
HUMAN RIGHTS VIOLATIONS AND ABUSES IN YEI

JULY 2016 – JANUARY 2017



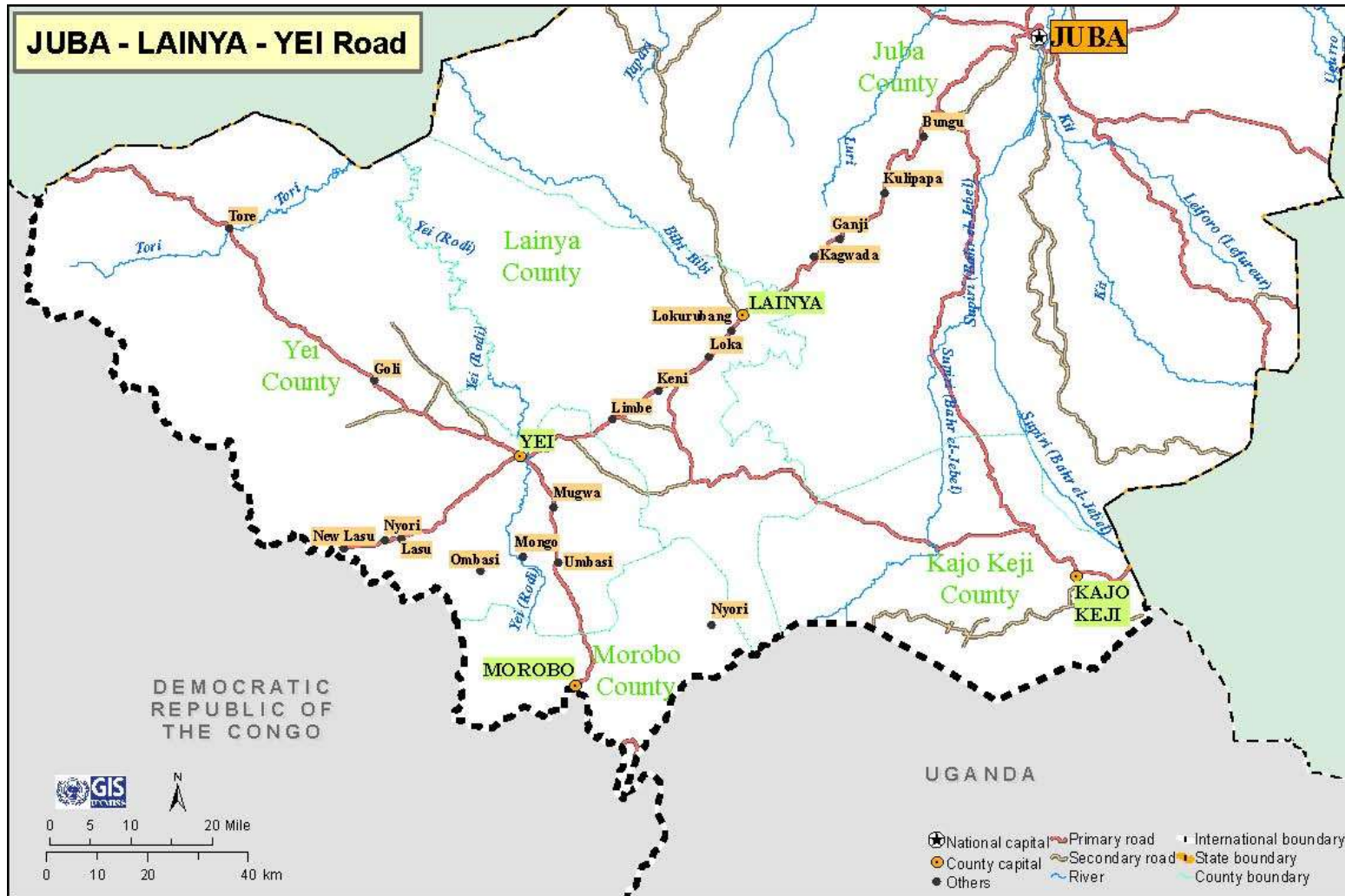
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Glossary

ARCSS	Agreement on the Resolution of the Conflict in South Sudan
AU	African Union
CAT	Convention against Torture
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CSO	Civil Society Organizations
DRC	Democratic Republic of the Congo
HCSS	Hybrid Court of South Sudan
HRD	Human Rights Division
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
NGO	Non-Governmental Organization
NSS	National Security Service
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
POC	Protection of Civilians
SGBV	Sexual and Gender-Based Violence
SPLA	Sudan People's Liberation Army
SPLM/A in Opposition	Sudan People's Liberation Movement/Army in Opposition
SSNPS	South Sudan National Police Service
TGoNU	Transitional Government of National Unity of the Republic of South Sudan
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan



Executive Summary

This report is jointly released by the United Nations Mission in South Sudan (UNMISS) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

It addresses human rights violations and abuses and violations of international humanitarian law committed in and around Yei town, Central Equatoria (150 kilometers South-West of Juba) during the period of July 2016 and January 2017.

In July 2016, a fresh bout of violence erupted between Government and Opposition forces in Juba. This led to the flight of the Opposition leader, Riek Machar, and a small band of followers across the Equatorias into the Democratic Republic of Congo.

As Government forces pursued Machar, numerous incidents of fighting broke out along his escape route. These clashes prove to be a precursor to a particularly violent period in the Equatorias as the security environment fragmented and deteriorated, resulting in multiple localized conflicts, particularly in Yei.

The report reflects the complex ethnic dimension of the conflict in South Sudan with both parties appearing to have targeted civilians on the basis of ethnicity and suspected support for the other side.

Yei was traditionally an ethnically diverse area. The outbreak of ethnically motivated violence in July 2016 therefore had a significant ripple effect across communities when people belonging to a particular ethnic group were suddenly restricted from moving freely through intimidation or forced to flee.

The general insecurity throughout the region resulted in the forcible displacement of tens of thousands of civilians to other parts of South Sudan and neighboring countries, particularly Uganda. Throughout the reporting period, UNMISS faced significant problems in accessing Yei and its surrounding area due to the inherent insecurity and the denial of access by the authorities.

Despite these limitations, the UNMISS Human Rights Division (HRD) was able to document 114 cases where the SPLA and allied militias arbitrarily killed civilians perceived to be supporters of the SPLM/A in Opposition. These cases included attacks on funerals and indiscriminate shelling of civilians; cases of sexual violence perpetrated against women and girls, including those fleeing fighting; often committed in front of the victims' families and with a shocking degree of brutality.

Information gathered by HRD indicates that the SPLA also subjected civilians suspected of supporting opposition groups to military detention and to treatment that could amount to torture. SPLA attacks on civilian areas, including a refugee settlement, were generally accompanied by looting and destruction of property with satellite imagery confirming that many traditional homes were burned down during the period of intense conflict.

