

# **SOUTH SUDAN HUMAN RIGHTS MONITOR**

**February 1, 2018 to May 31, 2018**

*This report is based on the work of internationally trained local monitors on the ground in South Sudan working for a national human rights organization. Both these monitors and the organization must remain anonymous given present security concerns. The information reported herein meets the threshold for initiating an investigation. There is a reasonable basis to believe that the following incidents occurred.*

## **I. INTRODUCTION**

South Sudan has experienced widespread human rights abuses and a plethora of crimes, including a significant amount of sexual and gender-based and ethnic violence, since the outbreak of the conflict in December 2013. Since the start of the conflict, violence has escalated at an alarming rate across the country, resulting in widespread killings, rapes, extensive property damage and looting of civilian property. This report details 19 incidents of human rights abuses and crimes committed against civilians that have been documented by local monitors working anonymously in multiple locations around the country.

The gross human rights violations and crimes included in this report illustrate the severity of the conflict and its overall impact on the lives of civilians, including damaging their ability to sustain their livelihoods, and the destruction of the social fabric of their communities that will affect generations of South Sudanese. While this report does not cover the totality of human rights abuses and crimes that have occurred in South Sudan during the reporting period, it does provide a reasonable basis to believe that these human rights abuses and crimes have occurred as reported and a clear basis for analysis and human rights advocacy.

Despite the signing of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), establishing the Transitional Government of National Unity (TGoNU) in August 2015, peace remains elusive. Attempts to revitalize ARCSS and a new Cessation of Hostilities signed in December 2017 failed to end the violence.

The ongoing conflict and the associated human rights violations and commission of crimes have had devastating humanitarian consequences. According to OCHA, nearly four million people have been displaced by the conflict, including more than 1.9 million persons internally displaced.<sup>1</sup> Two million more have fled as refugees to neighboring countries and nearly half of the country's population, 5.1 million, are facing severe food insecurity.<sup>2</sup>

During the reporting period, at least 19 incidents of human rights violations and crimes, including the arbitrary arrest and detention and summary execution of civilians, were documented. A majority of the documented incidents appear to be attributable to either the SPLA-IG or the SPLA-IO. Both groups appear to be targeting civilians who are perceived sympathizers of their opposition. Similarly, rivalries within various military and militia groups have resulted in similar violations against real and/or perceived rivals.

The violence in South Sudan has prompted serious international scrutiny of those perceived as complicit in the bloodshed. The U.S. Department of State announced in March that it would enforce sanctions on select South Sudanese agencies and at least 15 South Sudanese oil operators, requiring them to obtain special licenses to do business in the United States.<sup>3</sup>

In May, the U.N. Security Council voted to renew sanctions of its own on South Sudan, in an effort to convince President Salva Kiir to cease hostilities with the rebels by June 30.<sup>4</sup> A meeting between Kiir and former Vice President Riek Machar, now the leader of SPLA-IO, was held in Addis Ababa, Ethiopia on June 21. It was the first time in two years that the leaders had met face to face. Although the factions left the meeting without brokering a peace deal, a second meeting in Khartoum, Sudan, was held the following week. The second meeting in Khartoum, which

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<sup>1</sup> OCHA, Humanitarian Bulletin South Sudan, 18 January 2018,

<sup>2</sup> *Id.*

<sup>3</sup> Reuters, "South Sudan says U.S. oil sanctions will undermine search for peace," March 22, 2018, available at <https://www.reuters.com/article/us-southsudan-oil/south-sudan-says-u-s-oil-sanctions-will-underline-search-for-peace-idUSKBN1GY1NM>

<sup>4</sup> U.N. Security Council, "Security Council Decides to Renew Sanctions against Officials in South Sudan by Vote of 9 in Favour, with 6 abstentions," May 31, 2018, available at <https://www.un.org/press/en/2018/sc13361.doc.htm>

included Sudan's president Omar al-Bashir and Uganda's president Yoweri Museveni, in addition to Kiir and Machar - appears to have produced a tentative cease-fire arrangement.<sup>5</sup> Further political reforms have been proposed, such as the placement of three vice presidents in Juba and two separate "capital cities," respectively.<sup>6</sup> While further talks are planned, reports of violence and armed conflict in South Sudan have persisted; a UN peacekeeper was killed while escorting humanitarian workers in the town of Lasu, near the Congo-South Sudan border.<sup>7</sup>

