‘WE ARE STILL RUNNING’

WAR CRIMES IN LEER, SOUTH SUDAN

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First published in 2016
by Amnesty International Ltd
Peter Benenson House, 1 Easton Street
London WC1X 0DW, UK

Index: AFR 65/4486/2016
Original language: English
Printed by Amnesty International,
International Secretariat, UK

amnesty.org

Cover photo: *A home, burnt and looted by government and pro-government forces, Gandor payam, Leer county, South Sudan, 8 February 2016. © Amnesty International*

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1. EXECUTIVE SUMMARY

With 16 payams and 48 bomas, Leer county is the most densely populated (estimated population of 105,000 and an area of 1,612 km2) county in Unity State. © Amnesty International

In August 2015, after more than 20 months of intermittent negotiations, South Sudan's warring parties finally agreed to the terms of a peace agreement—the Agreement on the Resolution of the Crisis in South Sudan (ARCSS). Despite this agreement, fighting continued in several parts of the country, and along with it a number of violations of international humanitarian law including murder and/or directing an attack against the civilian population or an individual civilian, sexual violence, slavery and sexual slavery, and destruction of civilian property, including food and other items needed for survival. This report describes events in Leer county, Unity state, between August and December 2015, where government forces violated their obligations under international humanitarian and human rights law. No process has been undertaken to identify and hold responsible parties to account and critically, some violations are ongoing as abducted women and girls continue to be deprived of their liberty in conditions that amount to slavery and sexual slavery.

Amnesty International's research indicates that government forces and allied militias attacked villages held by opposition forces from late August 2015 through to December 2015. During the attacks, they unlawfully killed civilians including children, pregnant women and nursing mothers, the elderly, and persons with disabilities. In most cases, residents of Leer county told Amnesty International that to their knowledge there were no fighters or other military objectives in the villages when they were attacked. Civilians were killed in their homes, while fleeing, and in some cases were killed while in the custody of government forces. During

the attacks government forces appeared in particular to target civilians who were running away with their cattle. In many cases these forces interrogated civilians about where cattle were being kept, suggesting that looting cattle may have been a key motivation for these attacks. While Amnesty International was not able to verify the exact motive, residents stated that they believed government officials used the promise of cattle as a way to recruit men to fight with them. Women and girls also were considered war bounty—property of the attacking fighters to be taken by these forces. Scores of them were abducted, held against their will, repeatedly sexually assaulted, and forced to work for government and pro-government forces, violations that amount to slavery and sexual slavery. The attacks and accompanying violations were widespread, as well as systematic.

In 123 cases documented by Amnesty International, men, women, and children were killed by government forces and allied militias while fleeing or hiding from attackers. In addition, one child was burnt alive in his home, and 13 elderly or disabled persons were shot dead in their villages or burnt alive, in many cases because their advanced age or disability made them unable to run away. These murders and/or directing an attack against the civilian population or an individual civilian took place in the context of other violations including slavery, sexual slavery, and sexual violence.

Amnesty International spoke to 26 women and girls who said they were abducted by government forces or pro-government militias during attacks from August 2015 through December 2015. The women and girls were typically abducted in groups ranging from a few to around 100 or more captives. The vast majority of the women and girls who spoke to Amnesty International said they were forced to work for their captors including by milking cows, fetching water, making food, and carrying looted goods. Eighteen of the women and girls who were abducted and held against their will said that they were raped by government or pro-government forces. Six others said that while they were not raped, they saw other abducted women and girls being raped. In one of these cases, a woman said that government forces attempted to rape her but that she was able to resist. Amnesty International also documented the execution of six women and girls in government custody, in some cases for attempting to escape or refusing to be raped. In addition, 12 other witnesses told Amnesty International about the slavery, sexual slavery and/or sexual violence of others.

Multiple interviewees told Amnesty International that they knew women or girls who were abducted and who still had not returned home. In February 2016 the commissioner of Leer county acknowledged to Amnesty International that some women and girls continued to be held by their captors.

In addition to the attacks directed against civilians documented in this report, witnesses and victims told Amnesty International researchers that government forces and allied militias intentionally destroyed and stole civilian property.

In the vast majority of cases, the witnesses who spoke with Amnesty International researchers described the assailants as government soldiers dressed in Sudan People's Liberation Army (SPLA) uniforms accompanied by militias from Mayom and Koch counties. In some instances witnesses told Amnesty International the assailants' names as well as those of their commanding officers. Amnesty International has shared these names with the government of South Sudan and urged them to further investigate the allegations against these individuals.

This report describes these attacks on the civilian population in detail. The attacks involved government soldiers, and took place regularly for months across the county impacting on the security of all of the residents in the attacked areas. Government forces repeatedly targeted villages for attack absent any military objectives, and in the limited cases Amnesty International documented in which fighters were present in villages under attack, government forces did not limit the attack to these fighters but rather targeted the village as a whole.

The murders and/or directing an attack against the civilian population or an individual civilian, slavery, sexual slavery, and sexual violence committed by government soldiers and allied militia fighters appear to have been perpetrated as part of a systematic as well as widespread attack against the civilian population and therefore may amount to crimes against humanity. While Amnesty International did not obtain evidence of an express policy to direct attacks against the civilian population, the International Criminal Court has stated that the existence of a state or organisational policy may be inferred from the situation. In the context of the attacks in South Sudan it is arguable that the crimes were deliberately directed against the civilian population by these government armed forces in accordance with an organisational policy.

Amnesty International has found that the deliberate destruction of civilian property described in this report is also unlawful under international humanitarian law, which prohibits the destruction or seizure of the property of an adversary, unless required by imperative military necessity. Punitive destruction of property on the basis of suspected political affiliation or on grounds of ethnicity or other discriminatory grounds also violates the prohibition of collective punishment.

Amnesty International has found that the attacks on civilian property, and in particular on shelters and the food supply documented in this report were widespread and systematic and appeared to be part of a government policy to force civilians to leave their villages.

International humanitarian law prohibits the forced displacement of civilians during non-international armed conflicts except for their own security or for imperative military reasons. The systematic and widespread forced displacement of a civilian population as documented in this report may also amount to crimes against humanity.

Amnesty International has found that the attacks on civilian property in this report, and principally on food sources also had the effect and appear to have been intended to make the civilian population living under opposition control food insecure, another form of collective punishment. Starvation of civilians as a method of warfare is a war crime.

Some of the violations documented in this report, including the slavery and sexual slavery of women and girls, appear to be ongoing.

The violations documented in this report reveal a total disregard for human life and highlight the urgency of thorough criminal investigations and the need to end the culture of impunity that creates a context in which such acts are perpetrated without any fear of repercussion.

Amnesty International urges the African Union Commission to urgently move forward in establishing the Hybrid Court for South Sudan (HCSS) in a format that complies with international law as set out in the ARCSS. The Transitional Government of National Unity should also prioritise the immediate release of abducted women and girls and should provide effective assistance for their return and rehabilitation.

2. METHODOLOGY

This report is based on field research that Amnesty International conducted in January and February 2016 in Unity state, South Sudan.

Amnesty International researchers requested and received permission from the South Sudanese government to enter South Sudan and travelled without restriction to areas of interest for the research, including Leer town, Thonyor, Guat, Gandor, Adok, and Ding Ding payams in Leer county, the islands of Toch Reah and Toch Thiel, also in Leer county, and the UNMISS Protection of Civilians (PoC) site in Bentiu.

Amnesty International interviewed 71 people, including 26 women and girls who were abducted and three representatives of the South Sudanese government in Leer for this report.

All interviews with victims and witnesses were conducted in private, without any representatives from the South Sudanese government or opposition forces present, and without any interference. Amnesty International researchers were careful not to interview any women or children who had already been interviewed by others regarding their abduction or rape. Amnesty International informed victims of sexual violence of any accessible health facilities and urged them to seek medical care.

Information that would identify victims and witnesses has been removed for their security, including their names, and in some cases details about what they saw, knew, or experienced. Pseudonyms have been used in all cases.

Most of the witnesses who spoke with Amnesty International researchers could not recall the exact date on which the violations took place. They did, however, give a general time period for the violations described in this report.

On 22 June 2016, Amnesty International provided a summary of its preliminary findings to officials of the South Sudanese government, seeking their input regarding the violations of international humanitarian law documented in the report and informing them of specific government officials who witnesses and victims identified as directly responsible for war crimes and for commanding operations during which war crimes and crimes against humanity were allegedly committed.

Amnesty International wishes to thank all those who contributed information and otherwise supported the production of this report.

3. BACKGROUND

THE CONFLICT AND THE PEACE AGREEMENT

On 15 December 2013, a political dispute within South Sudan's ruling party, the Sudan People's Liberation Movement (SPLM), escalated into an armed confrontation in Juba between forces loyal to President Kiir and those loyal to Dr Riek Machar. By the end of 2013, violence had spread to Jonglei, Unity and Upper Nile states.

Both government and opposition forces have committed serious violations of international humanitarian law and serious violations or abuses of international human rights law during the fighting, with a devastating impact on civilians. Thousands of people have been killed and entire towns and villages are in ruins. Over 2.3 million South Sudanese have fled their homes since the outbreak of fighting, with some 1.7 million internally displaced and another 600,000 living in neighbouring countries as refugees. An estimated 2.8 million people—close to one quarter of the population—are facing acute food and nutrition insecurity.[1]

In August 2015, after more than 20 months of intermittent negotiations, South Sudan's warring parties and other stakeholders signed the Agreement on the Resolution of the Crisis in South Sudan (ARCSS), which provided a framework for the parties to end hostilities and share power.[2] In April 2016, Dr. Riek Machar, chairman of the Sudan Peoples' Liberation Movement/Army-In Opposition (SPLM/A-IO), returned to Juba, the capital of South Sudan, and was sworn in as First Vice-President of South Sudan's new Transitional Government of National Unity (TGoNU).[3] This marked an important step in the implementation of the agreement.

The ARCSS addresses political, economic, constitutional and humanitarian issues. It also includes a chapter on transitional justice, which provides for the establishment of a Hybrid Court for South Sudan (HCSS) by the African Union Commission, and a Commission on Truth, Reconciliation and Healing (CTRH) and a Compensation and Reparations Authority (CRA) by the South Sudan Transitional Government of National Unity. At the time of writing, the African Union and South Sudan's Transitional Government of National Unity had not yet established these bodies.

LEER COUNTY, SOUTHERN UNITY STATE

Central and southern areas of Unity state have experienced some of the most brutal violence in South Sudan's conflict. Leer county—the home county of Dr. Riek Machar and the focus of this report—has been subjected to attacks on numerous occasions since the outbreak of the conflict in December 2013, with intense fighting between February and April 2014 and between April and December 2015.

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[1] United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Humanitarian Bulletin: South Sudan*, 10 February 2016, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/160210_OCHA_SouthSudan_humanitarian_bulletin.pdf (accessed 22 July 2016)

[2] Agreement on the Resolution of the Crisis in South Sudan (ARCSS), available at: southsudan.igad.int/index.php/91-demo-contents/news/299-agreement-on-the-resolution-of-the-conflict-in-the-republic-of-south-sudan (accessed 22 July 2016). Riek Machar, leader of the SPLM/A-IO, signed the agreement on 17 August 2015 while President Salva Kiir signed the agreement on 26 August 2015.

[3] Sudan Tribune, "Machar sworn-in as South Sudan's First Vice-President," 26 April 2016, available at: http://www.sudantribune.com/spip.php?article58775 (accessed 22 July 2016)

In the first month of the conflict, government and opposition forces battled for control over Bentiu, the capital of Unity state. Opposition forces gained control over Bentiu on 21 December 2013 but were defeated by government forces that entered and retook Bentiu on 10 January 2014. Members of the SPLA loyal to President Kiir were joined by forces of the South Sudan Liberation Army (SSLA), an armed opposition group which had recently accepted amnesty from the government and whose troops were awaiting integration into the SPLA.[4] Elements of the Sudanese armed opposition group, the Justice and Equality Movement (JEM), also joined in the fighting. After taking control of Bentiu, government forces advanced into the southern areas of Unity state.

Despite the signing of a cessation of hostilities agreement on 23 January 2014, government and allied forces continued to advance south, reaching Leer county by 31 January. During their attack on Leer town, they committed serious violations of international humanitarian and human rights law including targeted killings, rape, and looting, burning and destruction of civilian homes and humanitarian supplies and infrastructure. Residents of Leer town fled into surrounding areas, and government forces pursued them, killing and raping people they found and attacking other villages.[5] A UN satellite image of Leer town in early February 2014 showed 1,556 burnt or otherwise destroyed homes and 26 destroyed commercial buildings.[6] According to the SPLM/A-IO Relief and Rehabilitation Agency (RRA), 6,323 households were burnt in Leer county while government forces were in control.[7]

Opposition forces recaptured Leer county in April 2014 and government forces retreated north. For the next 12 months the SPLM/A-IO maintained control of Leer county, as well as the other southern Unity state counties of Mayendit and Panyijiar. During this period there was relative stability in the area, and displaced residents returned to Leer town from hiding.[8] By May, humanitarian organizations, including Médecins Sans Frontières (MSF) and the International Committee of the Red Cross (ICRC), began to resume activities in Leer town.[9] During this period the SPLM/A-IO formalized its political administration in southern Unity state and recruited heavily, particularly starting in February 2015, in anticipation of intensifying hostilities.[10]

At the end of April 2015, the government commenced a robust offensive against opposition-controlled areas of Unity state. Government soldiers, supported by allied militias from Mayom county, first attacked villages in Koch, Rubkona and Guit counties, before continuing south and attacking Leer and Mayendit counties, supported by militias from Koch.[11] Between April and December 2015, government and allied forces set entire villages on fire, beat and killed civilians, burnt people alive, committed acts of sexual violence and abducted women and children. They also looted property and livestock, particularly cattle, which are a primary source of nutrition and also have significant economic and cultural value.