The vast majority of cases documented in this report refer to violations committed by the SPLA and allied militias. However, armed opposition groups, including the SPLM/A in Opposition, were also responsible for human rights abuses. The extent of these abuses remains unclear given the Government prevented HRD from accessing areas where armed opposition forces were active.

Despite these restrictions, HRD did document some cases where suspected SPLM/A in Opposition fighters or affiliated groups, were implicated in cases of murder and rape as well as abductions.

The conflict in Yei once again highlights the startling level of impunity in South Sudan, which has fed successive cycles of violence across the country. To prevent further violence and achieve lasting peace, political and military leaders must be held accountable for ordering committing and condoning crimes perpetrated by the SPLA and SPLM/A in Opposition, and their affiliated groups.

UNMISS and OHCHR repeat their call for the SPLA and SPLM/A in Opposition to lay down their guns and urgently end hostilities. We also urge the Transitional Government of National Unity (TGoNU) to promptly investigate and prosecute those believed to be responsible for gross violations and abuses of international human rights law and related crimes.

The TGoNU must also ensure that victims whose human rights have been violated have access to an effective remedy, including just, fair and gender-sensitive reparations

This report documents the profound human suffering caused by the ongoing conflict and the exploitation of local and ethnic divisions for political ends.

In light of its findings, we urge all parties to stop the violence and take genuine steps towards implementing the peace agreement on behalf of all the people of South Sudan.

I. Introduction

1. This report is jointly published by the United Nations Mission in South Sudan (UNMISS) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). It is released pursuant to United Nations Security Council resolution 2252 (2015), as extended by resolutions 2304 (2016) and 2327 (2016), which mandates UNMISS to monitor, investigate, verify, and report on human rights violations and abuses, and breaches of international humanitarian law, including those that may amount to war crimes or crimes against humanity, and specifically on violations and abuses committed against children and women, including sexual and gender-based violence in armed conflict.¹
2. The report covers serious human rights violations and abuses as well as violations of international humanitarian law committed by the SPLA and SPLM/A in Opposition and allied armed groups in the context of ongoing fighting. Both sides attacked civilians, seemingly on the basis of their ethnicity and perceived support for the opposing party. The report covers the period from 12 July 2016 to 16 January 2017 and includes violations and abuses committed in Yei town, Yei county, neighbouring Morobo county, and on the road between Juba and Yei, including in Lainya town. The report calls for the urgent cessation of hostilities and for an end to impunity.

II. Methodology

3. Information presented in this report was gathered in accordance with the human rights monitoring and investigations methodology developed by OHCHR. Incidents have been included only if sources granted their informed consent. Where there were protection concerns, cases were either deleted, or identifying details were omitted. Incidents highlighted in the report are based on at least one credible source of first-hand information. Patterns of conduct documented in the report, are based on several credible reports of individual incidents that together appear consistent with, and have been corroborated by the overall body of credible information collected, including satellite imagery. UNMISS analyzed the information it gathered and assessed the credibility and reliability of each of the witnesses and sources.
4. Between mid-July 2016 and mid-January 2017, HRD conducted 54 face-to-face interviews during four integrated field missions that UNMISS was able to conduct to Yei. Interviews were conducted with various sources, including witnesses and victims of human rights violations and abuses. In addition, during the field missions, HRD visited locations where human rights violations and abuses had occurred. Due

¹ United Nations Security Council resolution 2252 (2015), article 8(b)(i) and (ii), which was extended by Security Council resolutions 2304 (2016), and 2327 (2016). See also UN Security Council resolutions 2155 (2014), 2187 (2014), 2206 (2015), 2223 (2015) and 2327 (2016).

to the tense security situation and denial of access by the authorities, HRD was not able to gain access to Yei until early November 2016. Denials of access by the authorities to the area were in violation of the Status of Forces Agreement (SOFA) between UNMISS and the Government.²

5. In gathering information about alleged human rights violations and abuses, HRD faced various serious constraints. The authorities repeatedly restricted UNMISS access beyond five kilometres from Yei town and prevented an UNMISS team from travelling from Yei to Morobo, Kaya and Lasu, to the southeast and southwest of Yei town. HRD was also denied access to holding facilities and other sites of concern, including detention facilities at Mahad military barracks in Yei town. Moreover, on at least two occasions, HRD staff noted that mobile telephone networks were not operational during their visit and access resumed only upon their return to Juba. The inability to use telephones hindered the ability of HRD to meet relevant interlocutors. These constraints obstructed HRD investigation teams from deploying quickly, monitoring freely, gaining access to sites of alleged violations, and conducting interviews expeditiously under conditions that would guarantee confidentiality.
6. As per usual practice, this report was shared in writing with the Government of South Sudan for rectification of factual inaccuracies and for factual comments on 5 May 2017.

III. The Legal Framework

7. International human rights law, international humanitarian law and international criminal law, are all applicable in South Sudan. Domestic laws are also applicable, including provisions of the Transitional Constitution of South Sudan and relevant national criminal laws. The SPLA is specifically bound by the rules set forth in the SPLA Act of 2009, and in the SPLA Code of Conduct.

A. International Humanitarian Law

8. South Sudan is a State Party to the four Geneva Conventions of 1949 and the two Additional Protocols of 1977. All parties to South Sudan's non-international armed conflict are prohibited from committing the following acts against persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those deemed *hors de combat*: violence to life and person, including murder and torture; outrages on personal dignity; taking of hostages; and passing of sentences and executions without a fair trial.

² Under SOFA, UNMISS personnel enjoy freedom of movement in South Sudan. While the agreement indicates that, where there are large movements of personnel, stores and vehicles, these will be coordinated with the Government, the latter is obligated to issue a *Sharing of Information* document in such situations.

9. International law also criminalises, *inter alia*, the following acts, when committed in the context of a non-international armed conflict: intentionally directing attacks against the civilian population; intentionally directing attacks against personnel, installations or vehicles involved in humanitarian assistance; pillaging a town or place; committing acts of sexual violence; conscripting or enlisting children under the age of fifteen into armed forces or using them to participate in hostilities; ordering the displacement of the civilian population, unless the security of the civilians or imperative military reasons so demand and destroying or seizing the property of an adversary unless imperatively demanded by the necessities of the conflict.³
10. Alongside applicable treaty provisions, the parties to South Sudan's non-international armed conflict are also bound to comply with applicable customary international humanitarian law, including the over-arching International Humanitarian Law principles of distinction and proportionality.