A report issued in June found that numerous South Sudanese officials - including Kiir and Machar - had purchased sizable portions of real estate in Kenya.<sup>8</sup> These investments are suspected to be fronts for money-laundering by government and rebel leaders alike. The report stated that little has been done to investigate these and other financial indiscretions. The international community will need the cooperation of regional players like Kenya and Uganda, among others, to uproot any possible South Sudanese money-laundering schemes that are used as illicit channels to fund the nation's civil war.<sup>9</sup>

## II. METHODOLOGY

This report is based on the work of monitors on the ground in South Sudan working for a local human rights organization. Both these monitors and the organization must remain anonymous based on an assessment of security concerns. These monitors received training from two international human rights organizations on monitoring, reporting and documentation before they began their work. With consistent feedback and guidance from the international partners, the monitors documented violations in their own communities and the surrounding areas. This report

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<sup>5</sup> Joseph Ouda, "South Sudan rivals strike peace deal in Khartoum," *The East African*, June 26 2018, available at <http://www.theeastafrican.co.ke/news/ea/South-Sudan-rivals-strike-peace-deal/4552908-4632268-3ixe44/index.html>

<sup>6</sup>*Id.*

<sup>7</sup>Reuters, "Bangladeshi peacekeeper killed in South Sudan attack," June 26, 2018, available at <https://uk.reuters.com/article/uk-southsudan-peacekeepers/bangladeshi-peacekeeper-killed-in-attack-in-south-sudan-idUKKBN1JM1ML?rpc=401&>

<sup>8</sup>The Sentry, "East Africa's Leverage for Peace: Target Real Estate in Kenya and Uganda Connected to South Sudan's Spoilers," June 2018, available at [https://cdn.thesentry.org/wp-content/uploads/2018/06/EastAfricaLeverageForPeace\\_TheSentry\\_June2018-final.pdf](https://cdn.thesentry.org/wp-content/uploads/2018/06/EastAfricaLeverageForPeace_TheSentry_June2018-final.pdf)

<sup>9</sup>*Id.*

is based on individual interviews with victims, witnesses, and others with knowledge of the events, including professionals. Unless otherwise noted, the sources of all information in this report are these individual statements. We have sought, where possible, to corroborate the information provided to ensure its reliability and authenticity. Thus, the incidents reflected herein is limited to information that supports a reasonable basis to believe that the incident occurred as reported. We are aware that others are also monitoring the human rights situation in South Sudan. The level of reporting, however, is not adequate to fully present the extent of human rights violations in the country given the scope and magnitude of the incidents. In addition, a significant amount of reporting is not made public. This reporting, therefore, is intended to complement existing reporting, with the view of ensuring a more complete and public representation of the human rights situation in South Sudan. The primary temporal period of this report are incidents that were committed from February 1, 2018 to May 31, 2018. Additional incidents outside of the temporal scope noted above, are also included.

### **III. INCIDENTS**

#### **A. Lol and Wau States (Western Bahr el Ghazal)**

The western states of Lol and Wau have witnessed armed conflict between SPLA-IG and SPLA-IO; monitors on the ground have reported serious instances of human rights violations that occur in this region. These violations have had significant consequences for neighboring states in South Sudan as well as the Central African Republic, which borders Lol State.<sup>10</sup>

During the temporal period covered by this report, monitors documented the following incidents in Lol and Wau States:

- **On April 12, 2018 at approximately 9:30 a.m.**, SPLA-IG troops launched an attack on a SPLA-IO base in Dollo County, Lol State. Despite the purported presence of rebel troops in

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<sup>10</sup> The Economist, "As South Sudan implodes, America reconsiders its support for the regime," October 12, 2017, available at <https://www.economist.com/middle-east-and-africa/2017/10/12/as-south-sudan-implodes-america-reconsiders-its-support-for-the-regime>

the area, government forces fired on civilians, killing at least two women and three girls. A witness stated that government troops occupied the area for about five hours before leaving, and burned down most of the homes and property owned by civilians.