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[4] Sudan Tribune, "South Sudan integrates former rebels into regular army", 29 November 2013, http://www.sudantribune.com/spip.php?article49006 (accessed 22 July 2016)

[5] UNMISS, Conflict in South Sudan: A Human Rights Report, May 2014, p. 46-47, available at: http://unmiss.unmissions.org/Portals/unmiss/Human%20Rights%20Reports/UNMISS%20Conflict%20in%20South%20Sudan%20-%20A%20Human%20Rights%20Report.pdf (accessed 22 July 2016); Amnesty International, *Nowhere Safe: Civilians under Attack in South Sudan,* May 2014 (Index: AFR 65/003/2014), p. 13, available at: https://www.amnesty.org/en/documents/AFR65/003/2014/en/; International Crisis Group, *Sudan and South Sudan's Merging Conflicts*, January 2015, p. 11-12, available at: http://www.crisisgroup.org/~/media/Files/africa/horn-of-africa/south%20sudan/223-sudan-and-south-sudan-s-merging-conflicts.pdf (accessed 22 July 2016)

[6] UNOSAT, Destruction in Leer, Unity State, South Sudan, 7 February 2014, available at: http://unosat-maps.web.cern.ch/unosat-maps/SS/CE20131218SSD/UNOSAT_A3_LeerAnalysis_Portraitopt.pdf (accessed 22 July 2016)

[7] Nonviolent Peaceforce, *Capacities and Vulnerabilities Assessment, Leer Town, Leer County, Unity State,* June 2014, p. 5, available at: http://southsudanhumanitarianproject.com/wp-content/uploads/sites/21/formidable/Nonviolent-Peaceforce-Capacities-_-Vulnerabilites-Assessment-Leer-Country-2-to-6-June-2014.pdf (accessed 22 July 2016)

[8] Nonviolent Peaceforce, *Capacities and Vulnerabilities Assessment, Leer Town, Leer County, Unity State*, June 2014, p.5.

[9] Nonviolent Peaceforce, *Capacities and Vulnerabilities Assessment, Leer Town, Leer County, Unity State*, June 2014, p.6.

[10] Small Arms Survey, *The Conflict in Unity State: Describing Events through 9 April 2015,* p. 3, available at: http://southsudanhumanitarianproject.com/wp-content/uploads/sites/21/formidable/HSBA-Conflict-Unity-April-2015.pdf (accessed 22 July 2016)

[11] UNMISS, *The State of Human Rights in the Protracted Conflict in South Sudan*, December 2015, para. 18, available at: http://unmiss.unmissions.org/Portals/unmiss/Human%20Rights%20Reports/Human%20Rights%20Update%20Report%20of%204%20December%202015%20(final).pdf (accessed 22 July 2016)

Cattle scarce in opposition controlled parts of Leer county, in Leer town, Leer county, South Sudan, 12 February 2016. © Amnesty International

Humanitarian organizations estimate that between May and early December 2015, 1,200 civilians were killed, 1,430 raped, and 1,630 abducted in Leer, Koch and Mayendit counties.[12] The Office of the Deputy Humanitarian Coordinator for South Sudan estimated that between November 2014 and November 2015 there were 7,165 deaths due to violence and another 829 from drowning in 24 communities in Unity state alone.[13]

In its March 2016 report, the Office of the High Commissioner for Human Rights (OHCHR) stated that "[t]he overwhelming majority of civilian casualties [in South Sudan] appear not to be the result of actual combat operations, but rather the result of deliberate attacks on civilians." [14] And further that "[a]llegations of rape, sexual assault, abduction of women and girls and sexual slavery were documented in virtually all conflict-affected regions," and that "the sheer number of allegations and the brutality of the violations suggest that rape and other forms of sexual violence were widespread or systematic, committed with impunity and perpetrated to instill terror within civilian communities perceived to support an opposing side."[15] OHCHR has concluded that these violations may amount to crimes against humanity.

As a result of these violations and the ensuing loss of livelihoods, thousands of people were forced to flee in search of safety, protection and assistance. Many fled into forests, islands and swamps and to Panyijiar county in southern Unity state. Others took refuge in the United Nations Mission in the Republic of South Sudan (UNMISS) Protection of Civilians (PoC) site in Bentiu, which by December 2015 sheltered over 106,000 internally displaced people.[16]

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[12] South Sudan Protection Cluster, *Protection Situation Update: Leer County, Southern Unity (October-December 2015)*, available at: http://reliefweb.int/report/south-sudan/protection-situation-update-leer-county-southern-unity-october-december-2015 (accessed 22 July 2016)

[13]The Office of the Deputy Humanitarian Coordinator in South Sudan, *Crisis Impacts on Households in Unity State, South Sudan, 2014-2015,* p. 6, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/160202_Crisis%20impacts%20on%20households%20in%20Unity%20State_SS.pdf (accessed 22 July 2016)

[14] Office of the United Nations High Commissioner for Human Rights, Assessment mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan: detailed findings, 10 March 2016, para. 143, available at http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A-HRC-31-CRP-6_en.doc#sthash.HQjvucnm.dpuf (accessed 22 July 2016)

[15] Ibid at para. 161.

[16] UNMISS Update, 15 December 2015, available at: https://unmiss.unmissions.org/Portals/unmiss/UNMISS%20Update/2015/December%202015/15-12-%20Update%20No.%20104.pdf (accessed 22 July 2016)

In early December 2015, humanitarian actors returned to Leer town and Thonyor. In November 2015, UNMISS established a Temporary Operating Base in Leer town and by December, 80 troops were stationed there. Peacekeepers conducted patrols along the main roads in Leer town. UNMISS and the Intergovernmental Authority on Development (IGAD) hosted a peace conference in Leer county between parties to the conflict in early December.[17] According to observers, these factors all contributed to the subsiding of hostilities and a return of relative calm.[18]

When Amnesty International visited Leer town in February 2016, it remained under the control of government forces, who had established their base in the former compound of the Comboni Catholic Church, and the vast majority of civilians from the area had not yet returned.

[17] South Sudan Protection Cluster, *Protection Situation Update: Leer County, Southern Unity (October-December 2015)*, p. 3; Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), Report on Violations and Confidence Building Measures in Unity State, 18 December 2015, available at: http://www.jmecsouthsudan.com/uploads/CTSAMM%20V054.pdf (accessed 22 July 2016)
[18] South Sudan Protection Cluster, *Protection Situation Update: Leer County, Southern Unity (October-December 2015),* p. 3

4. MURDERS OF CIVILIANS

Information gathered by Amnesty International researchers indicates that government forces and allied militias attacked villages held by opposition forces during late August 2015 through December 2015 in Leer county. They unlawfully killed civilians, including children, pregnant women and nursing mothers, elderly, and people with disabilities. Civilians were killed in their homes, while fleeing, and in some cases while in the custody of government forces or allied militias. These murders and/or directing an attack against the civilian population or an individual civilian took place alongside other violations including slavery, sexual slavery and sexual violence, and targeted attacks against civilian property. In all cases, witnesses who spoke with Amnesty International researchers described the assailants as government soldiers wearing SPLA uniforms or members of militias from Mayom or Koch counties. In the vast majority of cases, witnesses described both government soldiers and militia members carrying out attacks together.

KILLING CIVILIANS WHILE FLEEING OR HIDING

Residents of Leer county described a regular pattern of targeted attacks against fleeing civilians during attacks by government forces on villages in opposition-held areas between August 2015 through December 2015. According to local residents the vast majority of these attacks took place absent any legitimate military targets or personnel in the vicinity. During these raids government forces appeared to target in particular civilians who were running away with their cattle. In many cases these forces also interrogated civilians about where cattle were being kept, suggesting that stealing cattle may have been a key motivation for these attacks. Residents told Amnesty International that they believed government officials used the promise of cattle as a way to recruit fighters. In 123 cases documented by Amnesty International, men, women, and children were killed by government forces and allied militias while fleeing or hiding from attackers in Adok, Guat, Gandor, and Payak payams, and Toch Reah and Toch Luali islands. Most of the victims were men and boys; rather than killing women and girls, in many cases government forces and allied militia abducted, raped, and forced them to work.

ADOK PAYAM

Ninrew, 44, from Adok, told Amnesty International that government forces attacked Adok and the surrounding villages numerous times in August, September, October and November 2015. During an attack in late August, an SPLA barge also came up the river and shelled Adok town, while government soldiers simultaneously entered the village on foot and attacked. A man Ninrew knew by name, was shot in the head and killed by government forces during this attack.[19]

[19] Amnesty International interview in South Sudan, 6 February 2016.

Nyalok, a woman from Adok, told Amnesty International that the last attack by government forces she witnessed before fleeing was in October. She said that there were opposition fighters in the village when the government attacked, but that government forces did not limit their attacks to them. Instead, they targeted civilians who were fleeing including a young unarmed man who she saw a government fighter shoot and kill while he was running away. She told Amnesty International:

"The last attack in October came at night. They started burning houses while people were asleep. Some villagers came out and informed others. Then at 3:00 am they started shooting big guns and everyone became aware [of the attack]… When we heard the shooting we ran out to the water, into the swamp. Some soldiers from the IO [opposition], a small group, defended and repelled the attack…Three people were killed in the attack… a trader, a young man…not a fighter [was one of them]. I saw his body where he was killed, and saw when he was taken to be buried. He was shot in the back and the bullet came out of his side. I saw him when he was running, and when they shot at him and he fell down. The people who were running didn't have any guns."[20]

Nyangun, another woman from Adok, said she was present during the same government attack in which the young trader was shot dead, but she believed that the attack took place sometime in November. She said:

"The last attack was in November…they came at night…I ran with my relatives and children to the swamp…some of the attackers were in uniforms of the army of the SPLM and some were not in uniforms. Some were wearing police uniforms and some the mixed color uniform…one man…[the trader] died from shooting. He was [running] behind us. I saw his body when I came back from the swamp. He was shot in the back. The same day 17 [other] people were killed."[21]

Gatdet, a man from Adok, listed the names of the 17 other people—two women and 15 men—killed in the attack, which he also believed took place in November. He told Amnesty International those killed were civilians and that some of them were shot while running, or taken out of their homes and executed, but that one of the women killed, an 82-year-old, was burnt alive in her home.[22]

Nyepiari, a woman from Leer town, told Amnesty International that she was in Thor village in Adok payam in December. She fled there in May 2015. Government forces attacked the village with militia fighters from Mayom county. During the attack she described seeing men from Mayom county kill an unarmed man who was running away. After killing him, the fighters stole his cattle. She said:

"It was in the morning around 10am. People were running because the SPLA were coming. He was shot while running to hide. I was running too because I knew the SPLA were coming. We heard the bullets when the attack started and we began running in a group, we were a big number…[two other men] were also shot that day…After the attack the villagers buried the three bodies in the village. I saw the men shooting…They came and looted cattle and goods…and burnt the houses in the whole village."[23]

She recounted seeing three other men and one boy shot and killed while running who she knew by name.

GUAT PAYAM

Nyagua said she saw one of her relatives, a 20-year-old civilian man, shot dead in Guat village while fleeing during a government attack on the village in September.[24] She said there were no opposition fighters in the village.

Nyekuar is a 28-year-old from Leer town who was displaced to Guat payam headquarters in January 2014. She told Amnesty International that in an attack on the village in late December 2015, she saw three male relatives—one cattle keeper, one student, and one businessman—shot dead by government forces as they fled the village. Nyekuar said the attackers mostly wore military uniforms and were speaking in Nuer and in Dinka. She said she could recognize the Nuer accent as being from Koch county.[25]

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[20] Amnesty International interview in South Sudan, 6 February 2016.
[21] Amnesty International interview in South Sudan, 6 February 2016.
[22] Amnesty International interview in South Sudan, 6 February 2016.
[23] Amnesty International interview in South Sudan, 29 January 2016.
[24] Amnesty International interview in South Sudan, 31 January 2016.
[25] Amnesty International interview in South Sudan, 30 January 2016.