B. International Human Rights Law

11. The Government of South Sudan bears an obligation to protect and promote human rights. Besides its obligations under customary international human rights law, South Sudan has assumed human rights treaty obligations. Since gaining independence, it has acceded to the following international human rights treaties: the Convention against Torture, the Convention on the Elimination of All forms of Discrimination against Women and the Convention on the Rights of the Child. It has further accepted the 'individual complaint procedure' under the Optional Protocol to the Convention on the Elimination of All forms of Discrimination against Women, and the inquiry procedure under Article 20 of the Convention against Torture.
12. In addition, South Sudan remains bound by customary international law. The rule on the 'automatic succession' to treaties means that South Sudan has also acquired the duties and responsibilities set out in international human rights treaties ratified by its predecessor State,⁴ the Sudan, namely: the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the two Optional Protocols to the Convention on the Rights of the Child.
13. Fundamental human rights standards must be also respected by armed groups that control territory and exercise government-like functions in that territory.

³ The criminal provisions of the Rome Statute of the International Criminal Court generally reflect customary international criminal law. As such, South Sudan's failure to ratify the treaty will not protect its fighters from criminal liability for those acts set out in, *inter alia*, Rome Statute Articles 8 (e) (i), (iii), (v), (vi), (vii), (viii) and (xii).

⁴ See United Nations Human Rights Committee, CCPR General Comment 26: Continuity of Obligations, 8 December 1997, para. 4.

14. At the regional level, South Sudan is a signatory⁵ to the African Charter on Human and Peoples' Rights. Furthermore, on 24 January 2013, South Sudan signed⁶ the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) which requires member States to respect and ensure respect for women's rights including life, dignity and security. The Protocol enshrines specific obligations to protect women from all forms of violence against women, particularly of a sexual nature. Although ratification remains pending, under principles of international law⁷, signature creates a State's obligation to refrain from acting in a way that is inconsistent or incompatible with the object and purpose of the Protocol.

C. International Criminal Law

C.1 War crimes

15. Article 8 of the Rome Statute of the International Criminal Court generally reflects customary international criminal law. It criminalises serious violations of common Article 3, as well as other violations of the laws and customs applicable in armed conflicts which are not of an international character, including the acts listed above.⁸

C.2 Crimes against humanity

16. Article 7 of the Rome Statute prohibiting the commission of crimes against humanity also generally reflects customary international criminal law.⁹ The following acts, *inter alia*, when committed as part of a widespread or systematic attack against a civilian population, constitute crimes against humanity: murder, forcible transfer of population, imprisonment in violation of fundamental rules of international law, torture, rape and any other form of sexual violence, persecution, enforced disappearance, and other inhumane acts. These crimes may be committed by individuals affiliated with any party to the conflict, and need not be connected to an armed conflict.¹⁰

D. Domestic Law

17. The Transitional Constitution of South Sudan (2011) stipulates that, with respect to the people of South Sudan, all organs of the Government, including the armed forces, shall respect, uphold and promote non-derogable rights and protections including: (i) the right to life; (ii) the prohibition of slavery; (iii) the prohibition of torture; (iv) non-discrimination on the basis of race, sex, religious creed; and (v) the right to a fair

⁵ On 19 May 2016, South Sudan deposited its instrument of ratification and became legally bound by the African Charter on Human and Peoples' Rights in accordance with the article 63 (2) of the Charter.

⁶ <http://www.achpr.org/instruments/women-protocol/ratification/>

⁷ See among others article 18 of the Vienna Convention on the Law of Treaties (1969)

⁸ See Rome Statute, Article 8 (c) and (e).

⁹ See Rome Statute, Article 7.

¹⁰ See, Rome Statute of the International Criminal Court, Article 7.

trial.¹¹ Moreover, the Transitional Constitution specifically prohibits any infringement of this specific set of rights during a state of emergency.¹²

D.1 Legislation and internal regulations

18. South Sudan's Penal Code Act of 2008 includes standard criminal provisions prohibiting *inter alia* murder, bodily injury and intimidation, kidnapping, abduction and violations of personal liberty, offences related to rape and other sexual offences, armed robbery, and damage to or destruction of property.
19. South Sudan's Geneva Conventions Act of 2012 stipulates that any person who, while in South Sudan, commits or otherwise aids and abets any grave breach of the relevant Geneva Conventions or Protocols,¹³ is guilty of an indictable offense and subject to imprisonment.¹⁴
20. The Government's armed forces are also subject to the provisions of the SPLA Act and the SPLA's Rules and Regulations, both issued in 2009. Under the SPLA Act, personnel that commit the offence of mistreating a detainee under their charge will be tried by a competent court martial and be subject to imprisonment.¹⁵ The Rules and Regulations further proscribes the following actions, categorized as "Major Disciplinary Offences": (i) assaulting or insulting prisoners of war; (ii) verbal or physical conduct that denigrates, humiliates or shows hostility against others based on race, gender, religion, or social origin; (iii) unlawful detention of individuals; and (iv) committing or attempting to commit any act that is cruel, indecent, and unnatural.¹⁶
21. On 26 May 2015, the Government of South Sudan issued a Ministerial Order reminding all members of the SPLA to refrain from deliberate attacks against civilians, rape and sexual violence, and the recruitment and use of children.¹⁷

D.2 Negotiated agreements

22. The Cessation of Hostilities agreement of January 2014¹⁸, enumerated a list of prohibited actions, including: (i) acts of sexual and gender-based violence;¹⁹ (ii) attacks or acts of violence, hostility of intimidation against the civilian population;²⁰ (iii) actions that impede humanitarian access or the protection and free movement of

¹¹ Bill of Rights, Part II, The Transitional Constitution of the Republic of South Sudan (2011).

¹² Article 188(a), The Transitional Constitution of the Republic of South Sudan (2011).

¹³ Geneva Convention of 1949, I-IV; Additional Protocols of 1977, I & II.

¹⁴ Sections 6-8, Geneva Conventions Act (2012).

¹⁵ Section 77, SPLA Act (2009).

¹⁶ Section 30, SPLA's Rules and Regulations (2009).

¹⁷ Ministerial Order No. 02/2015.

¹⁸ The Agreement on Cessation of Hostilities between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army in Opposition was signed on 23 January 2014.

¹⁹ Art. 1.7.2, Peace Agreement (2015); Art. 3.2, CoH Agreement (2014).

