

South Sudan

The information below is based on the Report of the Commission on Human Rights in South Sudan (A/HRC/37/71), issued on 23 February 2018¹

VI. Sexual and Gender-Based Violence

26. The Commission paid special attention to sexual and gender-based violence which remains a central feature of the conflict. The Commission documented many accounts of rape, gang rape, forced stripping or nudity, forced sexual acts, castration and mutilation of genitalia, which were perpetrated by the SPLA, the Mathiang Anyoor, National Security Services personnel and Military Intelligence, as well as SPLA-IO, during military attacks in Greater Upper Nile, the Equatorias and Greater Bahr el Ghazal.

27. Some of the survivors the Commission spoke to had been subjected to sexual violence multiple times. Various instruments were used in these acts, including sticks, tree branches, knives, pangas, pliers, pincers and firearms. One survivor from Mathiang (Witness 302), in Upper Nile, told the Commission that she had been raped, and witnessed SPLA soldiers kill and rape a woman near Pagak in mid-August 2017: *“The other woman [they were] trying to rape was killed because she resisted. First, they forced her to the ground and one soldier inserted the upper part [muzzle] of his rifle forcibly to the woman’s vagina and then shot her dead.”*

28. The Commission also met with men and boys who were victims or witnesses of sexual violence perpetrated during detention, or as punishment during military attacks on civilians. A survivor described how he was gang raped, forced to strip and watch women being raped at a checkpoint on the Yei-Juba road in April 2016.

29. The Commission observes, however, that there has been almost no progress in investigating and bringing to account perpetrators of human rights violations, including of sexual violence in conflict. Despite the court-martial of 12 SPLA soldiers for the rape of humanitarian aid workers, among others, at the Terrain hotel in Juba in July 2016, justice for thousands of other survivors, including hundreds of women raped by the SPLA and other security services during July 2016, has not been delivered.

VIII. Emblematic Incidents

E. Pagak Offensive, 2017

90. By 2 July 2017, the SPLA had arrived in Mathiang, continuing to engage mortar fire and heavy artillery. The SPLA-IO (RM) and Nuer White Army resisted the attack before withdrawing. SPLA forces destroyed humanitarian compounds, schools, a church, water points and a local hospital. The Commission also received information that SPLA-IO (RM) forces abducted three humanitarian workers. The Commission received numerous reports of civilians being subjected to arbitrary killings, assault and gruesome acts of sexual violence, in addition to the destruction and looting of their property.

¹ Full text available [here](#)

91. One witness, from Malow (Witness 301) told the Commission how she watched as SPLA soldiers castrated her husband and forced her to hold his bloody testicles in one hand as she shielded their new-born child with her other hand. She then watched three SPLA soldiers rape her 70 year-old mother and coerce her twelve year-old son into having sex with his grandmother. After raping the grandmother, the SPLA soldiers shot and killed her. The woman's husband and one-month old baby subsequently died during their flight to Ethiopia.

94. One witness (Witness 333) recounted returning from seeking shelter in the bush to find that his mother had been blinded by SPLA soldiers who gouged her eyes out with spears as she unsuccessfully tried to defend her 17 year-old daughter from being raped by fourteen soldiers. Seventeen SPLA soldiers then raped the man's blind mother, while his father was found beheaded with his castrated penis stuffed in his mouth.

The information below is based on the Report of the Secretary General to the Security Council on Conflict related sexual violence (S/2016/361), issued on 20 April 2016²

58. The Agreement on the Resolution of the Conflict in the Republic of South Sudan was signed in August 2015, yet the situation remains volatile. Sexual violence continues to be used as a tactic of war with a brutality that points to its ethnic, as well as political, undertones. In addition to recurrent intercommunal fighting, new armed groups have emerged, such as those of General Martin Konji and Major General Johnson Olony, as well as youth militias. Militarization, arms proliferation and the rule of law vacuum, have triggered an escalation of violence. Sexual violence has been employed in a widespread and systematic manner by all parties in the course of military offensives and counter-offensives. The majority of incidents recorded were committed in Unity State by SPLA and associated militias.