Nyathiik, a 20-year-old woman from Guat village said that Guat was attacked numerous times, including in December 2015 when two of her relatives were killed. She said:

"We have been running for two years. Our crops are all destroyed. We have been killed and raped by armed men… It was not a one-day attack. They came often…The last time they came we were sleeping and then we heard gunshots. Then we ran to the swamp. The whole village ran to the swamp. We stayed there all day and then came back in the evening. [When we came back] we found that they hadn't left. Two of my relatives were killed [when they returned to the village]. My two relatives were the first to arrive [back] in the village. They were shot. When we heard the bullets we ran back [to the swamp]. When we returned [to the village] we found their bodies on the ground."[26]

GANDOR PAYAM

Nyanguot, a woman from Gandor who fled in late November 2015 said the last attack that she witnessed took place early in the morning in November. She said:

"The attackers came from Koch. When they arrived I heard them shooting. When we heard that, we started to run to the bush and to the river. We stayed away for a while and when we came back to check on the village we found… men shot dead… My brother-in-law and two grandsons were killed. Two younger men were killed while running away, an old man was killed in the bush where he was hiding…we collected the bodies and buried them at home…[one of the men] was killed in front of his house. I saw his body and he was shot in the back and head. I saw five bodies of close neighbors…some of the attackers wore black and some wore uniforms."[27]

Nyabile, an elderly woman from Kuerlel village in Gandor payam fled to the Bentiu PoC with Nyakoacloac, one of her daughters, and her grandchildren. Nyabile told Amnesty International that she was shot by a soldier during an attack in December, and subsequently abducted (see below). She said:

"We didn't know they were coming…[The soldiers] arrived and they shot me…in my leg. Then they said that they meant to shoot me in the stomach and that I was lucky. Then they came into our hut and took everything. They said, 'We know the peace has come but we are taking this stuff for ourselves'."[28]

Nyabile and Nyakoacloac provided Amnesty International with a list of eight individuals from their village who were killed during the attack. Nyabile and Nyakoacloac stated that all of the individuals were civilians and that opposition fighters were not present during the attack.[29]

Nyajany fled Gandor village after an attack in the days before Christmas 2015. She told Amnesty International:

"The attackers came early in the morning while people were still asleep. They were from Koch. When they arrived in the village we saw them burn some houses. They began to burn them and when we saw the smoke we knew they had arrived. I was awake when they arrived. I was trying to get the cattle out of the huts with my two sisters. Together we began to collect some property and then we ran to the bush…my child and husband [a trader] were with me…As we were running I saw people get shot. So many were shot. Some were shot dead and others were wounded. My brother… was shot dead. He is around 30 years old. He is a student in 8th grade. I saw him being shot in the back while running away. He was unarmed. I saw several other people shot but I don't know the names… When I came back from hiding I saw nine dead bodies at home and heard that 10 other people were injured…two of the wounded were women and four of the killed were women…we knew the attackers were from Koch… When they [government soldiers] arrived at the village there were youth [men of fighting age] with them…I didn't see the attackers but I heard them speaking when we were hiding and some were speaking Dinka

[26] Amnesty International interview in South Sudan, 1 February 2016.
[27] Amnesty International interview in South Sudan, 31 January 2016.
[28] Amnesty International interview in South Sudan, 1 February 2016.
[29] Amnesty International interviews in South Sudan, 1 February 2016.

and others Nuer. I could tell they were from Koch from the accent."[30]

Halawiya, a woman with nine children from Tai village in Gandor payam recounted that three members of her family were killed in an attack by uniformed soldiers on the village on 27 December 2015. She said:

"You cannot imagine the number of men who came on foot. They were everywhere. They shot randomly…We were at home at night and they came to us. We ran to hide in the river. Everyone hid. They shot [my 10-year-old son] in the river and we hid there all night. They shot my son with his father… They also killed my husband's first wife. We buried all three of them here… Our neighbour was also killed… And my daughter was abducted, but she came back."[31]

Maluth, a father of three from Tai, who was present during the same attack, told Amnesty International that:

"It was early morning, at 5 or 6am. The enemies came. We ran to the river. They shot me and [killed] my brother in the river. And they shot [and killed] my step-mom in her home. Then they caught my sister and my wife and they took them up to the river and raped them. Then they burnt the houses. They stayed the whole day. Then we came back and buried them. They released my wife and sister. Now we are all very sad… They also killed my neighbour."[32]

Nyamot, an elderly woman from Tai village was also present during the attack. She told Amnesty International:

"It was early in the morning. [My husband and I] ran into the bush. [The soldiers] found my husband hiding in the bush. They shot him in the head, in the chest, and in the back… I saw my husband get killed but I kept hiding… Then they left and we buried him."[33]

PAYAK PAYAM

Maluit told Amnesty International that he saw a man shot and killed while he was fleeing during a government attack on Giel village in Payak payam in September. "There were four people killed altogether but I don't know all their names," he said. "They were killed when the attackers arrived; they started to shoot and we started to run. He was shot and killed. I saw him being shot. I was running very close to him but in a different direction."[34] Maluit said that he did not see the attackers but heard that they were from Koch. He said that there were no opposition fighters in the village but they were in Kuidok, Tah, and Toch Reah.

TOCH REAH

Nyewutda, a 31-year-old woman from Toch Reah said that five of her family members and five of her friends were killed during attacks on the island in August and September. She said:

"[On 25 August] when the government [soldiers] came we ran away from Toch Reah. When we were running inside the swamp my two brothers were [shot and] killed in the water. The next day my three cousins were killed [while running between Toch Reah and Thonyor]…Again, during September, when the government forces came, we ran away with our cattle up to Bul. My cattle were taken by the government. Five friends were also killed. We were standing in the water for four days, which is why my toenails fell off…58 people were killed together in Leer [in a container]…We realized that if we went to Leer we would also be killed …Then again we were attacked and we fled to Loth island. When we were running they came and collected women."[35]

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[30] Amnesty International interview in South Sudan, 1 February 2016.
[31] Amnesty International interview in South Sudan, 8 February 2016.
[32] Amnesty International interview in South Sudan, 8 February 2016.
[33] Amnesty International interview in South Sudan, 8 February 2016.
[34] Amnesty International interview in South Sudan, 31 January 2016.
[35] Amnesty International interview in South Sudan, 6 February 2016.

Nyepaar, an elderly woman with six children, who fled to Toch Reah from Dhor Nyiel village in Thonyor payam told Amnesty International that her nephew and son-in-law were both killed during an attack in September. She said:

"My brother's son was killed when we were hiding in the swamp in September… The boy was killed in my hands. We were hiding together… And my daughter's husband was killed where he was hiding [the following day]. It was early morning when government troops attacked us and managed to kill these two relatives. I thought that after the peace agreement was signed there would be peace in the country… We thought things would be better so we came out of swamp. But it was the opposite. It was worse. We don't talk about property anymore. We lost that already. We talk about life. What we need is peace."[36]

In another attack, Nyanhial, a woman from Leer who fled to Toch Reah because of fighting in Leer told Amnesty International that she saw one man killed by government forces on the island at the beginning of September: "He was 18 years old, a civilian, a student in 8th grade. When he heard the shooting at the shore of the river he was trying to run and hide and was shot on the way. I saw him getting shot in his waist and it exited his back…"[37]

Nyatek, a 21-year-old woman who had fled Leer town, fled into the swamps of Toch Reah with her brother-in-law when government forces attacked in October. They were shot at, and her relative killed. She told Amnesty International:

"When the enemies came we hid in swamps, and in the grass. The enemies followed us. I hid myself with my baby. While they were shooting, the bullet came near me and the baby… The second time the enemies came, ten days later, I ran with my husband's brother. I left the baby and ran with my husband's brother. As we were running my husband's brother was shot. He died. I kept running. The enemies took the cattle. I hid in the swamp. I came back around 5pm and buried his body."[38]

Nyatek also named three other men who were killed during the same attack.

Mayien, a 26-year-old man from Leer, described a government attack on Toch Reah in late November 2015 during which 12 people whom he knew were killed. He said the attack happened late at night and that the men, whom he described as civilians, were killed while they were fleeing. Mayien believed the opposition fighters that were in the area knew that the attack was coming because they had fled before government forces arrived. He told Amnesty International that he saw the attackers from a distance and some of them were wearing SPLA military uniforms. He said:

"I was in Toch Reah from May to December 2015. During that time there were several attacks at night and during the day. The last attack was on 27 November…The attackers came at 12am at night. When they arrived in the village they occupied the whole area, distributed themselves around the houses in the village and began shooting. When we heard the gunfire we ran out and they shot at us. They killed my people, those who ran to hide in the bush. We were hiding the whole night and didn't come back until 7pm. We found the village burnt to ashes. The cattle and food in our homes had been taken and we found [many] bodies. There was… a cattle keeper who is around 20 years old. He was running out of his house and was killed close by. He was shot once under his arm. There was…[another man] who is around 40 years old and he was shot in the forehead. He was a farmer and was killed in his house…None of us had known the attackers were coming. Only the 10 [opposition fighters] in the village knew about it. They left without informing the civilians on the island. When the attackers came they only found civilians…the attackers came from Leer…the abducted women told us."[39]

Mayien told Amnesty International about ten other neighbours whose bodies he found when he returned to the village. The dead men were aged from 18 to 40 years old and were all cattle keepers or traders.[40]

[36] Amnesty International interview in South Sudan, 10 February 2016.
[37] Amnesty International interview in South Sudan, 7 February 2016.
[38] Amnesty International interview in South Sudan, 6 February 2016.
[39] Amnesty International interview in South Sudan, 31 January 2016 and 1 February 2016.
[40] Amnesty International interview in South Sudan, 31 January 2016 and 1 February 2016.

TOCH LUALI

Nyamai, from Leer town, said she was abducted from Toch Luali during an attack there in September and described seeing two men killed while fleeing during the same attack. "[The first man] was killed while running with no weapon, he is a civilian and is 30 years old…[The second], a 25-year-old student, was also shot while running. I saw him in the bush. He was killed the same day I was abducted."[41]

Nyalude, an elderly woman from Thonyor who fled to Toch Luali in September said that one 15-year-old boy and one 75-year-old man were both killed when government forces attacked the village. "[The boy] was killed because he came back to check on his mother," she said. The elderly man was found dead in the swamp where the villagers were hiding.[42] Nyalude said that some of the attackers were wearing uniforms and some were in civilian clothing, and that there were no IO fighters present during the attack.[43]

KILLING CHILDREN

Amnesty International researchers spoke with witnesses who described the killing of children by government soldiers and allied militias. Children were shot while fleeing or hiding and in one case a witness said that a child was burnt alive by government forces. In some cases, interviewees also described the death of children from drowning while they hid in the swamps and rivers during government attacks. This problem appeared most acute for civilians who were hiding from government forces on islands in Leer county. Nyalude, an elderly woman from Thonyor who fled to Toch Luali in September said that many babies drowned while their families were hiding on the island during government attacks in the proceeding months.[44]

The attacks against children documented in this report took place between September and the end of December in four different payams and islands in Leer county. The attacks were led by local government officials and involved government soldiers. The timeframe and varied locations of the attacks suggest that they were not isolated incidents but rather that children were also targeted as part of the government's campaign of attacks against the civilian population. In all cases the children were attacked absent any legitimate military target in the vicinity.

Nyamach fled Ding Ding when government forces attacked the village in September. She left her six-year-old son at home, thinking he would be safer there. But when she returned, she found that he had burnt to death in their home. She told Amnesty International:

"In the beginning, when they came…on 7 September, the rumour was that they had no problem with children. So I left my son at home and went to hide and when I came back I saw that the house was burnt and that my son was burnt inside. He was six years old…they had burnt and looted everything…"

Nyamach said she knew government forces were responsible for her son's death because she saw the fighters as they were coming to the village. Some, she said, were wearing the SPLA uniform and others were dressed in black.[45]

[41] Amnesty International interview in South Sudan, 7 February 2016.
[42] Amnesty International interview in South Sudan, 7 February 2016
[43] Amnesty International interview in South Sudan, 7 February 2016.
[44] Amnesty International interview in South Sudan, 7 February 2016.
[45] Amnesty International interview in South Sudan, 6 February 2016.