²⁰ Art. 1.7.5, Peace Agreement (2015); Art. 3, CoH Agreement (2014).

civilians;²¹ (iv) recruitment or use of child soldiers by armed forces or militias²² and (v) mobilization, redeployment, or movement of forces inconsistent with the signed agreements.²³ The principal parties to the conflict reaffirmed their commitment to refraining from perpetrating such acts in the peace agreement signed in August 2015.²⁴

IV. Political and Security Context

A. Overall situation

23. From the outbreak of violence in December 2013 until late 2015, Yei and the surrounding areas had been largely peaceful, and had not seen the fighting characteristic of other areas of South Sudan. In 2008, according to the census, Yei town had a population of 201,443.²⁵ There has been no census since this time, but a local official from Yei River State suggested to UNMISS that the population was above 300,000 prior to the July 2016 crisis. The main ethnic groups in the Yei area are Kakwa, Bari, Pajulu, Baka, Mundu, Avukaya, Kelico and Lugware. However, other ethnic groups have been historically present, particularly in Yei town, including Dinka and Nuer. There are also longstanding ethnic tensions between indigenous mostly Equatorian populations and mostly Dinka cattle-herders over land and grazing.
24. In the first few months of 2016, there was a noticeable increase in SPLM/A in Opposition activity and incidents involving “unknown armed gunmen” in Yei and the surrounding area. As a result, the Governor of Yei River State requested SPLA reinforcements from the national government. In April 2016, approximately 600 armed individuals who were either with the SPLA or SPLA-affiliated armed groups were sent to Yei and surrounding areas, leading to an increased militarization of the area.
25. Delays in the implementation of the 2015 Agreement on the Resolution of Conflict in South Sudan (ARCSS), including continued fighting and unresolved negotiations over cantonment for SPLM/A in Opposition forces in the Equatoria and Western Bahr el Ghazal regions, and the eventual outbreak of heavy fighting in Juba between the SPLA and the SPLM/A in Opposition in July 2016, effectively set the stage for the sharp deterioration in the human rights situation across South Sudan, and in Yei, Central Equatoria.
26. Following the outbreak of violence in Juba in July 2016, SPLM/A in Opposition armed forces retreated southward, followed by the SPLA, and eventually crossed the

²¹ Art. 1.7.1, Peace Agreement (2015); Art. 4, CoH Agreement (2014).

²² Art. 1.7.3, Peace Agreement (2015); Art. 3.4, CoH Agreement (2014).

²³ Art. 1.7.4, Peace Agreement (2015); Art. 1.2, CoH Agreement (2014).

²⁴ The Agreement on the Resolution of the conflict in the Republic of South Sudan, 17 August 2015.

²⁵ Sudan Population Census, 2008

border into the Democratic Republic of the Congo in the vicinity of Yei. SPLA carried out operations in pursuit of high-level SPLM/A in Opposition figures, including former First Vice-President and leader of the opposition, Riek Machar, in Central and Western Equatoria. In response, SPLM/A in Opposition forces conducted coordinated hit-and-run attacks in the region, particularly targeting Government forces and key routes. On 12 July 2016, 17 SPLA soldiers were killed by unknown armed men in Mitika in Yei. SPLA and SPLA-aligned forces then launched a series of revenge attacks against civilians in the area, who they accused of harboring opposition-affiliated armed men. Subsequently, fighting increased with a significant impact on the humanitarian situation in Yei and surrounding areas.²⁶ While Government forces controlled Yei town throughout the period covered by this report, armed groups believed to be affiliated with the SPLM/A in Opposition, controlled some of the surrounding villages.

B. Hate speech and the ethnic dimension of the conflict

27. Events in Yei are widely believed to have had repercussions elsewhere in South Sudan. As the former SPLA headquarters during Sudan's civil war and as an ethnically diverse town, Yei holds particular significance in South Sudan. An attack by an armed group suspected of being allied to SPLM/A in Opposition on a vehicle carrying civilians from Yei to Juba on 8 October 2016, in which at least 21 members of the Dinka and Kakwa tribes were killed, is widely believed to have triggered incidents of hate speech and threats against non-Dinkas elsewhere in the country, particularly Equatorian tribes. In the Greater Bahr el Ghazal and Greater Upper Nile regions, letters allegedly written by Dinka individuals and Dinka Youth groups were circulated in October and November 2016 threatening Equatorians.

28. The SPLA facilitated the movement of mainly Dinka civilians from Yei to Juba. The vehicle attacked on 8 October was part of this movement. Simultaneously, possibly as a response to escalating ethnic tensions, the Government prevented Equatorian communities in the area from leaving Yei town through perimeter checkpoints. Opposition armed groups maintained their presence in the surrounding area, thus creating concentric rings of control, trapping civilians and impeding humanitarian and commercial traffic resulting in food shortages. This ethnic-based movement contributed to concerns that South Sudan was at risk of atrocity crimes.²⁷ In early November 2016, after visiting Yei, the United Nation Special Adviser on the Prevention of Genocide warned that "the signs are all there for the spread of this ethnic hatred and targeting of civilians that could evolve into genocide, if something

²⁶ According to the United Nations World Food Programme, Yei was the most agriculturally productive region in South Sudan. However, recent hostilities have prevented farmers from accessing and working on their land and disrupted markets and food distribution, see: <http://www.wfp.org/news/news-release/wfp-delivers-food-52000-people-cut-aid-south-sudan>

²⁷ See, for example, the special session of the Human Rights Council of 14 December 2016, further details at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21032&LangID=E>.

is not done now to stop it." He stated that the South Sudanese diaspora had also been influential in spreading hatred and inciting violence.²⁸

V. Violations and abuses of international human rights law and violations of international humanitarian law committed in Yei between July 2016 and January 2017

A. Violations committed by the Government Forces

A.1. Right to life: summary executions and killings of civilians

29. UNMISS HRD documented that pro-Government forces killed 114 civilians and injured many others in and around Yei from mid-July 2016 to mid-January 2017. Given that UNMISS HRD had limited access to the area, the actual number of fatalities and injuries is likely to be much higher. HRD verified multiple reports of SPLA and affiliated groups summarily executing civilians on suspicion of supporting the opposition, or in revenge attacks. The SPLA also killed and injured other civilians during indiscriminate attacks, including shelling and bombing of civilian areas. There was an increase in attacks in the Yei area that began immediately after hostilities broke out in Juba between 8 and 11 July 2016, including SPLA attacks on civilians in Yei town that caused local residents to flee.
30. HRD documented two incidents where SPLA soldiers attacked mourners. In an incident in August 2016, seven armed SPLA or SPLA-affiliated soldiers turned up at a funeral in the Lainya area, between Juba and Yei. The soldiers physically assaulted mourners demanding they admit that the deceased was a combatant affiliated with the SPLM/A in Opposition. When one of the mourners protested that the deceased was an old man who died of natural causes, soldiers took him and a woman to the nearby bush where they raped the woman in the presence of the man, and then shot her. The woman was later found dead. SPLA soldiers also shot the man in the stomach. He narrated what had happened hours before dying from his injuries.
31. UNMISS HRD also received numerous reports of SPLA soldiers summarily killing civilians suspected of supporting the SPLM/A in Opposition. HRD documented two incidents which occurred on 16 September 2016 in Yei County: in Umbase village, SPLA soldiers shot and killed seven civilians, including five women, and injured an undetermined number of civilians; and in Kegulu Centre in Wotego Boma SPLA soldiers shot and killed three civilians. In another incident, on 20 September 2016, SPLA soldiers shot and killed a national of the DRC in Lasu Payam in Yei County.