- **On April 28, 2018 at approximately 12:30 p.m.**, a witness reported that SPLA-IG troops had seized civilians' property in DeimZubir County, Lol State. Soldiers ordered the villagers to lie down, while their homes, food, and personal belongings were either looted or set on fire and destroyed. The witness described this event as total devastation, as within 45 minutes of the soldiers' arrival the entire village had been burned.
- **On April 28, 2018 at approximately 5:23 p.m.**, SPLA-IG troops launched a full-scale attack on Bazia County, Wau State. The government forces conducted the offensive on three different fronts. However, rebel troops were not present at the time; SPLA-IG troops instead looted and burned civilian property, including food and aid. As a result, humanitarian assistance has been at a standstill in the greater Wau region. Many in the region now lack safe drinking water and medicine, among other necessities. A witness also reported that at least one woman and three children who were seeking safety were killed by uniformed men around this time period.

### **B. Northern and Southern Liech States (Unity)**

The Northern and Southern Liech States (referred to collectively as the Liech States) have been the site of brutal fighting between the SPLA-IG and the SPLA-IO since the inception of the conflict. A report issued in January by Ceasefire and Transitional Security Arrangements Monitoring Mechanism ("CTSAMM") states that heavy fighting occurred in Northern Liech State within hours of the ceasefire agreement coming into effect.<sup>11</sup> According to the CTSAMM, the SPLA-IO attacked the town of Koch in Northern Liech State on December 24, with subsequent fighting leaving 15 dead.<sup>12</sup>

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<sup>11</sup> CTSAMM, "CTSAMM Report 2018/05 Fighting in Koch," January 15, 2018, available at <http://ctsamm.org/wp-content/uploads/2018/01/CTSAMM-REPORT-201805-FIGHTING-IN-KOCH.pdf>

<sup>12</sup> Global Centre for Responsibility to Protect, "Atrocity Alert No. 90, Democratic Republic of Congo, Afghanistan and South Sudan," January 31, 2018, available at <https://reliefweb.int/report/democratic-republic-congo/atrocityalert-no-90-31-january-2018-democratic-republic-congo>

During the temporal period covered by this report, monitors documented the following incidents in Northern and Southern Liech States:

- **On March 8, 2018 at approximately 7:30 p.m.**, SPLA-IG troops occupied the grounds of a primary school in Koch County, Northern Liech State. A witness at the school noticed seven green tents on the east side of the school and about nine men in army uniform were standing on the school's playground. According to the witness, it appeared that large machine guns had been placed at the school's gate.
- **On April 8, 2018 at approximately 9:00 p.m.**, SPLA-IG troops entered a home and abducted two gentlemen in Rubkona County, Northern Liech State. A witness reported the soldiers beating and kicking the men, who were then taken to an unknown location.
- **On April 18, 2018 at approximately 11:00 p.m.**, SPLA-IG troops entered a home and raped a woman in Guit County, Northern Liech State. According to a witness, one of the four soldiers stood guard while the remaining three raped the woman in her bedroom for approximately 15 minutes.
- **On April 30, 2018 at approximately 7:34 a.m.**, SPLA-IG soldiers seized goats from a civilian man in Mayiendit County, Southern Liech State. The soldiers first shot at the man, took his goats, and slaughtered the goats for their own consumption. Shortly afterwards, a witness noticed that the man's home was set on fire and the soldiers departed.
- **On April 25, 2018 at approximately 8:45 a.m.**, three men were approached by SPLA-IG troops (fourth division battalion) while at their home in Rubkona County, Northern Liech State. The soldiers instructed the men to kneel down and put their hands on their heads. The soldiers then assaulted two of the men, kicking the first man and slapping the face of the second man. The soldiers asked the men of the whereabouts of rebels in the area. Once the men replied that, as civilians, they did not know the whereabouts of any rebels, the soldiers took two of the three men with them, keeping them in custody for at least three days without charging them with any crime(s).
- **On April 27, 2018 at approximately 1:15 p.m.**, a witness described SPLA-IG troops burning a neighbor's house and looting two goats in Leer County, Southern Liech State. The witness reported that the victim's farm was entirely destroyed.