One of the homes that government forces burnt to the ground in Ding Ding, Leer county, South Sudan, 6 February 2016. © Amnesty International

Gai, a father from Leer town, fled to Toch Reah after fighting broke out there in May 2015. He told Amnesty International that two of his children along with his wife and mother-in-law were killed by government forces in an October attack on the island. His daughters were 12 and 15 years old. Gai described to Amnesty International how they were gunned down while hiding from government forces in the river. He said:

"We were together when they were killed in Toch Reah …The day before, they [the government forces] had attacked another island. We realized they would come to us so we took the kids and the cattle and hid. Then the government attacked us …We had no weapons… My family was killed inside the water. They were sitting idle and were killed… The fighters were close, like 20 meters away. I hid myself alone but when I heard the shooting…I went back and found them dying because they had been shot. My daughters were shot in the back and chest, and my wife in the head, her mother in the armpit…two other people were killed with them, one boy, and one pregnant woman…their bodies were next to those of my family. The pregnant woman was shot in the back…The attackers [I saw] in Toch Reah were wearing SPLA uniforms. There were around 100 of them."[46]

Gai told Amnesty International that at the time of the attack there were about 20 opposition fighters on Toch Reah island, but that they were not present on the side of the island where his family was attacked and did not come to that side of the island until November.[47]

Nyamile, a woman with children from Leer town, who fled to Adok payam in April 2015 told Amnesty International that she witnessed several government attacks there including one in Na village in October 2015. During that attack her daughter was shot and injured along with two teenage girls and two other children were killed while hiding in the bush. Nyamile said the attack began at around half past nine in the morning. She told Amnesty International:

"When the government forces came into Na, I ran away. I was at home with my children when they came… I ran away with the kids and old women but they [the government forces] came and found us and shot the girls. [My nine-year-old daughter] was in front of me. We were hiding in the bush. She was a few feet away from me. We were eight people hiding…farmers and women and young boys. There were no IO with us…[when the government soldiers found us]…one said, 'Give me your money and clothes or we will kill you.' He

[46] Amnesty International interview in South Sudan, 6 February 2016.
[47] Amnesty International interview in South Sudan, 6 February 2016.

was…wearing…the uniform of government soldiers. There were 12 soldiers altogether…Five were in uniform and the others were in black training clothes. When I said we had no money or clothes, he shot my daughter…The soldier was about 10 meters from my daughter when he shot her. He could see her through the tall grass…he aimed and shot [at her] with a PKM… I [also] saw two other girls being shot, one in the leg and one in the hand. One is around 18 [the one shot in the leg]…The girl shot in the hand was a teenager."[48]

Nyamile saw a young boy and girl shot and killed during the same attack. She said the boy, who was two to three years old, was shot in the leg. She said that a doctor saw her daughter and said she needed to have surgery but that they could not afford one or get to a clinic where it could be done.[49] Amnesty International met the woman's nine-year-old daughter and observed that she had been shot in the foot, that her foot was swollen and that her bones had not set properly.

The lasting scars on Nyamile's daughter's foot after a government soldier shot her, Thonyor, Leer county, South Sudan, 7 February 2016. © Amnesty International

Mot, a man from Leer, also told Amnesty International that in early December government forces attacked Payak payam where he was living at the time and killed at least one child who was fleeing. He said:

"The last attack was on 5 December. It was 8pm and people were sleeping. The forces came and began shooting randomly all over the village until 5am…a 17-year-old regular civilian was killed in the attack. He worked as a trader…When we were running to the river they began shooting at us and I saw him get shot. The next day we found his body being eaten by a hyena. We spent the whole night in the river."[50]

KILLING PREGNANT WOMEN AND NURSING MOTHERS WHO WERE FLEEING OR HIDING

While the majority of the civilians who were killed while fleeing or hiding documented by Amnesty International were men and boys, researchers spoke with several witnesses who also described government forces and allied militias gunning down pregnant or nursing mothers who were running away or hiding

[48] Amnesty International interview in South Sudan, 7 February 2016.
[49] Amnesty International interview in South Sudan, 7 February 2016.
[50] Amnesty International interview in South Sudan, 30 January 2016.

during attacks in August and September 2015 absent any legitimate military objective in the vicinity. They were also targeted as part of the government forces' campaign of attacks against the civilian population.

Nyamalgak is a woman from Leer town with nine children who was displaced to Toch Luali island and then abducted by government forces from there (see below) in an attack in September. Nyamalgak told Amnesty International that she saw a pregnant woman shot dead by government soldiers while she was hiding in the swamp during the same attack. She said: "That day…a pregnant woman was killed. I saw her. She was shot in the back. She was standing trying to hide herself in the water."[51] Nyamai, another woman from Leer said she too saw the same pregnant woman being killed while she was running away and that she was shot in the back.[52]

Nyabiey, a woman from Tai village in Gandor payam also told Amnesty international that during an attack in August her brother's wife, who had just given birth, was shot and killed while she was hiding.[53]

Nyalude, an elderly woman with eight children told Amnesty International that one of her daughters was gunned down in Toch Luali on 10 September while they were trying to escape an attack by government forces. She said:

"[Government forces] came to Toch Luali in September. [My daughter and I] crossed the river while they were shooting guns [at us]. We ran into the swamp. My daughter was shot in the back and she dropped her baby into the water. I picked up the baby from the water… After I came out of the swamp the attackers were about to kill me but an old man intervened and told them not to kill me because the baby would die. The baby is still alive today."[54]

KILLING ELDERLY AND DISABLED CIVILIANS

Eleven witnesses told Amnesty International that during attacks between late August 2015 and January 2016 government forces and allied militias killed unarmed elderly and disabled civilians. In many cases these civilians had remained in the villages because their age or disability inhibited them from running away. In some cases these civilians were shot dead while hiding or still in their villages; in others, they were burnt alive in their homes. The attacks documented took place in seven different villages and on an island.

Nyaluit, a 40-year-old from Leer town who was displaced to Luale village in Guat payam in May 2015 recounted that Luale was attacked multiple times, almost on a monthly basis through December, when she finally fled. During an attack in August she said she saw government forces shoot and kill an elderly man. She said:

"He was coming [back to Luale] from another village when I saw them [government soldiers] begin shooting at him…I saw him being killed. When the soldiers came…we ran to the bush but he was not aware of what was going on because he was coming from a different village…When we came back to the village we saw he had been killed…He was around 70 years old…"[55]

Nyaluit said that some of the soldiers who attacked the village were in military uniform and that others were not. Those who were not in uniform were from Koch and Mayom counties. She was able to tell where they were from, from their accents.[56]

Nyaniit, a woman from Leer town, witnessed her elderly parents being gunned down while they hid from government soldiers during an attack in September on Geer village, in Juong payam. She said:

"My mom was killed in September in Geer village. I was with her and father, who was also killed. They were killed in the same place. When the government forces came, we ran and hid ourselves. The government soldiers were searching in the bush…My mom and dad were shot while we were hiding together. My dad was shot in the back and my mom in the heart…I was next to them. When my mom was shot I ran with my child and left her

[51] Amnesty International interview in South Sudan, 7 February 2016.
[52] Amnesty International interview in South Sudan, 7 February 2016.
[53] Amnesty International interview in South Sudan, 1 February 2016.
[54] Amnesty International interview in South Sudan, 7 February 2016.
[55] Amnesty International interview in South Sudan, 29 January 2016.
[56] Amnesty International interview in South Sudan, 29 January 2016.

behind…They are old. I was trying to look [at what was happening] and saw shooters, some of them wearing uniforms and some not. The ones not in uniform were wearing black shirts and pants. The uniform was the one for President Kiir."[57]

In July 2015, Nyateny fled Thor village in Adok payam to Guong island. She told Amnesty International that her father was burnt alive in his home in Adok by government forces during a September attack on the island. During the attack, she and other villagers fled to the swamp and stayed there from around 7am to 7pm. Her elderly and disabled father stayed behind at home because he could not run. She said:

"When we returned to the village, we found it empty and the house destroyed. It was burnt because my father was inside. When the government forces came in shooting guns, we couldn't take dad. But we could see what the soldiers were doing to him [from where we were hiding]. We could see father when they burnt the house, it is a plastic house [made with plastic tarps]. There were many soldiers who set the house on fire… They were fighting. Some were saying 'Let's not burn him', and others were saying 'Let's burn him.' They knew someone was in the house… My dad cannot walk. He is very old and disabled…He was around 80 years old."[58]

Residents told Amnesty International that another elderly woman, Nyejuol Rueth, was also burnt alive in her home in Adok.

During an attack in September, Nyemal, a young woman from Pinykuer village in Gandor payam, watched her father burn alive in his house while the government soldiers who set the house on fire held her and her sister captive. After her father died, the same men raped her and her sister. She told Amnesty International:

"[Four men in uniforms] found us at home. They came at night … we were sleeping. [My sister and I] were together with our father… They told me and my sister to come out. They told my father to stay inside, and they burnt him in the house. We watched him burn. They killed our father… Then they took us [along with another girl] to a village called Bieh and raped us… They treated us very badly. Four men used [raped] one woman…Two of the four men abused me. And other two used their guns to threaten me."[59]

According to Nyemal's brother, the incident took place on 26 September.[60]

Nyemal, in front of the home where her father was burnt alive in Gandor payam, Leer county, South Sudan, 8 February 2016. © Amnesty International

Mathur, a 52-year-old father of 15 children, told Amnesty International that his mother and older brother were killed in separate attacks in Tharrup village in Gandor payam on 25 and 27 September respectively. "I

[57] Amnesty International interview in South Sudan, 7 February 2016.
[58] Amnesty International interview in South Sudan, 10 February 2016.
[59] Amnesty International interview in South Sudan, 8 February 2016.
[60] Amnesty International interview in South Sudan, 8 February 2016.

have lost two relatives," he lamented. "They were killed on different days. First they killed my older brother… Our only security is the bush. You can't even [leave the bush] if you see that your own brother has been caught. If you see someone being burnt you can't come out [to stop it] –or they will kill you."[61]

According to Nyewang, a 25-year-old woman, government forces attacked Luale village repeatedly from May 2015 until she left in November 2015. These attacks left the village destroyed, homes burnt, and cattle looted. She said that during the attacks residents would typically flee to the river and hide until the attackers retreated. Nyewang told Amnesty International that during an attack in October an 80-year-old man who was her father's friend, remained in the village and was shot in the home he shared with her father. When Nyewang returned home following the attack, she found him just in front of the house, with at least two gunshot wounds in his chest. She explained that he was not able to run away because his leg was broken. Nyewang told Amnesty International that during the same attack a second elderly man, also around 80 years old, was killed in his house. She said: "We found him in his house. I saw the body. He was shot in the neck one time."[62] Nyewang said that the men that killed him were wearing government military uniforms.[63]

Mayien, a 26-year-old man from Leer town, said that during a government attack on Toch Riah in late November 2015, government forces burnt the home of an elderly woman while she was inside. "She is a very old woman that cannot walk… when we came back from hiding to check on her, we saw her burnt in her home. She was around 70 years old."[64]

Nyajany fled Gandor payam headquarters in the days before Christmas 2015. She recounted that she fled when the attack began and saw many people get shot. When she returned to the village she described seeing an elderly villager who had burnt to death in his home. Nyajany said: "When the attackers came, he [the elderly man] was not able to run because he is an old man…They burnt him in his house. We found him in his house burnt."[65]

According to Marie, in a December attack on Tai village, Gandor payam her relative, an elderly blind woman was burnt alive in her home by government forces. She said:

"The enemy burnt this house with the mother inside…when the fire was out and cold we got a stick and looked for the bones…and buried them here [gesturing toward the grave]. [During the attack] she was crying and saying "I am dying, I am dying."…the old woman was blind. She was alone. No one was with her. The other people went to the swamp to hide themselves. The children ran away. The soldiers knew she was home. I heard them speak to her. When they started burning the house I heard them talking."[66]

Another witness described seeing the attackers wearing civilian clothes and SPLA uniforms.[67]

KILLING CIVILIANS IN CUSTODY

In addition to killing civilians during attacks, government forces also abducted and detained civilians and killed them while in custody. Witnesses described killings of abducted women. These women were made to work for their captors and/or sexually assaulted before being killed. In one particularly egregious case in October 2015 in Leer town, dozens of detained men were killed by suffocation while in government detention.

EXECUTIONS OF ABDUCTED WOMEN

Nyaluit, a 40-year-old woman from Leer town who was displaced to Luale village in Guat payam in May 2015 recounted that during a November attack on Luale village, her sister, a mother of five, was executed. Nyaluit, her sister, and a few other women tried to hide when the government attack on the village began, but they

[61] Amnesty International interview in South Sudan, 8 February 2016.
[62] Amnesty International interview in South Sudan, 29 January 2016.
[63] Amnesty International interview in South Sudan, 29 January 2016.
[64] Amnesty International interview in South Sudan, 31 January 2016 and 1 February 2016.
[65] Amnesty International interview in South Sudan, 1 February 2016.
[66] Amnesty International interview in South Sudan, 8 February 2016.
[67] Amnesty International interview in South Sudan, 8 February 2016.

were discovered and made to carry looted items for the soldiers. Afterwards, Nyaluit's sister was killed. Nyaluit said:

"When we heard them coming we started running to hide. But when they came, they found us and made us carry looted food… When we reached the [soldiers'] destination, they began separating young women from the others and… [shot my sister]…no other women were shot or injured only [her]…When she was killed, I started to cry."[68]

Nyaluit said the soldiers were wearing SPLA military uniforms and that she could tell from their accents that some of the men were from Koch.[69]

Nyaweregak was living in Adok when government forces attacked in November 2015. She recounted that another woman was abducted, raped and killed by government forces.[70] She said:

"[After the attack began] we went to the river. The attackers came and found where she was hiding…but they didn't see the rest of us…They forced her to call out: 'The attackers left, come out,' but we knew she had been taken so we kept hiding ourselves…We heard when she was shot. When we did come out we found her and she was still alive. She told us what happened. She said they raped her before shooting her. She said: 'those people raped me,' and…she asked that we take care of her kids."[71]

The river in Adok payam, Leer county, South Sudan, 6 February 2016. © Amnesty International

Amnesty International interviewed three other women and girls who were abducted and unlawfully held by government or pro-government forces and who witnessed these forces executing other abducted women because they attempted to run away or because they resisted being raped.