²⁸ Statement by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide to the Security Council, in New York on 17 November 2016.

32. Multiple witnesses indicated that this trend continued throughout October when the SPLA killed numerous civilians in and around Yei. On 14 October 2016, in Yei town, SPLA soldiers shot and killed a 50-year-old man, who had called Radio Bakita and denounced SPLA killings on air. On 17 October 2016, SPLA soldiers shot and killed two nationals of the DRC, whom they had arrested at a farm in Lasu Refugee Settlement in Nyori village, Lasu Payam, where refugees from DRC, Sudan and Central African Republic live.²⁹ On 24 October 2016, SPLA soldiers arrested a 60-year-old man in Lotaya. They brought the man to Yei and allegedly interrogated him on the grounds that he was supporting SPLM/A in Opposition. The following day, SPLA soldiers took him back to Lotaya where they shot him dead.
33. Multiple sources, including victims and witnesses, indicated that Government forces armed some Sudanese nationals from the Nuba mountains living in Yei County, and reported that they were responsible for the harassment of, and attacks on, civilians perceived as supporting SPLM/A in Opposition. On 7 November 2016, nine pro-Government forces elements, including seven men believed to be Nubian, stopped at least seven civilians at an SPLA checkpoint in Lotaya. The seven civilians were held nearby with an undetermined number of other individuals. The pro-Government elements physically assaulted the people held, tied their hands together, and forced some individuals inside two traditional huts, while others were held outside. The soldiers opened fire on the victims and set fire to one of the huts. HRD was able to determine that there were six bodies burnt beyond recognition in the hut. The bodies of the other victims, with burns and gunshot injuries, were taken by local authorities to Yei Civil Hospital for identification. The total number of bodies collected by local authorities is unknown despite UNMISS HRD's repeated requests for information.
34. On 9 November 2016, SPLA soldiers shot and killed the headmaster of a primary school in Siliri, about four kilometres from Yei town, on his way home, after accusing him of supporting the rebels.
35. In early December 2016, HRD received information that between 2 and 4 December, SPLA fired mortar rounds into Goja and Mugo villages in Yei, killing an undetermined number of civilians. Sources suggested that SPLA had launched the attack from the artillery barracks on the Kaya Road. HRD was able to confirm that one man was killed in the attack. As with other attacks by pro-Government forces in the area, the motivation for the incident is believed to be the perception that civilians were supporting opposition groups.
36. In mid-December 2016, HRD documented fewer reports of killings in Yei. Sources suggested that this was due to National Security Service (NSS) officers taking over security functions from some of the SPLA and SPLA-aligned forces. However, by

²⁹ OCHA, Humanitarian Bulletin South Sudan, Issue 20, 21 December 2016

the end of the year, the number of reported killings of civilians again began to increase. For instance, on 25 December 2016, SPLA soldiers killed a civilian near Kanjoro River, Yei County, as he was driving his motorbike, transporting bags of charcoal. The victim's relatives filed a complaint with the local police on 29 December 2016. In another killing on 26 December 2016, a group of SPLA soldiers shot another civilian who was transporting charcoal by motorbike to Yei town.

37. On 28 December 2016, militias associated with SPLA killed a man at Mongon, Ombachi, 27 kilometres from Yei town. According to a witness, the victim was killed outside his house as he was heading to a storeroom holding a machete used by farmers for cultivation. The militia members reportedly killed the man because they perceived him to be armed.
38. In early January 2017, in an attack on a funeral in Yei town, suspected SPLA soldiers shot and killed an 18-year-old woman and wounded five other civilians. According to witnesses, the attack took place as mourners were performing funeral rites in the late evening. Two armed men arrived at the house by torchlight and opened fire, randomly shooting into the crowd. Mourners notified the authorities and SPLA soldiers later transported the injured to hospitals in Yei. The following day, mourners identified a suspect, the bodyguard of a local SPLA commander, and informed the police during their investigation. Police sources confirmed to HRD that they took both the suspect and the commander for questioning. A government official subsequently reported that the suspects had been transferred to the Mahad military detention centre and that the public prosecutor no longer had access to them.
39. On 12 January 2017 at Ronyi payam, four kilometres from Yei town, SPLA soldiers confronted 10 unarmed Kakwa male youths whom they believed were members of the armed opposition. The soldiers shot four of them dead and, seriously injured four others, while two of the youths escaped. The four injured youths were taken to Yei hospital. Two were in a critical condition and arrangements were made for their medical evacuation on 14 January 2017. On the way to Yei airport, SPLA soldiers at a checkpoint stopped the vehicle in which the injured were travelling. They accused the accompanying doctor and driver of facilitating the escape of rebels, beat them, and briefly detained them at the military barracks, but the doctor and driver were later released, and allowed to drive the men back to Yei hospital. One of the critically injured youths died on 15 January 2017, and the other died after the period covered by this report

A.2. Right to security and physical integrity: conflict-related sexual violence

40. Between mid-July 2016 and mid-January 2017, HRD received multiple allegations of conflict-related sexual violence by men identified as SPLA or from SPLA-aligned armed groups. Of the allegations made, HRD was able to document the cases of at

least 11 women and girls in and around Yei who were subjected to conflict-related sexual violence. It is important to note that the actual number of cases is likely to be much higher. UNMISS HRD had limited access to the area and many victims may have chosen not to report cases of sexual violence due to the stigma and shame associated with such violations. In two of the confirmed cases, the victims were children. HRD also documented cases of gang rape, and the case of one victim who was pregnant at the time of the rape. In at least three confirmed cases the perpetrators killed the victims after raping them.

41. SPLA soldiers attacked women and girls who were fleeing fighting. One witness explained that she left her home in Yei town on 24 July 2016, due to heavy fighting. When she returned to her home with a friend on approximately 8 August to fetch food, three armed, uniformed men she believed to be SPLA soldiers attempted to stop them. The witness managed to escape and hide in the nearby bush, but from her hiding place she saw the soldiers interrogate her friend and physically assault and rape her.
42. In the second week of September 2016, SPLA soldiers allegedly stopped a pregnant woman and a girl as they were trying to leave Yei following fighting in town. The soldiers forced them into an abandoned house where they raped them. Both later received medical and psychosocial support. Reliable sources reported that in another case on 19 September 2016, five SPLA soldiers stopped two women and a girl who were on their way to a market in Ootogo Payam. They raped the women and the girl, and then killed them.
43. Towards the end of December 2016, about 50 armed men believed to be SPLA soldiers entered a compound in Yei County, where internally displaced persons had sought protection. Four soldiers raped a young displaced woman in front of her family while other soldiers cheered. When the woman tried to resist, one of the men threatened to kill her. The armed men then looted possessions and livestock. They tied three members of the victim's family together as well as two neighbours, and forced them to join a larger group of internally displaced persons and took them away from the compound. Later the same day, another relative found the corpses of three family members, including a baby, and the two neighbours near a stream about a mile away. The rape survivor received medical care and psychosocial counseling.
44. Multiple victims and witnesses recounted incidents of sexual violence perpetrated by soldiers suspected of being SPLA elements during attacks on settlements and homes. For example, in August 2016, SPLA soldiers reportedly raped women during an attack on a refugee settlement. The total number of victims cannot be determined as some victims did not report their ordeal. Between September and November 2016, HRD documented four attacks on women in their homes. In two of the reported incidents, that took place on 26 September 2016, SPLA soldiers entered homes in

Yei town, and raped the women inside, in one of the cases, six SPLA soldiers reportedly forced a man out of a house before raping his wife.