59. UNMISS documented 194 incidents of conflict-related sexual violence by parties to the conflict, involving at least 280 victims. Service providers documented 266 cases of rape: 96 per cent of the victims were female, and 25 per cent were children. Among the alleged perpetrators, 4 per cent were members of the national police, and 17 per cent were affiliated with armed groups. One of the most egregious incidents of conflict-related sexual violence took place in July 2015 in Unity State, where offensives launched by SPLA in Koch County included the rape and gang rape of at least 30 women and girls, some of whom were later burned alive in their tukuls. One survivor stated, "If you look them in the face when they are doing it, they will kill you". A witness in Leer County reported that assaulting women and girls was considered a form of "practice" for soldiers. UNMISS recorded the case of a woman who was gang raped by four SPLA soldiers. Thereafter, she witnessed other women subjected to the same ordeal as a form of reprisal when SPLM/A-IO reclaimed the village. Following attacks by SPLA and affiliates, boys were reportedly found sexually mutilated. Between May and June 2015, SPLA soldiers, often intoxicated, committed sexual assaults and "assigned" women to fighters. An older displaced woman was repeatedly assaulted by SPLA soldiers who entered her home in search of food and money. Abducted women and girls have also been forced to carry loot, as well as cook, brew alcohol and transport wounded soldiers. In Juba in February 2015, a displaced Nuer woman reported being forced to "marry" an SPLA soldier. This followed the murder of her husband and 10 other Nuer soldiers by members of

² Full text available [here](#)

SPLA, who then forced their widows into sexual slavery. In September 2015 in Central Equatoria State, SPLA soldiers reportedly raped several pupils returning home from school and held a mother in sexual slavery in their barracks. In November, in Eastern Equatoria State, two girls and an older woman were reportedly gang raped by SPLA soldiers.

The information below is based on the Report of the Secretary-General to the Security Council on the issue of Children and armed conflict (A/70/836-S/2016/360), issued on 20 April 2016³

122. Conflict continued throughout the country, with intense clashes between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) and their allied militias, primarily in Unity and Upper Nile States. A peace agreement was signed in August, but fighting continued, with mass displacement of civilians and severe repercussions on children. A total of 1,051 incidents affecting 28,788 children were documented, with 601 incidents in Unity State alone.

125. A total of 103 incidents of sexual violence affecting 430 children were verified and attributed to SPLA and other government security forces. Most incidents were documented in Unity State. Boys were reportedly castrated and sexually mutilated, while girls who resisted rape were killed.

128. There was a dramatic upsurge in the number of incidents of abduction, with 79 verified incidents affecting 1,596 children. The main perpetrators were SPLA (67), the Arrow Boys (5) and SPLM/A in Opposition (4). The largest number of abductions was documented in Unity State. Most children were abducted for recruitment and use. Testimonies of rape while in captivity were also received.

The information below is based on the Report of the Secretary-General to the Security Council (S/2015/203), issued on 23 March 2015⁴

Sexual violence remains prevalent in South Sudan, exacerbated by impunity and a militarized society in which gender inequality is pronounced. Factors such as forced disarmament, the circulation of illegal arms, mass displacement, cattle raiding, intercommunal violence and food insecurity have increased the vulnerability of women and girls to sexual violence. Such violence is, however, trivialized by law enforcement officials and the community, with survivors often forced to marry perpetrators as a "remedy". Moreover, medical, legal and psychosocial services are available only in limited areas and some facilities are deliberately targeted during military attacks, particularly in Jonglei, Unity and Upper Nile States. The scale and severity of sexual violence increased with the outbreak of the current conflict between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Movement/Army in Opposition on 15 December 2013. Repeated offensives and counteroffensives have led to cycles of revenge attacks and rapes, often ethnically motivated. Armed elements have also raped women from neighbouring countries because of their nationalities and alleged alliances with parties to the conflict. During the reporting period, 167 incidents of conflict-related sexual violence affecting 236 persons were

³ Full text available [here](#)

⁴ Full text available [here](#)

documented, including 75 incidents affecting 116 minors. Women and girls were targeted in 95 per cent of these cases.