Nyasunday, a 21-year-old woman from Leer was abducted on Toch Reah island in late August. She witnessed government soldiers in Leer shoot a girl from Guat for resisting being raped. "I saw her being killed," she said. "This girl was raped by two men. She was tired and refused, and was shot. She was shot in the waist."[72] Another woman who was abducted told Amnesty International that a second girl was executed in Leer town for attempting to run away. "In Leer, the soldiers shot a girl in the head who was trying to escape…I saw her being shot," she said.[73]

[68] Amnesty International interview in South Sudan, 29 January 2016.
[69] Amnesty International interview in South Sudan, 29 January 2016.
[70] Amnesty International interview in South Sudan, 29 January 2016.
[71] Amnesty International interview in South Sudan, 29 January 2016.
[72] Amnesty International interview in South Sudan, 10 February 2016.
[73] Amnesty International interview in South Sudan, 10 February 2016.

Another woman, Nyekur, who was abducted in Dar village in Gandor payam in September 2015, witnessed other abducted women being raped and in one case saw two abducted women from Kuidok being killed in Leer by government forces for trying to escape. "There were a lot of other women at the compound [in Leer]," she said. "They killed two women [who were from Kuidok] in front of us. They tried to escape and they caught them and said [to the rest of us] that if you are going to escape this is what will happen to you. Then they ordered the women to stand…and shot them in the chest."[74]

Nyakume, who was abducted and raped in September, also told Amnesty International that her uncle's daughter was killed in Waak, where they were being held, after she refused to be raped. She said:

"The girl who was sacrificed [killed] refused to be raped so she was killed… I was just a few feet away when it happened. It happened after I was raped… She was shot in the back of the head after they tied up the cows…They told her that if she refused to be raped they would kill her as sacrifice."[75]

THE CONTAINER INCIDENT: DEATH IN DETENTION

Between 20 and 23 October 2015 South Sudanese government forces detained dozens of individuals, primarily men, but also some boys, in at least one shipping container on the grounds of the former Comboni Catholic Church compound in Leer town, Unity state, causing their deaths. The compound had been taken over by government forces and was being used as a base by the Leer County Commissioner. Within hours of the arrests, civilians in Leer and from a number of villages in Guat payam went to the Comboni Catholic Church compound to support and intervene on behalf of the detainees. Amnesty International researchers who visited Leer in January and February 2016, were able to compile a list of 62 men and boys killed in the container. Thirty-seven of these victims were identified by multiple interviewees.

According to witnesses, the containers had no air holes or vents and caused detainees held in at least one to die from suffocation while in the custody of the government forces. Amnesty International has gathered evidence indicating that government forces including the area commander at the time stationed immediately outside the container, and the then-commissioner of Mayendit county and acting commissioner of Leer county, were aware of the detainees' extreme distress and decided to keep them locked inside the container even after some individuals had died.

Amnesty International researchers interviewed 42 people, including 23 who saw the men and boys being forced into the shipping container, saw their dead bodies removed from the container, or who visited the site where government forces dumped the corpses. Amnesty International also interviewed a senior government official with knowledge of the incident.

In a report dated 19 December 2015, the Ceasefire Transitional Security Arrangement Monitoring Mechanism (CTSAMM), the body responsible for reporting on the implementation of a permanent ceasefire, stated:

Between 20 and 22 October 2015 a group of Government Forces were involved in some sort of operation in Leer County, during which… about 50 people (reports vary between 53 and 60) were rounded up and put in a shipping container in Leer. The container is in the compound used by the government forces as headquarters.

A large number of these people suffocated. Their bodies were taken and thrown in the bush along the Gandor road. Many of the bodies were recovered by their families.

The monitors, however, did not identify the individuals responsible for the act. They recommended "that some sort of commission of enquiry is established to fully investigate the incident."

Amnesty International is urging a prompt and independent investigation into the killings and for the

[74] Amnesty International interview in South Sudan, 8 February 2016.
[75] Amnesty International interview in South Sudan, 30 January 2016.

perpetrators to be brought to justice through fair trials not subject to the death penalty.

For an in-depth description and analysis of this attack, see *'Their Voices Stopped': Mass Killing in a Shipping Container in Leer, South Sudan.*

5. SLAVERY, SEXUAL SLAVERY, AND ILL-TREATMENT

Amnesty International spoke to 26 women and girls who said they were abducted by government forces or allied militias, and unlawfully held against their will during attacks between August 2015 through December 2015. Women and girls appeared to be considered war bounty—property of the attacking fighters to be taken — by these forces. The women and girls said they were typically abducted in groups ranging from a few to around 100 or more. Humanitarian organizations estimate that between May and early December 2015, 1,430 civilians were raped and 1,630 abducted in Leer, Koch and Mayendit counties.[76] The vast majority of the previously abducted women and girls who spoke to Amnesty International said that while they were being held against their will they were forced to work for their abductors including by milking cows, fetching water and firewood, cooking, and carrying looted goods for long distances on foot. Eighteen of the abducted women and girls said that they were also raped by government forces and allied militias. The vast majority of women who were raped were raped multiple times, in many cases by more than one perpetrator. Many of them were also beaten, including with sticks, and complained of persistent physical pain long after their abduction ended.

In several cases victims and witnesses to rape and abduction interviewed by Amnesty International said that they knew other women or girls who were abducted and had not returned home. In February 2016 the commissioner of Leer county at that time told Amnesty International that some women and girls continued to be held by their captors.

The extent of these violations against women and girls living in SPLA/IO-held areas in Leer county was so widespread that one local NGO worker described the impact on these communities as "a community wide trauma". These violations have shaken family and community relationships. In some cases abducted women have blamed their male relatives for abandoning them and "allowing" them to be taken and raped, while male relatives have blamed women and girls for "allowing" themselves to be taken and raped. Victims of rape and sexual violence included young unmarried girls, nursing mothers, and older women. Unmarried girls who lost their virginity as a result of the rapes felt shame and uncertainty about whether future husbands would "forgive" them for sleeping with the enemy. Nursing mothers who were separated from their children during their confinement could no longer breastfeed and in some cases fell ill. They and elder women said that they felt a particular affront at being assaulted given their status and age respectively. In other cases witnesses said that abducted women and girls had returned pregnant, although Amnesty International was unable to verify any specific cases. Women who bear children as a result of abduction and rape will likely face economic, social, and psychological challenges raising children whose fathers are not

[76] South Sudan Protection Cluster, *Protection Situation Update: Leer County, Southern Unity (October-December 2015)*, available at: http://reliefweb.int/report/south-sudan/protection-situation-update-leer-county-southern-unity-october-december-2015 (accessed 22 July 2016)

present. Meanwhile, survivors are left with very few treatment options for physical and psychological consequences of these violations. The vast majority of women and girls were unaware of the limited health services that were available to them or of the importance of seeing a physician following a rape.

HARROWING ACCOUNTS FROM SURVIVORS

Amnesty International spoke with 26 women and girls who had been abducted by government and allied forces. In the vast majority of the cases they were forced to work in conditions that amount to slavery and in 18 of the cases they were raped in conditions that amounted to sexual slavery. These violations took place within a context of other violations perpetrated against these women and girls by government forces and allied militias including the murder of their relatives, destruction and theft of their property, beatings and other ill-treatment.

All of the victims identified the perpetrators of their assault as government soldiers or allied militia members. The violations perpetrated against them are excerpted below, in their own words.

ABDUCTION, ILL-TREATMENT, RAPE BY MULTIPLE PERPETRATORS, SLAVERY AND SEXUAL SLAVERY

ELIZABETH, 30, ABDUCTED ON TOCH REAH ISLAND IN OCTOBER 2015

"I was captured in October and taken to Yang payam, Dhor Nyduok village, where they were gathering cattle…The attack started at 6am…we went to the swamp and they followed us. They found us around 8am…and at 10am they took us to Yang. When I was captured I was in the swamp…they got me and took me out to Yang. They tied me with clothes and raped me after tying me. When we were taken, we were about four. One woman was raped by seven men…Some soldiers were wearing the uniform with mixed colours and some were wearing grey. All of them were in uniform. About 30 men found us. When they found us they beat us. They left the kids in the swamp and brought us five women out of the swamp. I was beaten on the back. My body is still not feeling well…they hit us with sticks and their hands. There were so many women. I knew the four women I was with but in the island people come from different payams. We didn't know one another...A woman who was captured with us has a small baby. The soldiers put the baby down and raped the woman and broke her left arm. They were beating her terribly. Now I am not feeling well. It had been a long time since I slept with a man [my husband is deceased] and I am old. When the government came and raped me it harmed me very much. Before I had forgotten sex and now I am bleeding.

> **"Seven men raped me in Yang. All were wearing uniforms."**

Seven men raped me in Yang. All were wearing uniforms. I was in Yang three days. For three days I was sleeping with them. If someone felt like sex…they would use you. They used us to cook, fetch water, milk cows, and get firewood.

I did not know where my children were. Early in the morning I escaped. There was shooting and I ran to the grass and swamp. I was not released officially. There were about 80 women. Some girls even up to now have not returned. My daughter was taken and has not come back…She was taken in October before me…She is 15 years old."[77]

[77] Amnesty International interview in South Sudan, 10 February 2016.

REBECCA, 19, FROM THONYOR, ABDUCTED IN SEPTEMBER 2015

"When the enemies came we ran into the swamp. Then they followed us and we were captured [by men in uniforms]…[Many] women and girls were taken to Kuidok. Some are still missing…From Kuidok we continued and slept in Kuoy. When we were sleeping [in Kuoy] we were raped [by the men in uniforms]. The following day we went to Nyalpchang. When we were sleeping [there] we were also sleeping with the enemies…

> **"Three men raped me in two nights."**

Three men raped me in two nights…

Then from there we found a way to escape and came back home… After that the enemies continued coming and they killed my husband in an attack on Toch Reah in October."[78]

NYALOK, ABDUCTED IN ADOK IN SEPTEMBER 2015

"When the government came we ran into the swamp and the water. We all went, women and men with the children. When we went there the government followed us to the swamp. Then they brought the women out with the children. They left the kids in Adok and took the women and girls to Leer [on foot]…

They had taken sorghum, and beds, and clothes. Anything they had taken they gave us to carry…

In Leer they divided us into groups and surrounded us with cattle…they were beating us in Leer. They tell you do this, do this, and beat you. We were forced to stay in one place. If rain came we had to stay outside…

We were there four days...[then we were taken to Koch] and when we continued to Koch they were raping. When we came back from Koch [four days later], there were so many women with babies who were left behind, those young babies died because they weren't there to breastfeed them…Most of the [abducted] did not come back [from Koch]…we don't know if they are in Koch or went to the PoC…

> **"They raped the young women. They made us watch."**

Because some of the fighters are young they didn't rape me. They raped the young women. They made us watch…It wasn't a one-time rape and the problem was there was no medication…

In Koch we were staying out in the open surrounded by cows…

One of the women was raped and then died in Adok. When she came she was sick and then she died not many days after coming back. I saw her raped in Adok and also in Leer…she was raped by 20 men. I am sure of the number…

When we came back from Koch we saw all the houses had been burnt…we started thinking this is the end of the world."[79]

NYAKUME, 36, ABDUCTED IN WAAK VILLAGE IN SEPTEMBER OR OCTOBER 2015

"My husband and two of my children were killed at the same time in the fighting [before the peace agreement was signed]… I gave birth to my two twins while I was [hiding] in the swamp… the attackers returned… two months [after my husband and children were killed]…

They came back and I was taken away and raped by six men... who were waiting in line for the last one to finish.

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[78] Amnesty International interview in South Sudan, 7 February 2016.
[79] Amnesty International interview in South Sudan, 6 February 2016.

And two of my sisters were killed…My child came to see why I was being taken away and the soldiers kicked him and killed him…

> **"My child came to see why I was being taken away and the soldiers kicked him and killed him…"**

After I was raped, I didn't leave [for the PoC] immediately. We used to hide ourselves in the swamp. When we left [for the swamp] we would hide our durra [in the ground] but soldiers sometimes find it and dig it up."[80]

Fleeing violence and starvation, large numbers of Leer county residents have fled to the Bentiu Protection of Civilians camp, 29 January 2016. © Amnesty International

NYAMALGAK, 35, ABDUCTED ON TOCH LUALI ISLAND IN SEPTEMBER 2015

"Even though they've signed the peace agreement, we are still running. I left Leer in May last year and went to Toch Luali island. I travelled there with my family…we left Toch Luali in November and went to Kok island for a month and then came here to Thonyor in December to register for food.

I was abducted by government forces at the beginning of September from Toch Luali, at around 7pm. Many women were taken with me…I was in my hut with my family, my kids. The kids were beaten and I was taken. Government forces wearing uniforms beat the kids...They were all wearing the uniform. I couldn't count them but they were many. My husband had run away before the soldiers came…they were speaking in Dinka.

When they finished beating the kids, they took me and…said 'you go in front of us'. Then they made me have sex with them both in the village and outside the village. They were raping us in a line. Two men raped me in the village.

Some other women were abducted with me but I don't know their names…there were six other women and me…

[80] Amnesty International interview in South Sudan, 30 January 2016.