A.3. Right to liberty: arbitrary arrests and detention

45. Multiple reports indicate that civilians in and around Yei were regularly subjected to arbitrary arrest and detention, and held for lengthy periods. In some instances SPLA soldiers were reported to have killed the detainees. SPLA soldiers have arrested and detained civilians without charge in military barracks, often on the basis of their ethnicity, and on suspicion of being members or supporters of the SPLM/A in Opposition or other opposition groups. Some detainees were held incommunicado, denied access to their families, to legal counsel, and to medical treatment. Witnesses indicated that detainees were also subjected to torture, inhumane and degrading treatment, and that some were executed.
46. Some of the reported cases may amount to enforced disappearance. At the beginning of November 2016, HRD received information indicating that SPLA and NSS officers had arrested 120 civilians and had held them without charge in Yei town, but the actual number may be higher. On 16 December 2016, HRD observed 16 detainees who were transferred from military to police detention for a planned formal release ceremony. Many appeared to be in poor physical condition. Some of the detainees who were transferred to police detention reported they had been detained before July 2016. At the time this report was drafted, HRD had been unable to establish whether the 16 detainees were ever released and had no further information about those who remained in military detention when the 16 detainees were transferred to the police on 16 December 2016.
47. According to sources, in July 2016, SPLA stopped and arrested a civilian in Yei River State while he was riding his motorbike. The man was never seen again, despite attempts by his relatives to locate him. On 28 August 2016, 10 SPLA soldiers stopped six men in Lainya, accusing them of supporting SPLM/A in Opposition. As the men protested, the soldiers shot and injured two of them. The soldiers also attacked one man with a machete who consequently bled to death. SPLA soldiers left the area with three of the men whose whereabouts remains unknown at the time of writing this report.

A.4. Restrictions on freedom of movement

48. Verified reports indicate that by July 2016, Government forces had restricted civilian movement within, as well as in and out of, Yei. Between July and October 2016, Government forces periodically restricted movement on the roads leading to and from Yei, thereby preventing the free movement of people and goods. In November

2016, when UNMISS first gained road access to Yei, HRD observed numerous SPLA checkpoints on the road between Juba and Yei. In addition, reported attacks by unidentified armed men on that road made civilians fearful of travelling. UNMISS observed SPLA and NSS officers restricting civilian movement inside Yei town.

49. SPLA restrictions on movement in Yei appear to have had a discriminatory ethnic dimension. From October 2016, and possibly earlier, SPLA facilitated the movement of Dinka civilians from Yei to Juba, *inter alia*, providing them with the use of military and civilian vehicles for transport. In November, for example, multiple witnesses observed a convoy of more than 10 vehicles, including SPLA trucks, transporting Dinka civilians, mainly women and children, towards Juba.
50. Ongoing fighting, the SPLA militarization of Yei town, and the presence of opposition groups in surrounding areas have also impeded freedom of movement. In September 2016, for example, UNHCR reported that 100,000 people were trapped in Yei town due to military operations in the surrounding areas.³⁰ In December 2016, OCHA reported that “internally displaced persons in Yei town and surrounding areas remained unable to move freely because of checkpoints along the main roads, including to Juba, the Democratic Republic of the Congo and Uganda”.³¹ During a mission to Yei town in early January 2017, local officials informed UNMISS that an estimated 85,000 people were trapped in rural areas of Yei River State, especially in Mugwo, Tore and Otego Counties.

A.5. Displacement of civilians

51. Notwithstanding restrictions of movement, fighting and other attacks in and around Yei forced thousands of civilians to flee the area and seek refuge in other parts of South Sudan or in neighbouring countries. In September 2016, OCHA reported that 60-70 per cent of the population of Yei had been displaced.³² The displacement of civilians from Yei formed part of a larger movement of South Sudanese into neighbouring countries, in particular Uganda. By the end of 2016, 320,000 South Sudanese refugees had arrived in Uganda, 80 per cent of whom were women and children.³³ Approximately 180,000 more refugees were registered in Uganda by the first week of February 2017.³⁴
52. Civilians leaving Yei, including those fleeing the country, faced various risks on their journey. OCHA has reported that refugees, who include residents from in and around Yei, travelled to Kenya rather than to Uganda as the roads to the Uganda

³⁰ UNHCR Operational Update 18/2016, 16-30 September 2016.

³¹ OCHA, Humanitarian Bulletin South Sudan, Issue 20, 21 December 2016

³² OCHA, Inter-agency Rapid Needs Assessment Report: Yei, Central Equatoria, 6-8 September 2016.

³³ Protection Cluster, *Protection Trends South Sudan, October – December 2016*, February 2017.

³⁴ Protection Cluster, *Protection Trends South Sudan, October – December 2016*, February 2017.

border had become increasingly dangerous, with “armed actors harassing, robbing and targeting people fleeing”.³⁵ Some refugees arriving in Uganda reported walking up to seven days through the bush, or through the dense forests in the Democratic Republic of the Congo, due to insecurity on main roads.³⁶

53. Civilians were displaced both from and to Yei town. HRD gathered information that since July 2016, civilians have fled from rural areas to Yei town because of the risk of attacks from government forces. In September 2016, UNHCR reported that 30,000 people had been displaced from surrounding villages to Yei town.³⁷ Displaced people in Yei and the surrounding area faced a dire humanitarian situation. In Yei there were reports of a lack of essential goods, because the targeting of civilians and transport vehicles on main roads had prevented the movement of supplies. In early 2017 it was reported that humanitarian needs amongst internally displaced people in the Yei area exceeded provision and humanitarian actors had, at that time, been unable to provide an adequate response.³⁸
54. As indicated earlier in the report, there has also been a movement of Dinka residents from Yei to Juba. According to the Relief and Rehabilitation Commission,³⁹ 46,000 Dinka civilians, mainly from Yei town, registered in Juba by the end of 2016.
55. Between 7 and 10 November 2016, UNMISS observed civilians fleeing villages along the Juba-Yei Road, including Kwarijik, Bungu, Kulipapa, Ganji, Logwili, Loka West and Lokurubang. IDPs from these areas reported that SPLA soldiers were transporting Dinka civilians out of the area and they feared that SPLA would attack them should they remain.
56. There were other notable large-scale forced population movements during the reporting period. Reliable sources reported that on 13 August 2016, SPLA soldiers attacked the Lasu Refugee Settlement, about 45 kilometers southwest of Yei town forcing the settlement population of over 7,000 to flee to the nearby bush. During the third week of September 2016, SPLA forces attacked villages along the Yei-Lasu road prompting an estimated 1,500 civilians to leave their homes and head to the bush around Otogo Payam. There they lacked food and potable water and many, particularly children, fell sick.