- **On May 11, 2018 at approximately 4:30 p.m.**, SPLA-IG troops launched an offensive attack against rebel forces in Mayiendit County, Southern Liech State. At least four women and five children were killed in the initial phase of the attack, as government soldiers entered the village and began shooting indiscriminately. An eyewitness stated that he and other villagers were rounded up and placed in a nearby compound. The soldiers then escorted at least three women and four girls in the compound to a separate location. Once the witness was able to leave the compound, he and the other villagers discovered the bodies of at least two of the women who had been escorted by government soldiers, in addition to the unidentified bodies of three children.
- **On May 13, 2018 at approximately 4:54 p.m.**, SPLA-IG troops launched an offensive attack against rebel forces in Leer County, Southern Liech State. According to an eyewitness in Leer County, the SPLA-IG continued engaging with the rebels as it had two days earlier in Mayiendit County. Once fighting broke out in Leer County, SPLA-IG forces went door to door, raiding civilian homes, shooting indiscriminately in the air and at people. The witness said that nearly all of the surviving villagers - up to 90 percent, by his estimate - were displaced and forced to seek safety in the bush.
- **On May 16, 2018 at approximately 9:30 a.m.**, a witness reported that SPLA-IG troops confiscated aid that was en route to displaced persons in Leer County, Southern Liech State.
- **On May 25, 2018 at approximately 9:30 p.m.**, a man was abducted by SPLA-IG troops in Leer County, Southern Liech State. The abductee was taken to an unknown location and has been denied further contact with friends or family.

In addition, while the following incident does not fall within the temporal scope of the reporting period, it deserves mention:

- **On June 5, 2018 at approximately 2:00 p.m.**, SPLA-IG soldiers entered a school in Rubkona County, Northern Liech State, with the purpose of disrupting a youth leaders' meeting. It appears that the soldiers alleged the youths held pro-rebel sympathies. The meeting was abruptly canceled due to the soldiers' intimidation and interference with the youths' freedom of association.

### C. Yei River State (Central Equatoria)

Yei River State has been the site of conflict between government-backed and rebel groups, including instances of fighting between rival anti-government forces. The effects of the conflict in the Yei River region often spill over into the neighboring countries of the Democratic Republic of Congo and Uganda. As a result, civilians in the region have lost their homes and belongings and are in desperate need of medical and social services.<sup>13</sup>

During the temporal period covered by this report, monitors documented the following incidents in Yei River State:

- **On February 14, 2018**, forces loyal to former Western Equatoria governor Joseph Bangasi Bakosoro clashed with forces loyal to former South Sudan vice president Riek Machar in Mukaya County, Yei River State. The heavy exchange of gunfire between the two warring rebel groups put hundreds of civilians in the crosshairs of the conflict. Witnesses reported widespread property damage, including burning of homes and personal belongings. Soldiers from both sides took part in grievous human rights violations, such as floggings, rapes, and murders of civilians. Over 400 civilians were displaced from their homes and were forced to evacuate. Both children and the elderly who could not walk the long distance to safety were reported to have died on the way out of Mukaya County.
- **On March 3, 2018 at approximately 7:00 p.m.**, a man was shot and killed by SPLA-IG troops. The deceased had returned from visiting a neighbor's home and was with friends. As the soldiers were speaking in a different language, witnesses could not understand why they were present, or the reason for shooting the man.
- **On March 11, 2018**, a man's body was found lying in a pool of blood on the road. A witness said the man had a broken neck. The witness further surmised that the man was tortured and beaten, because the man's bedroom was covered in blood. The perpetrators have not been identified, and no apparent explanation was offered for why the man was killed.