When we left the village they made us carry clothes, pots, other home items, things for cooking, plastic sheeting…

After we were abducted we were taken to the island Dhor Nyadut…we were there six days. There were seven woman from one island and women from other islands. We were many. We were from Toch Reah, Yang, Bul, Mabeil, Louth, Rom. Dhor Nyadut was their base. The soldiers would go to other islands where there was cattle and women and would bring them back to sleep. For six days I was in Dhor Nyadut. I was mistreated there.

I was raped and beaten and made to cook for them. When the fire was not enough they made me collect wood or would beat me. After all this they took the cattle and me to Koch [on foot]. The same two men raped me that were with me in the beginning.

I never knew their names. They were Dinka from Bentiu. After Dhor Nyadut we went to Leer. They were trying to make me go to Bentiu. We were in Leer two days in the Catholic Church compound…the cattle were around us and we were in the middle. A lot of women were with me. They had us in groups. There were 24 in my group. I don't know how many groups there were. The cattle reached from the Catholic Church compound to the market. There were many cattle. I didn't know the women in my group. The women I know that were taken with me were in a different group…they also mistreated me there.

> **"They forced me to cook, milk cows, fetch water, and I was beaten with a stick…"**

They forced me to cook, milk cows, fetch water, and I was beaten with a stick and the same two men raped me…

The other women in the group were also all raped. They are not only women but girls…

[After that] we went up to Koch. When we arrived in Koch I was beaten. I spent one day there and in the middle of the night I ran away to Leer…my body is still in pain from the beating."[81]

TABISE, 18, ABDUCTED ON TOCH REAH ISLAND IN SEPTEMBER 2015

"They arrived at about 6am. I was at home with my parents. People ran to the swamp but the soldiers followed us. I ran with some girls, my friends, and they found us together and abducted us. We were nine altogether. The men were Nuer and were all wearing SPLM uniforms… They were many but I don't know the number. They beat us with a stick and hit me with a gun in the back of the head. When they used the stick, they would tell us to lie down and they beat us. They beat us in the swamp.

They took us to Leer [on foot]. On the way we stopped in Thonyor for two days. They made us carry the things they had looted, like clothes, food, and other things.

There were many women and girls, some from other places but most from here [Toch Reah]. In Leer they took us to where the cattle are, near the airstrip. We were in an open place with the cattle. There were already women and girls there.

> **"They were harassing us and using us. They were not allowing us to go. We were milking cows, cooking, getting water, washing clothes. I was raped there but not before. Three to five men raped me."**

I was there five days and was raped every day. The men who raped me are soldiers…

[81] Amnesty International interview in South Sudan, 7 February 2016.

I escaped when I was going to fetch water and instead ran into the grass…the girls taken with me were also raped. Some have come home and some have not. I was told the others went to Koch. Only two of the eight have come home…The people who abducted us are from there… [After I escaped] I went to the clinic [run by MSF], I was having stomach problems, pain in my stomach and back, but I didn't tell them I was raped."[82]

NYANIIT, ABDUCTED IN RUPCHAR IN SEPTEMBER 2015

"The Rupchar attack happened at night. We were asleep. When we woke up we were hearing guns and we ran and then were captured by some soldiers around the village. The soldiers were in government clothes. When I was captured I was taken to Leer and then Koch county [on foot]. Three of us were captured together but when they collected all the women and girls we were many…[one of the women captured with me] was a nursing mother. We were many when they gathered us all but I don't know the number. Before we went to Leer we went to Adok then Naak then to Liem and then Piling. They [the soldiers] were going to search for cattle and people and to kill…in every place they would take women and cattle…when we got to Leer the soldiers tried to rape us but we refused and they beat us. In Leer they put us on the airstrip between the Catholic Compound and the Red Cross compound in the middle of the cows. There was a number of women and girls but I didn't know them.

> **"There were about 10 [abductees] in my group…when we are in that place, when they get drunk they take some women and go and beat them and rape them at night."**

…When we left Leer we spent one day in Koch.

In Leer we were milking cattle, preparing food. When you refuse they beat you. They made us carry things to Koch, clothes, non-food items like pots…

When we arrived in Koch we were taken to a place where soldiers were…and they kept us outside. When we arrived there were girls and women there but I didn't speak to them. When I was released I saw them. They were many… after two days I was allowed to go home…my body is still in pain from our beatings."[83]

NYEWANG, ABDUCTED IN LUALE, GUAT PAYAM IN AUGUST 2015

"I was beaten on the back with a big stick in August…after I was abducted… [by about 30 men wearing the SPLA military uniform]. I was with them nine days. They took me to Patit in Mirmir payam [on foot]. They took many women and girls, about 100 of us.

> **"They used us to carry what they had looted from the village and to milk cows. It took us seven days to arrive to Patit and then I spent two days there with them…I was raped there."**

…There were many soldiers there wearing the same [SPLA] military uniform.

…One person raped me [while I was there]. He was short and fat but not too fat…He was a soldier, he wore a uniform, but he was low ranking. It was his father who released me. He told me to go out at 9am. I put on clothes and went."[84]

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[82] Amnesty International interview in South Sudan, 10 February 2016.
[83] Amnesty International interview in South Sudan, 7 February 2016.
[84] Amnesty International interview in South Sudan, 29 January 2016.

NYASUNDAY, 21, ABDUCTED ON TOCH REAH ISLAND IN LATE AUGUST 2015

"I was abducted on 28 August [near Thonyor]…we were nine girls…at 10 o'clock at night, the government came. They were looking for people…we were in Thonyor and tried to flee to the island [Toch Reah]. We met four soldiers on the way.

> **"When we were captured…I was raped by eight people. I was crying and crying"**

…We were in Thonyor for two days and then…they took us to Leer…

From Piling they took us to Leer, to Freedom Square, which is where the football field is. They were dividing us group by group. My group went to the county headquarters, to the office of the commissioner…I was there 10 days…

In Leer I was raped every day, anytime they wanted. Even if you are milking cattle they call the girl inside and sleep with her."[85]

The swamp residents had to wade through between Toch Reah island and Thonyor to escape, which is traversed by boat even during the dry season, 10 February 2016.
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NYAYANG, LATE TEENS-EARLY TWENTIES, ABDUCTED IN PADEAH VILLAGE, GANDOR PAYAM IN LATE SEPTEMBER 2015

"[Uniformed soldiers] came to me at night around 3am. Me and another four girls were staying together…They took us to Kuoth, close by... [where many] women were taken…they raped us in Kuoth…There were also many cattle…"[86]

[85] Amnesty International interview in South Sudan, 10 February 2016.
[86] Amnesty International interview in South Sudan, 8 February 2016

NYANG, ABDUCTED IN KUERNYIEL VILLAGE, GANDOR PAYAM IN SEPTEMBER 2015

"[17] soldiers came early in the morning. They got me in my bed. They came in and beat me… and took me with them to Kuoth... Five men raped me. And they burnt [my house] completely. And also they took my cattle including my goats and sheep. All our sheets and clothing were looted… Then they took me to Leer. I spent one day with them [in Leer], then I came back to my home…

Many women were taken to Leer. Could be hundreds. Not everyone was released, only a few…

Then I left and went back to the village… and took my children and we went to Kuidok... Then men came [two days later] and attacked Kuidok. They found me under a tree. They threatened me and they raped me a second time…

They took me back to Leer again, to the commissioner's compound. Then one man made me his wife and then [two days later] I escaped… We are tired of war. We don't know what to do."[87]

NYAYUET, ABDUCTED IN DING DING IN SEPTEMBER 2015

"There was rape. Rape started after we were captured… When they captured you, they rape you… Three times they raped me. They raped at night… They stayed [in Ding Ding] for one week, looting the cattle. During the day they went out looking for cattle… Then they made you carry property to Leer… I spent four days in Leer. I escaped [with five other women] by telling them I was going to get water…

We were [held] at the headquarters of the [Leer] commissioner…During the four days they made us cook, milk the cows… and at night they used us to sleep with them…

And I saw two women [from Kuidok] killed in Leer because they refused to be raped. They shot them. First they were beating them and then they shot them in front of people."[88]

NYARIEK, ABDUCTED ON TOCH REAH ISLAND IN NOVEMBER 2015

"My daughter's husband was killed where we hid ourselves. We had been hiding in the swamp.

He hid very close to me. And then they shot him… They captured us while we were moving his body.

We were nine women. When they captured us they asked us to stand in one line. They said they were going to kill us and they only wanted to use one bullet. Some of us were holding small babies. Then other men came and asked them not to kill us. Then they beat us and raped us."[89]

ABDUCTION, ILL-TREATMENT, RAPE BY MULTIPLE PERPETRATORS, SLAVERY AND SEXUAL SLAVERY OF GIRLS

KULONG, 15, ABDUCTED IN LUALE, GUAT PAYAM, SEPTEMBER 2015

"They came at 6am in the morning during the September attack. I was at home. I woke up and saw houses on fire and heard shooting. Then I ran to the swamp with my relatives. There were many women and girls. Normally you run as a family. That way in case anything happens to your relatives, you know. My uncle was killed while running… he was a cattle keeper. He was killed while chasing the cattle. I saw him get shot in the head and he fell down. After they killed my uncle they followed us and captured us. The men were wearing soldiers' uniforms, the army uniform. There were about 20 men all dressed the same way…there

[87] Amnesty International interview in South Sudan, 8 February 2016.
[88] Amnesty International interview in South Sudan, 6 February 2016.
[89] Amnesty International interview in South Sudan, 10 February 2016.

were many women and girls brought from different places, but we were five who were found together in the swamp. Then we were raped.

They raped us when they captured us and later in their place. Four men raped me…They also used me to cook and carry clothes. I stayed eight days in the village.

> **"They were burning houses and raping women. We were washing their clothes and milking the cows and getting water for them."**

If you had any good clothes, they would take them…

During the eight days I was raped every day. If you refuse then they would beat you…

[After the eight days I ran away] when I went to wash clothes in the river…

I still feel sick. I get cold and have a fever up until now…diarrhoea …I still have not seen a doctor."[90]

NYALUAL, 14, ABDUCTED IN LEAH, GUAT PAYAM, SEPTEMBER 2015 WITH KULONG

"I was abducted on 12 September. They came in the morning, went to the cattle camp, and started shooting with guns. When there was a sign of fire and shooting…we ran to the swamp. There were many people there, women and girls, but we were five running in one group. They were shooting at us and killing people… My brother was also among the killed... He is a 21-year-old student, not a fighter. He was shot and his body was brought to the house to be buried.

The five of us were captured by about 20 men, some in uniform and some not. They wore SPLM uniforms with SPLM shoes that look like rain boots. The others were in normal clothes, sports clothes. After they captured us we stayed there. They were sleeping with us for eight days.

> **"Sometimes you refuse to sleep with them and they beat you. They beat me with a stick on the head and thighs. They remove your clothes and beat you…I was raped by five men every day."**

They were different men, not the same men every day.

I had to cook food, milk cows, fetch water for them, in the evening I had to arrange the sleeping place…

They took some of the girls with them to Koch [8 days later], but I escaped. Some have not come back until now including [three of my friends]."[91]

MARY, 14, ABDUCTED IN LEAH, IN SEPTEMBER 2015 WITH KULONG AND NYALUAL

"The attack started in the morning…they found us and brought us out of the swamp. They were about 20 men wearing different things, non-uniform and uniform. The uniform is for the SPLM…and some wore black. They brought us out of the swamp and stayed with us eight days.

They mistreated me…they were sleeping with us [raping us]. They beat us if we refused to sleep with them. They beat me with a stick on the head and the back. All over the body. For three days two men raped me. The other days it was one man.

The two men were working together. They made us milk cows, cook food, get water, carry property…After eight days we were taken to Koch [on foot]. We were made to carry clothes and many things on the way. There were many girls and women taken with me…[in Koch] we were put in the headquarters and

[90] Amnesty International interview in South Sudan, 8 February 2016.
[91] Amnesty International interview in South Sudan, 8 February 2016.

surrounded by cows…after three days we were released. There we were beaten if we refused to be raped. They were raping in the evening …a few people were not allowed to be released but the rest of us went home…I've been feeling sick since I came back with joint pain, headache, and diarrhoea."[92]

NYAPINI, 16, ABDUCTED ON TOCH REAH ISLAND IN OCTOBER 2015

"I was captured in October. They came in the morning and stayed here the whole day. I was at home when they came and heard the gunshots. We ran to the swamp and left the kids at home…they were shooting at the grass and caught me. I was running with my brother's wife and other people. They caught me with my brother's wife and others.

> **"Then they brought us out and raped us. If you refused they would kill you. We were about 10 women and girls."**

…The men who raped us looked like us [Nuer] and some were wearing uniforms and others not. The uniform is a mixed color [camouflage]. They threatened to shoot me. One person was running and shot at a girl…

Sometimes seven or eight or 10 men rape you…They took me with them. They made me carry sorghum and other things…on the island if you refused to be raped they would put you down and hit you with sticks.