A.6. Looting and destruction of civilian property

³⁵ OCHA Humanitarian Bulletin South Sudan, Issue 20, 21 December 2016.

³⁶ OCHA Humanitarian Bulletin South Sudan, Issue 20, 21 December 2016.

³⁷ UNHCR Operational Update. 18 September 2016, 30 September 2016

³⁸ Protection Cluster, *Protection Trends South Sudan, October – December 2016*, February 2017; the Protection Cluster reported that “Threats and attacks on ethnic Dinka civilians in the Equatorial region caused most of the Dinka living in the region to flee to Juba with the help of government forces.”

³⁹ A South Sudanese Government Agency, the operational arm of the Ministry of Humanitarian Affairs and Disaster Management.

57. HRD received consistent reports that SPLA soldiers were responsible for looting and destroying civilian property in and around Yei. According to witnesses, in the attack on the Lasu Refugee Settlement on 13 August 2016, SPLA soldiers looted possessions belonging to refugees, including money, household items, mobile phones. On 14 October 2016, SPLA soldiers reportedly forced their way into houses in Erap village in Yei, and looted civilian property, including furniture and other household items. A witness narrated how she saw SPLA soldiers moving from house to house, breaking down the doors of her neighbours' homes, and leaving with looted property.
58. Between 7 and 10 November 2016, UNMISS observed evidence of looting and destruction of civilian property in Lainya town, including homes that were burned to the ground, broken windows and doors, and houses and shops emptied of their contents. The team subsequently saw piles of suspected looted property in the Kulipapa, Keni and Limbe, and areas of Lainya town, where SPLA is stationed. After witnessing civilians fleeing the area, HRD staff also saw burned down houses on the road between Juba and Yei at Bungu, Kulipapa, Ganji, Lainya, Kenyi, Limbe, Loka, Lokurubang, as well as in areas around Yei town. According to witnesses, SPLA soldiers were responsible for the looting and destruction in these villages.
59. UNMISS used Very High Resolution (VHR)⁴⁰ satellite imagery to complement available information on alleged destructions of civilian property. The imagery below, captured through remote sensing, shows areas of Yei and Limbe where structures were burned down. Satellite images from July 2016 and January 2017, show a number of *tukuls*⁴¹ were burned down during this period, confirming HRD's findings from other methods of verification. Also, in line with existing methodology to interpret satellite imagery⁴², the unburnt spacing between the burned *tukuls* in both locations indicates that these structures were intentionally targeted.

⁴⁰ VHR imagery has a resolution less than 1 meter per pixel. See: *Satellite Imagery Interpretation Guide: Intentional Burning of Tukuls*, Harvard Humanitarian Initiative, September 2015.

⁴¹ Traditional civilian dwellings

⁴² Harvard Humanitarian Initiative, *Satellite Imagery Interpretation Guide: Intentional Burning of Tukuls*, September 2015



60. On 16 January 2017, a militia alleged to be affiliated with SPLA, reportedly burned down at least 14 houses in Lutaya, approximately five kilometers from Yei town, and the Diocesan Pastoral Centre in the Parish of Saint Joseph on the Yei–Aba road. According to a source, buildings belonging to the church in six parishes in the area had been destroyed in violence since July 2016.



B. Abuses committed by SPLM/A in Opposition and other armed groups

61. HRD also documented human rights abuses perpetrated by SPLM/A in Opposition and affiliated opposition groups in areas around Yei during the reporting period. As stated earlier, due to access denials imposed by the Government, HRD was not in a position to fully assess the scale of human rights abuses, and potential grave breaches of international humanitarian law, that opposition groups may have committed in the area. It should be noted, that while armed opposition groups are believed to support the SPLM/A in Opposition, the relationship between SPLM/A in Opposition and some of these groups remains unclear.

B.1. Right to life: killing of civilians

62. On 8 October 2016, in Ganji, North of Lainya, a group of armed youth suspected of being allied to SPLM/A in Opposition, attacked a vehicle transporting internally displaced persons from Yei to Juba. They opened fire on the vehicle, killing at least 21 people. Witnesses reported that the attackers then climbed onto the vehicle, doused it with gasoline, and set it on fire. Nineteen casualties were rushed to hospital, including a seven-month-old Kakwa baby girl whose mother was killed during the attack and a seven-year-old Dinka boy whose two young siblings were killed. Of 11 bodies brought to the morgue, six were burnt beyond recognition. It was this incident, where the victims were perceived to be targeted for being mostly Dinka, mentioned earlier in this report that was widely considered to have triggered an escalation of hate speech and incitement to violence in the country.

63. UNHCR reported that on 19 October 2016, an armed group abducted 39 refugees in Lasu Payam.⁴³ On 5 November 2016, seven of the abducted refugees were released, with their hands tied behind their backs. However, according to witnesses, after their release they were attacked by armed men suspected of being affiliated with the SPLM/A in Opposition as they were walking towards Yei. One of them was shot dead while the other six men were attacked with machetes and were seriously injured. One man died of his injuries. The five wounded men were transported to Yei where they received initial medical treatment before being transferred to a hospital in Juba.

B.2. Right to physical integrity: conflict-related sexual violence

64. Alleged cases of conflict-related sexual violence perpetrated by opposition groups were particularly difficult to document as HRD had no access to areas controlled by the armed opposition, and women and girls may not have reported incidents given the stigma associated with victims of sexual violence, including rape. In late October 2016 community leaders reported that SPLM/A in Opposition fighters had raped a

⁴³ UNHCR Press Release, 11 November 2016.

woman in Goli, about 30 kilometers west of Yei town, but HRD was unable to independently verify this incident.

65. In another reported case, in the vicinity of Yei town a group of armed men wearing military uniform suspected of being SPLM/A in Opposition, entered a home where they found three women. They forced one of the women to cook for them and later in the evening, two of the men returned and raped the two other women. The rape survivors received medical and psychosocial support.