Incidents of sexual violence have been reported in all 10 states to be a part of military tactics employed by both parties, mainly in Unity, Upper Nile, Lakes, Jonglei, Central, Eastern and Western Equatoria and Western Bahr el Ghazal States. According to a report released by the United Nations Mission in South Sudan (UNMISS) on 8 May 2014, there was credible evidence to suggest that acts of sexual violence committed in the context of the conflict could amount to crimes against humanity. Documented forms of sexual violence include rape, gang rape, sexual slavery, abduction, castration, forced nudity and forced abortion. At least 31 victims died as a result of rape; some survivors were impregnated, mutilated or infected with HIV and other sexually transmitted diseases. More than 200 allegations of abductions of women and girls taken as “wives” and/or for the purposes of sexual slavery by both parties to the conflict are under investigation. Other trends, including the rape and gang rape of women in and around protection of civilians sites in Unity and Jonglei States by soldiers, have an ethnic dimension that mirrors the divisions of the conflict. Unidentified uniformed men have also repeatedly harassed and raped women and girls leaving the sites to travel to markets, water points and firewood collection areas. UNMISS has taken measures to mitigate these threats, including patrolling high-risk zones and facilitating the supply of firewood and fuel. United Nations agencies, including UNFPA, UNICEF and UNHCR, have made efforts to ensure that women have a voice in the management of protection of civilians sites, as well as distributing dignity kits and installing solar lighting in isolated areas.

The information below is based on the Report of the Secretary-General on children and armed conflict in South Sudan (S/2014/884), issued on 11 December 2014⁵

C. Rape and other forms of sexual violence against children

39. Rape and other forms of sexual violence have been committed, including in connection with the recruitment and use of children, abductions and intercommunal violence. During the reporting period, a total of 67 incidents were reported, affecting 100 children (6 boys and 94 girls), of which 31 incidents were verified, affecting 46 children (4 boys and 42 girls). While violations were recorded throughout the reporting period, the rate of sexual violence perpetrated by armed actors has increased since December 2013.

40. In 2012, eight incidents of sexual violence affecting 12 girls were reported. Six of those incidents, affecting eight girls, were perpetrated by SPLA soldiers in Jonglei, Unity and Western Bahral-Ghazal States, while one incident involving a 17-year-old girl who was attacked by an SPLA soldier was verified during the civilian disarmament in Likuangle (Jonglei State). Two other girls were victims of sexual violence when a group of armed men in military uniform attacked a village in Mayendit (Unity State) in February 2012. In early 2013, an 11-year-old who was raped by a group of SPLA soldiers in Lakes State later died in hospital.

⁵ Full text available [here](#)

41. Sexual violence against abducted girls in the context of intercommunal conflict was reported. One girl abducted in Pibor (Jonglei State) by armed elements from the Lou Nuer tribe (the White Army) in late December 2011, who later managed to escape after several weeks in captivity in Akobo County (Jonglei State), reported that sexual violence had been perpetrated against her while in custody.

42. Since December 2013, the United Nations has received reports of incidents affecting 64 children (58 girls and six boys), out of which 21 cases (involving 31 girls and 4 boys) were verified. Incidents have been attributed to both SPLA and opposition-affiliated armed groups and include acts by individuals and groups of soldiers, who reportedly raped girls in a systematic manner.

43. In Central Equatoria State, on 16 December 2013, three girls under 18 years of age were gang-raped by SPLA soldiers when they broke into their house and found them alone.

44. In April 2014, when SPLA in Opposition took control of Bentiu, hate speech calling on people to kill, but also to commit sexual violence against non-Nuers and foreigners, was broadcasted on the local radio.

45. The number of sexual violence cases involving children is likely to be underreported, given the sensitivity of the issue and the social stigmatization of girls and boys who report. The lack of available confidential and safe services in the affected areas is also a challenge to the survivors. Basic post-rape care, psychosocial support and counselling services are limited, especially in remote or insecure locations. Consequently, most incidents of sexual violence are not reported through health structures.

46. The limited capacity of the South Sudan National Police Service to investigate cases of sexual violence, in addition to the breakdown in law and order in the current crisis, is another challenge. The perpetration of rape and other forms of sexual violence by security forces themselves has also undermined their credibility with respect to receiving reports and conducting investigations. Moreover, the closure of Government offices and the diversion of police to security operations have further prevented reporting to security, judicial and social welfare actors.