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<sup>13</sup> World Health Organization, "WHO delivers lifesaving medicines and supplies to displaced people in Yei River State, South Sudan," available at <http://www.afro.who.int/news/who-delivers-lifesaving-medicines-and-supplies-displaced-people-yei-river-state-south-sudan>



- **On March 14, 2018 at approximately 11:35 a.m.**, SPLA-IG forces known as “Mapel group” raided an area near Morobo County, Yei River State. The Mapel group soldiers killed one man, wounded a second man, and raped a pregnant woman. A witness described the first man’s killing as particularly brutal, as he was shot in the leg and butchered into several pieces by machetes or panga knives. After carrying out these attacks, the Mapel group soldiers seized hundreds of cattle and other food items from granaries and gardens, which belonged to the town’s civilian population.
- **On or about April 23, 2018 at approximately 3:00 p.m. or shortly thereafter**, the bodies of three civilian men were discovered near a bridge located in Kajo-Keji County, Yei River State. A witness described the bodies’ hands as tied together, and stated they appeared to have been ambushed by gunmen. (The witness stated that he had heard gunshots around 3:00 p.m.) At this time, it is unclear as to the identity of the perpetrator(s) behind this heinous act.
- **On May 25, 2018 at approximately 11:00 a.m.**, three men were arrested by SPLA-IG soldiers on suspicion of supplying rebels in Kajo-Keji County, Yei River State. The men were detained for at least three weeks, during which time they were denied food and sanitary living conditions. It does not appear that the soldiers provided corroborating information as to the charges against the detainees, nor did the detainees appear to receive any other rights of due process.

In addition, while the following incidents do not fall within the temporal scope of the reporting period, they deserve mention:

- **On October 30, 2017 at approximately 5:00 p.m.**, a man was arrested on his way home from school by soldiers reportedly belonging to the “MathianAngyoor” division, which is loyal to President Kiir. Nine days later, a group of local women who were tending to their gardens noticed a foul smell, and discovered the man’s rotting body. A witness said that the man had been shot in the head.
- **On December 23, 2017**, SPLA-IG troops launched an attack in Lujule County, Yei River State, which resulted in the deaths of at least 15 civilians. According to an eyewitness, some of the victims were slaughtered immediately, whereas others were tortured before their bodies

were dumped along the roads. Witnesses also said the remaining civilians residing in the area were displaced from their homes, and were deprived of social services and their belongings.

- **On January 18, 2018 at approximately 11:00 p.m.**, SPLA-IO troops entered a home in western Yei River State and assaulted the individuals who were present at the home. After a brief scuffle with one of the men inside the home, the gunmen fired indiscriminately. The soldiers shot three people, two of whom succumbed to their injuries.

#### **IV. ANALYSIS**

There are multiple violations of international criminal law and human rights violations being consistently committed by the SPLA-IG, the SPLA-IO and other armed groups in South Sudan. All parties appear to be deliberately targeting civilians based upon their perceived support of opposing parties. Often, this perceived support appears to be assessed merely on the basis of location of residence or ethnic identity. The acts monitored over a period of four months and described here, appear to constitute serious crimes, including, but not limited to murder, arbitrary arrest, and looting. Given the broader context and other reporting, they would also appear to constitute war crimes and crimes against humanity.

#### **V. RECOMMENDATIONS**

We call on the United Nations (UN) to increase resources for monitoring of human rights violations in all areas of South Sudan, with an emphasis on the exit points to neighboring countries, such as Uganda, who host significant numbers of South Sudanese refugees. We recommend that the UN Mission in South Sudan (UNMISS) increase resources to provide greater protection for South Sudanese citizens that remain vulnerable to attacks from the actors in the conflict. Most significantly, we call on the international community, including IGAD, African Union (AU) and the UN to emphasize the necessity of focusing on a peaceful resolution of the conflict and adherence to the peace agreements, including advancing the creation of the Hybrid Court for South Sudan (HCSS) that was envisaged to take forward accountability in South Sudan. Finally, we call on the international community to support local human rights defenders to harvest and document information that can be used in a legal mechanism. The AU

Commission must adhere to wishes of South Sudanese who demand for justice to be expedited and the establishment of the HCSS should be given priority considering danger of evidence getting disappeared and witnesses either dying or memory fading.