B.3. Right to liberty: illegal arrests and abductions

66. HRD documented cases of abduction by SPLM/A in Opposition.. In September 2016, armed men suspected of being SPLM/A in Opposition combatants reportedly abducted three women in the Ombassi area, about 20 kilometres from Yei. One woman escaped while the fate of the two other women remains unknown.
67. Multiple sources reported that on 2 December 2016, SPLM/A in Opposition forces held a humanitarian worker who was travelling with two refugees by vehicle along the Yei-Ombachi-Lasu Road towards the Lasu Refugee Settlement. The two refugees were initially held and released a few days later and the driver escaped with injuries. SPLM/A in Opposition released the humanitarian worker on 11 December 2016.

VI. Measures taken by the Government and other stakeholders

68. At a national level, the Government has publicly responded to the situation in Yei in a number of ways. These included a group of presidential advisors visiting Yei in October 2016, to assess the security situation and promote inter-communal dialogue. Their report to the President was not made public; however, the HRD was informed of the state authorities' intention to enter into dialogue with armed groups. UNMISS is aware that state authorities, faith and youth groups took initiatives to engage with armed groups in December 2016, and this continues at various levels.
69. On 31 December 2016, the First Vice President, Taban Deng Gai, visited Yei to assess the security situation. The First Vice-President's visit followed the announcement of his plan to visit hotspots in South Sudan to urge SPLM/A in Opposition to lay down arms and go to cantonment sites. While in Yei, he made a call for cessation of hostilities and urged refugees to return to the area. On 6 February 2017, the President visited Yei for the centenary celebrations of the Episcopal Church of South Sudan. While there, he publicly stated that soldiers who

rape civilians should be shot.⁴⁴ A Presidential spokesman later reportedly qualified the President's statement, saying suspects should first be taken to court.⁴⁵

70. While Government actions highlighted above indicate concern at the developments in Yei, it has publicly denied SPLA responsibility for violations and blamed “rebels” for the security situation in the area. In response to a publication by Human Rights Watch in November 2016 the SPLA spokesman reportedly denied reports that the army had committed atrocities against civilians in Yei during the recent crisis.⁴⁶
71. The impact of the measures taken by Government is unclear. As referred to earlier in the report, there was reportedly a new NSS deployment to the area in December 2016, which was comprised of a more multi-ethnic force. This may have contributed to a decrease in reported human rights violations perpetrated by pro-Government forces in the weeks that followed.
72. HRD has engaged with local officials during UNMISS missions to Yei. The authorities have taken action on some issues, including intervening to secure the release of civilians from SPLA detention, and attempting to ensure judicial oversight of civilian detentions in Mahad military barracks. HRD has advocated with the Governor to take further actions in terms of engaging with SPLA leadership to improve the human rights situation.

VII. Conclusion and Recommendations

73. This report portrays the appalling human rights situation in South Sudan. Attacks were committed with an alarming degree of brutality and, like elsewhere in the country, appeared to have an ethnic dimension. Though the report indicates gross violations of human rights and humanitarian law, in view of the restrictions of access faced by HRD and by UNMISS, the number of documented cases may only be a fraction of those actually committed. Some of the human rights violations and abuses committed in and around Yei may amount to war crimes and/or crimes against humanity and warrant further investigation.
74. In light of the forgoing, the following recommendations are made:
- 75. To the Transitional Government of National Unity:**
- a) Discharge its primary responsibility to protect the entire population, irrespective of ethnic or political affiliation or any other grounds, by guaranteeing security and safety to all people in South Sudan;

⁴⁴ <http://www.voanews.com/a/south-sudan-president-says-soldiers-who-rape-should-be-shot/3708178.html>

⁴⁵ <https://radiotamazuj.org/en/article/president-kiir-reverses-orders-shoot-rapist-soldiers>

⁴⁶ Juba Monitor, 25 November 2016 and <http://www.eyeradio.org/spla-refutes-claims-rights-abuses/>.

- b) Immediately publicly condemn all human rights violations and abuses that have taken place in and around Yei;
- c) Ensure that all the victims of human rights violations and abuses, as well as violations of international humanitarian law, have access to an effective remedy and reparation including rehabilitation and compensation;
- d) Ensure that all alleged violations of international human rights law and international humanitarian law committed in and around Yei are promptly investigated;
- e) Ensure that individuals suspected of having committed crimes, whether SPLA, SPLM/A in Opposition or any group associated with them, are investigated and where found responsible, prosecuted and held accountable;
- f) Take necessary measures to prevent and respond to the displacement of the civilian population and to ensure durable solutions for all displaced populations;
- g) Cooperate with the African Union and other relevant stakeholders in relation to the establishment of the Hybrid Court as provided for under the ARCSS;
- h) Ensure freedom of movement for the civilian population in and around Yei, and throughout the country; and
- i) Ensure that all U.N. personnel are able to safely and freely fulfill their respective mandates, including conducting patrols, investigating and reporting incidents, delivering humanitarian assistance and conducting community-based conflict prevention and resolution initiatives.

76. To SPLA and SPLM/A in Opposition and affiliated groups:

- a) Urgently end military operations in and around Yei;
- b) Comply with obligations under international human rights law and international humanitarian law, particularly regarding the protection of civilians, including internally displaced persons and refugees;
- c) Refrain from carrying out indiscriminate attacks against the civilian population and civilian or protected installations;
- d) Accelerate the implementation of commitments made by SPLA and SPLM/A in Opposition to take measures to prevent and respond to conflict-related sexual violence, including through the establishment of accountability mechanisms to address sexual violence and to provide comprehensive assistance to survivors of sexual violence and reparations;

- e) Allow unhindered access for humanitarian assistance and human rights monitoring and investigations in Yei and the surrounding area; and
- f) Cooperate fully with national, regional and international investigations related to grave human rights violations and abuses committed in and around Yei, including conflict-related sexual violence.

77. To Members of the International Community, particularly the United Nations, IGAD and the African Union:

- a) Advocate for an urgent cessation of hostilities and compliance with obligations under international human rights law and international humanitarian law, particularly regarding the protection of civilians;
- b) Contribute to the promotion of accountability for crimes committed in South Sudan by, among other things, supporting the African Union's efforts for the establishment of the Hybrid Court for South Sudan;
- c) Continue to support UNMISS in carrying out its mandated tasks, particularly those that relating to the protection of civilians and human rights monitoring;
- d) Advocate for UNMISS to be allowed unhindered access for human rights monitoring and investigations, and unrestricted access for humanitarian assistance in all parts of the country;
- e) Support the Commission on Human Rights in South Sudan⁴⁷ which has a mandate, *inter alia*, to monitor and report on the human rights situation, to provide guidance on transitional justice, and to collect and preserve evidence of alleged gross violations and abuses of human rights and related crimes.

⁴⁷ Established by the Human Rights Council in resolution 31/20, further information available at: <http://www.ohchr.org/EN/HRBodies/HRC/CoHSouthSudan/Pages/Index.aspx>