They hit on the back and top of neck. We walked to Leer directly. It was three hours walking. We were put on the airstrip in Leer where the cattle were…We were there two days. While I was there they raped me, made me cook, and made me fetch water. I was beaten while I was there. If you cried they would show you the gun and put you down…we were released but some people remained…"[93]

NYANHIAL, ABDUCTED ON TOCH REAH ISLAND IN SEPTEMBER 2015

"The soldiers arrived at 8am and were on the island until 1pm…when they came they were shooting. We heard them at the shore of the river and we ran to hide ourselves. I was hiding with my kids and there were other families around us. The soldiers found me and beat me. They came wearing the government uniform…they were all wearing it. There were many men but two found me in the bush and took me to Leer…the women taken with me were many. I don't know their names. We were more than 20. Some of them were girls…

When I was abducted I was beaten and insulted…Some women were raped on the island. I saw one…15-year-old girl raped by three men wearing the government uniform. From there we went directly to Leer [on foot] carrying clothes and bags and with the cattle.

A lot of houses were burnt before we left…[when we arrived in Leer] they took us to the headquarters of the commissioner…between the police station and the office of the commissioner…when we arrived we found the government forces who remained in Leer town and women and girls who had been abducted before us. I never counted them but they were less than 100; maybe around 50…when we arrived we were given a place to sleep. In the morning they called us and said that those who were abducted yesterday could leave.

All the women from Toch Reah left but the others remained in Leer and were ordered to make food and milk cattle and get water. They were beating us with a stick [about one inch wide]."[94]

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[92] Amnesty International interview in South Sudan, 8 February 2016.
[93] Amnesty International interview in South Sudan, 10 February 2016.
[94] Amnesty International interview in South Sudan, 7 February 2016.

ABDUCTION, RAPE BY MULTIPLE PERPETRATORS, SLAVERY AND SEXUAL SLAVERY OF NURSING MOTHERS AND ELDERLY WOMEN

NYAMAI, NURSING MOTHER, ABDUCTED ON TOCH LUALI ISLAND IN SEPTEMBER 2015

"I was abducted in mid-September. I was at home, and when the government forces came, we left running. They came at 5pm. When I was captured, many were captured with me. Those taken from Toch Luali were 50 including five girls, the rest women…I was captured when I was running, trying to escape into the water. The men who captured us were soldiers. Some were wearing uniforms, and some not…the uniform belongs to government forces. There were also men wearing black. They were beating and abusing me. They hit me on the head with a gun. They found me in a dry place with lots of grass. The kids were with me but we were separated and they took me and the children were left. There were other women hiding with me also.

They took…us and brought us to the airstrip in Thonyor [on foot]…we were carrying the property, clothes, non-food items, etc. they stole.

We spent four days in Thonyor. They also took cows from Toch Luali. In Thonyor I was beaten, and they said: 'tell us where the men and cattle are'. They were making us cook and milk cows. After that the one in charge said…to marry the women but that the nursing mothers were allowed to go…all the women who went back were breastfeeding…some women were raped in Thonyor that I saw but not from Toch Luali. A lot of women were captured with us."[95]

NYABEY, NURSING MOTHER, ABDUCTED IN LUALE, GUAT PAYAM, IN SEPTEMBER 2015

"I was captured and spent five days with the enemy. I was captured on 5 September. They came at 9am. I was at home. I was awake, sitting, and then I saw the fighters and started running."

NYALUDA, 27, NURSING MOTHER, ABDUCTED ON TOCH REAH ISLAND IN OCTOBER 2015

"They attacked early in the morning. I was at home. I went to the swamp with my small baby and other kids. There were other men and children…the children were in the water with us…they [government forces wearing SPLA uniforms] were shooting at us while we were running. We had no weapons. When they found us they were beating us and brought us out of the swamp…They killed one woman in the river…I saw her being shot…my baby was less than three months old so I went with the baby…to Leer [on foot].

We were taken to Thonyor and then Piling...I was carrying something [for them] and the baby…I was beaten with a stick and gun. I was not mistreated in other ways but they were beating women and raping them in front of people including their commander."[96]

MARTHA, NURSING MOTHER, ABDUCTED ON TOCH REAH ISLAND IN NOVEMBER 2015

"The attack started at 7am…when they came we ran to the swamp. I have a small baby but when [they abducted me I left the baby at home] and they took me to Leer [on foot]. They were wearing SPLM [SPLA] uniforms and their heads were covered like Arabs…

There were many women and girls…I was taken to Leer for two days and raped there.

When I was taken to Leer we were kept in the headquarters. We were treated very badly. If someone wanted he could use you or rape you and if you refused you would be beaten or killed…

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[95] Amnesty International interview in South Sudan, 7 February 2016.
[96] Amnesty International interview in South Sudan, 10 February 2016.

…I was kept in the Catholic Comboni compound being used by the soldiers…

After two days the man who was using me as a wife released me and let [me] go see my child.

> **"My child was sick when I got home and I could no longer breastfeed."**

…I am not feeling well. I was raped by four men in Leer both days even during the day."[97]

NYANOT, ELDERLY WOMAN, AND SARAH, WOMAN WITH NINE CHILDREN, ABDUCTED ON TOCH THIEL ISLAND IN OCTOBER OR NOVEMBER 2015

Nyanot told Amnesty International:

"[Uniformed SPLA soldiers] attacked us and they managed to capture us. Then they asked us where our money is. They said 'if you don't give it you will face consequences.' They tied a rope around my neck and around the neck of another woman… So [the other woman] decided to show them where her money was. They took her money."

> **"They beat us and they raped us. Three, four, five of them, [I don't know]."**

"They took us to Toch Reah [and then released us]… 11 women from Toch Thiel were taken. Six were released, three came back later, and two have not returned… [The soldiers] caught me another time, [later, I think] in November in Guat. This time they did not ask for money. They just raped me and took everything."[98]

Sarah, who was abducted with Nyanot on Toch Thiel island, told Amnesty International in a separate interview:

"[Uniformed SPLA soldiers] came to Toch Thiel; we were four women… They had already killed seven members of our family [in previous attacks]."

> **"We wanted to die, we didn't want to hide. They got us at home. They beat us and raped us."**

"…They asked us for money. They put ropes [on our necks and threatened to hang us]… One of the seven [members of our family who was killed] was a big trader and he had hidden money. We showed them where it was hidden and then they released the rope from my neck. They took the money… One of the four women is just a girl. They took the girl for six days. She is now very sick…These things are true, they happened to us."[99]

WITNESS STATEMENTS REGARDING ABDUCTION AND SEXUAL VIOLENCE

Other civilians also gave Amnesty International statements about the abduction, rape, and ill-treatment of women and girls that they knew.

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[97] Amnesty International interview in South Sudan, 10 February 2016.
[98] Amnesty International interview in South Sudan, 10 February 2016.
[99] Amnesty International interview in South Sudan, 10 February 2016.

Nyuot, a woman from Leer town, who fled there in May 2015, was on the island of Toch Luali in September when government forces attacked. She told Amnesty International that she fled to the river where she saw one woman being killed and a group of women being raped. She said:

"The enemies came and we hid in the grass and the water. They [found us and] told us to come out from hiding and killed one woman and I was beaten…they shot her when she was getting out of the water…[then] I saw women and girls coming out of the grass being raped. They were many, more than 10. They were crying…The ones raping were wearing army uniforms for soldiers, for the SPLA…"[100]

Nyamile recounted that during an attack on Adok payam on 28 October she saw six girls tied, raped, and abducted. She said, "The girls were tied in a line in the bush. Six girls were tied in a line…we elected the president and now he is killing us…now because of this we tell the international community to tell Kiir to stop killing. Women are suffering a lot. One woman was used by six men."[101]

Nyadeni told Amnesty International that a woman was raped by government forces during an attack in November on the island of Toch Reah where they were living. She said that after that attack the woman told her she was taken into the bush and raped by several men.[102]

Koak, a man in his thirties, fled from Gandor to Toch Reah in September along with his uncle, leaving their families behind. When they returned to Gandor their wives told them that they had both been abducted from Toch Reah and taken to the river where they were raped repeatedly by a group of eight men.[103]

Mayien, a 26-year-old man from Leer, told Amnesty International that he knew one woman who was abducted by government forces during their attack on Toch Reah in late November 2015. "She was abducted and returned three days later. She is a nursing mother. I spoke with her when she came back. She was raped. They took her to Leer which is an hour and a half away on foot. They raped her and let her go. She was not beaten. They used her to carry their goods and raped her and let her go. Five men raped her. The men were Nuer and Dinka. They were from Koch…and Bar Ghazal."[104] Mayien said that the next day the woman's sister was also abducted during a government attack and told him that she was held for seven days during which time she was also raped before being released and returned to the village. He said that he knew two other women who were abducted from Toch Reah and also raped.

Nyekuar told Amnesty International that her sister was abducted twice in December 2015 by men she described as SPLA and forced to carry looted goods up to Koch county on foot. She said that during the second abduction she was badly beaten and injured.[105]

Mot, a man from Leer displaced to Payak payam told Amnesty International that in an attack on Payak in early December, several women were raped in the village by government forces. He gave Amnesty International the names of seven women he personally knew that were raped, including one 60-year-old woman. He said, "The women told us they were raped after the attackers left. This happened when they were trying to run and hide in the river. The attackers found them and took them."[106] Mot, who saw the attackers, said they were a combination of SPLA soldiers and men not wearing uniforms.

Nyajany, a woman from Gandor payam headquarters told Amnesty International that she fled the village after the last attack in the days before Christmas 2015. During the attack she told Amnesty International that several women and girls were abducted including three she knew by name. One of the abducted girls aged 17, spoke with Nyajany when she was released. She said that she, one 18-year-old and another 15-year-old were taken together, but the other two were not released. She said that the attackers raped her and took the abducted to Koch county on foot.[107]

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[100] Amnesty International interview in South Sudan, 5 February 2016.
[101] Amnesty International interview in South Sudan, 7 February 2016.
[102] Amnesty International interview in South Sudan, 30 January 2016.
[103] Amnesty International interview in South Sudan, 10 February 2016.
[104] Amnesty International interview in South Sudan, 31 January 2016 and 1 February 2016.
[105] Amnesty International interview in South Sudan, 30 January 2016.
[106] Amnesty International interview in South Sudan, 30 January 2016.
[107] Amnesty International interview in South Sudan, 1 February 2016.

Diiw, a community leader from Ding Ding, told Amnesty International that soldiers attacked the village on 7 September and that 30 women were abducted and taken to the county commissioner's office in Leer. When he spoke to Amnesty International in February he said that some of the women had still not returned.[108]

Nyakuon, a 26-year-old woman with five children, originally from Leer, who had fled to Geer during the conflict, told Amnesty International what happened during an attack on Geer in November, which lasted for several days. She said: "[o]n the last day I was found in my hut. I was kidnapped [abducted] by the SPLA. They took me to the town...They only beat me… We were four [who were abducted together]. Two of them they took and used as a wife [raped]. But two of us were released. The other two were raped and then released."[109]

Nyabile, a woman from Gandor payam with six children, was abducted in Kuerlel village in December along with her mother who had been shot during the attack. She told Amnesty International that "her sister had just had a baby and that she was raped [during the attack]." Nyakoacloac, Nyabile's mother, added that she would have also been raped, but for the intervention of the mother of one of the attackers, who was travelling with them. She said that five women from Kuerlel were abducted on the same day along with several women from Luale. The armed men forced them all to carry looted property. "We carried the things that they collected from us to their cattle camps, near Koch."

[108] Amnesty International interview in South Sudan, 6 February 2016.
[109] Amnesty International interview in South Sudan, 30 January 2016.

6. ATTACKS ON CIVILIAN PROPERTY: FORCED DISPLACEMENT AND COLLECTIVE PUNISHMENT

> **"After the attackers left I went back to my house—I had nowhere else to go—to sleep. My three houses had been burnt [in a previous attack]. I managed to build a temporary shelter [after that] in the place where my homes were and they also burnt it…I had nothing left."[110]**
>
> Man from Guat payam headquarters living in the Bentiu PoC describing the aftermath of a government attack in Guat in December 2015.

In addition to the attacks directed against civilians documented in this report, witnesses and victims told Amnesty International that government forces and allied militias intentionally destroyed and stole civilian property. The scale in which looting and destruction of civilian property took place indicates that it was either ordered or condoned by government commanders. Witnesses described a regular pattern of attacks where government forces targeted men and boys for killing, women and girls for abduction and rape, and property, including cattle and homes, for looting or destruction. Abducted women and girls were then forced to carry looted goods for government forces back to their bases.

The attacks on civilian property, and in particular on shelters and food supplies were widespread and systematic and appeared to be part of a government policy to force civilians to leave their villages. These

[110] Amnesty International interview in South Sudan, 31 January 2016.

attacks also had the effect and appear to have been intended to make the civilian population living under opposition control food insecure, another form of collective punishment.

While physical insecurity no doubt contributed to the displacement of the civilian population from their villages in Leer county, many civilians explained that it was the burning of their homes, and the theft and destruction of food sources that caused them to eventually flee.

