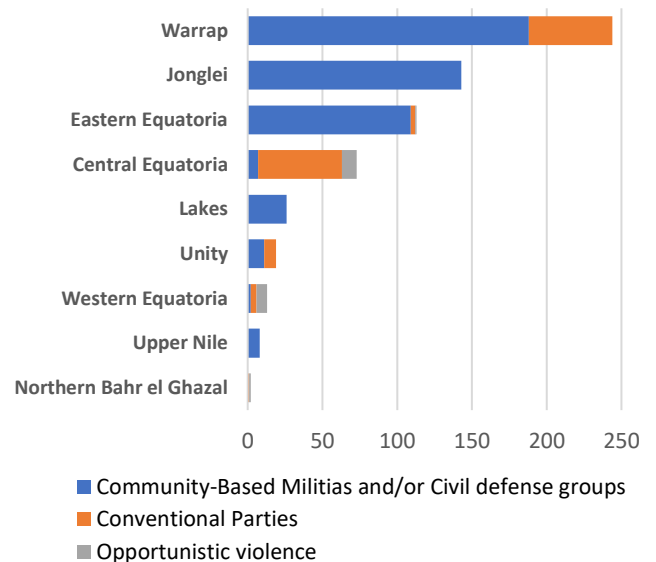
Consistent with previous observations, HRD considers that cases of SGBV remain underreported due to various factors, including stigma, trauma and fear of retaliation, that prevent victims and families from reporting such crimes. The dearth of formal justice structures across South Sudan impedes survivors’ access to justice, compelling many families to resort to adjudication by traditional leaders. Furthermore, intersectional vulnerabilities faced by 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

In the third quarter of 2023, Warrap state remained the most violence-affected area in the country, followed by Jonglei and Eastern Equatoria states, accounting for 440 of the victims throughout South Sudan. In comparison to the previous quarter, the number of incidents in these areas dropped by six percent (from 159 to 150). This is partly due to the onset of the rainy season and the subsequent movement of cattle to more secure grazing lands. Furthermore, the continued presence of SSPDF disarmament forces, particularly in Greater Tonj served as a deterrent to further occurrence of violence. With the exception of Central Equatoria state, most of these states were generally impacted by violence involving community-based militias and/or civil-defense groups, which altogether accounted for approximately 77 percent of the victims recorded.

Many areas of the Greater Equatoria region such as parts of Juba, Lainya, Morobo, and Yei counties in Central Equatoria State as well as Maridi and Mundri Counties in Western Equatoria state continued to be affected by armed violence involving conventional parties to the

State most affected by violence



conflict, mainly between the SSPDF and the NAS. These areas accounted for 54 percent of the incidents impacting 57 victims (46 men, six women, and five children). Other

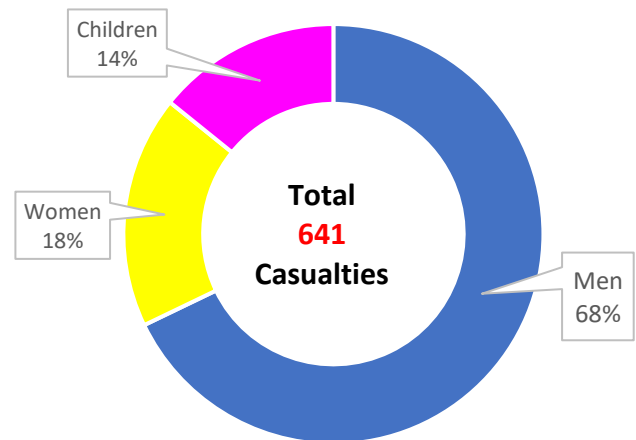
areas where civilians were impacted by such violence included the Ruweng Administrative Area in Unity State.

VICTIMS

HRD’s findings indicate that men, particularly young men, comprise the majority of victims (68 percent or 435 individuals), followed by women (18 percent or 115 individuals), and children (14 percent or 91 individuals).

HRD found 65 percent of adult male civilians were killed or injured during sub-national violence, while female victims were primarily killed (12 per cent), injured (23 percent), abducted (nine percent) and subjected to sexual violence (100 percent). Sexual violence cases, including rape and gang rape, were recorded in all ten states with the majority of the recorded incidents in Warrap state. Out of 91 children, 44 were abducted (48 percent), injured (15 percent), killed (28 percent), and subjected to sexual violence (nine percent). As compared to the previous quarter, there was a 32 percent decrease (from 640 to 435) in the number of male victims, 37 percent increase (from 84 to 115) in the number of female victims, and 38 percent decrease in children affected by violence (from 147 to 91). In comparison to the same reporting period in 2022 (July to September), there was a 25 percent decrease (from 583 to 435) in the number of male victims, 25 percent increase (from 92 to 115) in the number of female victims, and 27 percent increase in children affected by violence (from 70 to 91).

Victims by gender/sex



However, in the specific context of South Sudan, women and children continue to be disproportionately affected by the effects of conflict, particularly in terms of access to health care, education and income-generating activities in volatile areas.

PERPETRATORS

HRD has identified three major categories of alleged perpetrators involved in conflict-related violence affecting civilians: i) community-based militias and/or civil defense groups; ii) conventional parties to the conflict; and iii) opportunistic, unidentified, and foreign armed elements. Among these three main categories, community-based militias and/or civil defense groups remained the primary actors causing harm to civilians, confirming that community-based militias are currently responsible for most of the violent incidents recorded.

In the third quarter of 2023, HRD attributed responsibility for 77 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 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

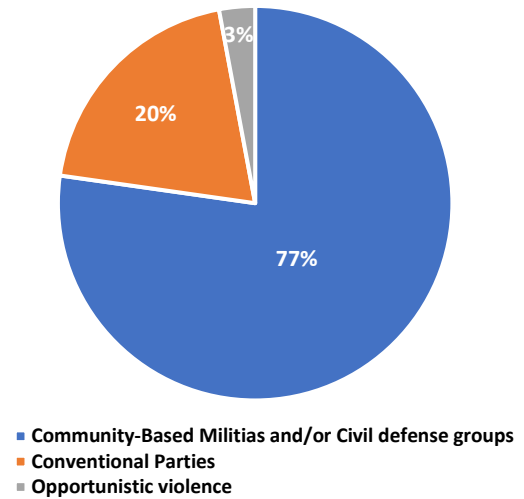
communities, members of these community-based militias and/or civil-defense groups have been co-opted, armed, and used as proxy armed elements by all parties to the conflict and by local actors, which has contributed to the progressive militarization of intercommunal violence. The organization and structure of these groups are complex and often remain opaque to outsiders. Nonetheless, as evidenced by the localized violence in Warrap, Jonglei, and Eastern Equatoria states, attacks carried out by community-based militias and/or civil defense groups revealed a certain degree of planning and coordination. HRD established that these groups were armed with assault rifles such as AK-47, PKM and light machine guns. Some of these elements were reportedly equipped with rocket-propelled grenades and other types of specialized communication devices such as Thurayyas and Ultra High-Frequency radios.

The second category of perpetrators causing the most harm to civilians remained the conventional parties to the conflict. Government forces and organized armed groups were responsible for 20 percent of victims documented during the reporting quarter (as compared with nine percent in the previous quarter), and comprised primarily of injuries, followed by killings. However, as illustrated in the section on geographic trends, a limited number of areas of the country were marred by violence involving these actors. Thus, military operations carried out by Government forces to dislodge NAS elements, as well as abuses committed against civilians by NAS elements, triggered violence in some areas of Central Equatoria state such as parts of Juba, Lainya, Morobo, and Yei Counties.

Amongst government forces, acts of violence impacting civilians were mainly attributed to the SSPDF, the National Security Service, and the South Sudan National Police Service. 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.

The unidentified armed elements comprised the third category of perpetrators and continued to account for a small proportion of victims, primarily in the form of

Civilian casualties by type of perpetrators



opportunistic violence. HRD found that these types of actors accounted for three percent of the civilians harmed during the reporting period. Often, they have historical affiliations 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. Foreign armed elements, also accounted for a few casualties

Location of Violence Affecting Civilians in South Sudan July – September 2023