A home, burnt and looted by government and pro-government forces, Gandor payam, Leer county, South Sudan, 8 February 2016. © Amnesty International

Nyewang, 25 years old, said she fled from Luale village in Guat payam in November after her house was burnt and cattle looted.[111] Nyagua also fled Guat in November after her home and others in the village were burnt, cattle looted and crops stolen during an attack in November by government forces. She managed to flee when the attack began, but when she returned she found that the village had been destroyed. She said:

"In the November attack, the day before I left for the PoC, when the attackers arrived, I was at home in Guat. When I saw them I ran to Gandor. When we came back to the village the next day, the whole village had been burnt…All the cattle were stolen. They took even the goats, sheep, and property in the house, beds, chairs, clothes…they burnt our hut but not the house where the women and children stay…30 of our cattle were taken in that attack…there is farmland in Guat and we harvested food this year, but the attackers took everything…not many people remained after that. We left because of hunger. We felt we might die of hunger. All of our food was taken so we decided to come to the PoC…"[112]

Nyekuar, a 28-year-old from Leer town displaced to Guat payam headquarters in January 2014 told Amnesty International that she remained there until mid-December 2015 despite extreme depravity until her family and other villagers completely ran out of food. She said: "When the food finished in the village we would depend on wild fruit. When they [government forces] looted in December they took everything we had…then we were left with nothing and would just eat coconut fruit. For two weeks we just ate coconuts [before we eventually had to leave]."[113]

[111] Amnesty International interview in South Sudan, 29 January 2016
[112] Amnesty International interview in South Sudan, 31 January 2016.
[113] Amnesty International interview in South Sudan, 30 January 2016.

Angelina, a Guat resident, also left Guat payam for the PoC in December 2015 due to hunger. She said: "They [the government attackers and allied youth] took all the crops. There came a time when there was nothing in the village. We used to beg our relatives to give us food if they had some. Hunger became very serious for children. Most of us were sick from hunger. Most people were sick and could not walk. They would just lay down from morning to noon…That happened to me. When we walked to come to the PoC I had to tie my clothes around my waist very tight to not feel the hunger. You do that so you can walk."[114]

Some villagers told Amnesty International that government forces directly told them that they had to leave their villages, either for the PoC site or for government-held territory or that they would be killed.

Nyaluit told Amnesty International that after killing her sister, government soldiers told her and several other women that if they did not leave their village for the UNMISS PoC site that they would come back to the village and kill them. She said that they also targeted the food supply in the village, looting food, burning fruit trees, bushes, and gardens, resulting in their not having enough food. The lack of food was one of the reasons she said she went to the Bentiu PoC site in December.[115]

Nyabey, a nursing mother from Luale, Guat payam, abducted in September 2015 by government forces said that the then-Koch commissioner told her "'you have two options, you go to the government or to the PoC.' If you don't then he will kill you."[116] An UNMISS official also told Amnesty International that the Koch commissioner had personally dropped civilians off at the PoC.

Many Leer county residents relocated to Bentiu Protection of Civilians camp to flee violence and starvation, 29 January 2016. © Amnesty International

[114] Amnesty International interview in South Sudan, 31 January 2016.
[115] Amnesty International interview in South Sudan, 29 January 2016.
[116] Amnesty International interview in South Sudan, 8 February 2016.

ATTACKS ON THE WAY TO THE PROTECTION OF CIVILIANS SITE IN BENTIU

Six civilians told Amnesty International that they were attacked by government forces on their way to the Bentiu Protection of Civilians (PoC) site. Some civilians were physically and sexually assaulted while others were robbed.

Bipal, a 25-year-old man who had fled fighting in Leer in August and spent several months living on islands in the swamp, said that he and three friends were on their way to the Bentiu PoC in January 2016 when they were stopped by SPLA soldiers. The soldiers killed all three of his friends. He said:

"We were in Tharjiath, near the oil field. We met with SPLA soldiers. They stopped the four of us and asked us where we were going. I said Bentiu. The SPLA tried to tie us up. We escaped. Two of my friends were shot while running. I saw them die while I was hiding in the bush. The third friend was captured by the soldiers and then shot."

Mot, a man from Leer displaced to Payak payam and later to the Bentiu PoC, told Amnesty International that when he arrived in Rier with a large group of female displaced persons, the women were allowed to continue on to the PoC while he was detained by the SPLA and forced to pay money to secure his release.

Nyawuok left Gueny village in Guat payam after the government's attack in October 2015. She said that during the attack, government forces wearing military uniforms accompanied by youth from Mayom county stormed the village, shooting at residents as they fled and burning homes and looting food. "There is a lot of farmland in the village and we were able to harvest our crops but we did not have enough food," she said. "It was taken by the attackers." Nyawuok recounted that on her way to the PoC site with several other children and adults, the group was robbed by armed men in military uniforms who stopped them at a checkpoint. She said they were Dinka speaking.

Nyajany fled the Gandor payam headquarters in the days before Christmas 2015. She said she and others fled because their food had been stolen by government and pro-government forces and they were starving as a result. On the way to the PoC, she said that men wearing military uniforms stopped the group she was with, robed them, and sexually assaulted women in the group. She said: "Our clothes were looted on the way to the PoC by men wearing military uniforms which were a mix of different colors…they took some of the women, I was not among them, to the bush. They took five women…[afterwards] the woman said they were raped by the [four] attackers…we were at Kilo 30 when we were attacked."

Nyanguot, another woman from Gandor who traveled to the Bentiu PoC in late November 2015, said that she and her relatives were also attacked at Kuach on the way there. "They asked us to pay money but we had none so they took our clothes. They were uniformed men who were armed, wearing military pants but normal shirts."

Nyalude, a woman with five children from Guang village in Koch county, told Amnesty International that she fled her village after soldiers killed her father and her young son. In January 2016, after they were killed she decided to travel to the Bentiu PoC. On her way to the PoC, she and seven other women who she was travelling with were raped by SPLA soldiers. She said:

"We were in Dondok, near "Kilo 50", near Bentiu town… It was done by SPLA soldiers. Unfortunately they appeared on the road. We identified them by their uniforms. We were seven. All of us were raped. We were raped on the road. Then they released us and took our belongings … All our belongings, including our blankets were taken."

7. ENSURING ACCOUNTABILITY

The evidence in this report documents serious violations of international human rights law and international humanitarian law committed in South Sudan by government forces. These violations include murders and/or directing an attack against the civilian population or an individual civilian, slavery, sexual slavery, sexual violence, torture and other ill-treatment, collective punishment, and forced displacement of the civilian population. These acts amount to war crimes and may constitute crimes against humanity. South Sudan has an obligation to investigate and prosecute these acts, but appears so far to have neither the capacity nor the political will to do so. It is therefore urgent for the African Union Commission to ensure the speedy establishment of the Hybrid Court for South Sudan provided for in the August 2015 peace agreement, and for other options such as universal jurisdiction to be considered to ensure accountability for crimes under international law.

SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS LAW

South Sudan's obligations under international human rights law continue to apply during times of conflict. South Sudan is a party to the UN Convention on the Rights of the Child, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the UN Convention on the Elimination of All Forms of Discrimination against Women. As a signatory to the African Charter on Human and Peoples' Rights (the African Charter), South Sudan has indicated an intent to be bound by its content.[117]

Slavery and forced servitude are prohibited under customary international law. The Slavery Convention defines slavery as exercising all or any of the powers of ownership over a person.[118]

South Sudan's constitution reflects many of the critical norms of human rights law. It, for example, provides that "Every person has the inherent right to life, dignity and integrity of his or her person which shall be protected by law; no one shall be arbitrarily deprived of his or her life."[119] It also states that "[n]o person shall be subjected to torture or to cruel, inhuman or degrading punishment."[120] It also prohibits slavery.

The acts documented in this report constitute serious violations of international human rights law.

[117] African Charter on Human and Peoples' Rights (African Charter), Article 16(1). South Sudan signed the African Charter on 24 January 2013. South Sudan's National Legislative Assembly approved ratification of the African Charter in October 2013. The only remaining step to complete the ratification process is for the government to deposit the instrument of ratification with the AU. Since South Sudan has signed the treaty, it is bound by the Vienna Convention on the Law of Treaties to refrain from acts that would defeat its object and purpose. Vienna Convention on the Law of Treaties, 1986, Article 18.
[118] Slavery Convention, Article 1. A similar definition is contained in the ICC Statute, Article 7(2)(c)
[119] Transitional Constitution of the Republic of South Sudan (TRCSS), Art. 11.
[120] Transitional Constitution of the Republic of South Sudan (TRCSS), Art. 18.

WAR CRIMES

South Sudan is bound by international humanitarian law, including the four Geneva Conventions of 12 August 1949 and their Additional Protocols, which it ratified in 2012. Article 3 common to the four Geneva Conventions applies to all parties to a non-international armed conflict, including South Sudanese government and allied forces, and opposition forces. Additional Protocol II, which provides for more detailed protection of victims of non-international armed conflict, also applies. Many of the specific rules included in these and other treaties form part of customary international humanitarian law and are thus binding on all parties to the conflict. Serious violations of international humanitarian law are war crimes.

The rules of international humanitarian law aim to minimize human suffering and ensure protection of civilians and those who are not directly participating in hostilities. The principle of distinction, a cardinal rule of international humanitarian law, requires that parties at all times distinguish between combatants and military objectives on the one hand, and civilians and civilian objects on the other, and ensure they direct attacks only at the former. Intentionally directing attacks against civilians who are not directly participating in hostilities and civilian objects is prohibited under international humanitarian law and is a war crime.

International humanitarian law prohibits the destruction or seizure of the property of an adversary, unless required by imperative military necessity.[121] Violating this prohibition constitutes a war crime.[122] Punitive destruction of homes on the basis of suspected political affiliation or on grounds of ethnicity or other discriminatory grounds as documented in this report also violates the prohibition of collective punishment.[123]

International humanitarian law prohibits the displacement of civilians during non-international armed conflicts except for their own security or for imperative military reasons.[124] When displacement occurs, international humanitarian law requires that all possible measures be taken to ensure that displaced civilians receive adequate shelter, and enjoy satisfactory hygiene, health, safety and nutrition; and that families are not separated.[125]

The prohibitions against arbitrary detention, rape and sexual violence, and slavery are recognized as customary international humanitarian law applicable during international and non-international armed conflicts.[126] The International Criminal Court defines sexual slavery as forcing someone "to engage in one or more acts of a sexual nature" and exercising the powers "attaching to the right of ownership over one or more persons, such as by purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty ... (which) may, in some circumstances, include exacting forced labour."[127]

The Geneva Conventions enshrine four non-derogable human rights – rights that states cannot violate at any time, even in the case of an emergency – including the right to life, freedom from slavery, and torture and other inhumane or degrading treatment (ill-treatment).

The instances of direct targeting of civilians documented in this report are clear violations of the cardinal rule of distinction, and amount to war crimes. Government forces shot civilians who were running away as well as unarmed and vulnerable civilians like children, pregnant and nursing mothers, and the elderly and disabled. Even in cases in which opposition forces were present in villages and on islands government forces were attacking, these forces had an obligation to distinguish between combatants and civilians and military and civilian objects, which they failed to do. In cases in which villages under government attack did have fighters in them, the evidence that Amnesty International has compiled indicates that the government forces still targeted civilians.

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[121] ICRC Customary IHL Study, rule 50.
[122] Rome Statute of the International Criminal Court, Article 8(2)(e)(xii).
[123] ICRC Customary IHL Study, rule 103.
[124] ICRC Customary IHL Study, rule 129; see also ICC Statute, Article 8(2)(e)(viii) (characterizing unjustified forced displacement of civilians as a war crime)
[125] ICRC Customary IHL Study, rule 131.
[126] ICRC Customary International Law Study, rule 93; ICRC Customary International Law Study, rule 94; ICRC Customary International Law Study, rule 99.
[127] Slavery Convention, Article 1 and ICC Statute, Article 7(2)(c).

The attacks on civilian property highlighted in this report, and principally on food sources also had the effect and appear to have been intended to make the civilian population living under opposition control food insecure, a form of collective punishment amounting to war crimes.

The combination of deprivation of liberty, forced labour, and rape and sexual violence against women and girls by government forces and allied militia documented in this report amounts to slavery and sexual slavery and are war crimes.

CRIMES AGAINST HUMANITY

When prohibited acts such as murder, forced displacement, imprisonment and severe deprivation of liberty, slavery, sexual slavery, torture, rape and enforced disappearance are committed as part of a widespread or systematic attack directed against a civilian population as part of a government or organizational policy, they may constitute crimes against humanity.

Amnesty International's findings indicate that there was widespread, as well as systematic, targeting of civilian communities in Leer county by government forces and allied militias which included killings of civilians, deprivation of liberty, slavery, sexual slavery, rape and other sexual violence, looting, intentional destruction of property, and forced displacement and that these acts may therefore constitute crimes against humanity

The attacks on villages in Leer county were led by local military and government officials, and involved government soldiers. They took place regularly over the course of months across the county, impacting on the security of all residents in attacked areas. Government forces attacked villages even absent the presence of any opposing military personnel or any other military objective. In the few cases Amnesty International documented in which opposition fighters were present in villages under attack, government forces did not limit the attack to these fighters but rather implemented a strategy of targeting the village as a whole.

Each attack followed a similar pattern. Government soldiers attacked villages alongside militia fighters, looted cattle, and targeted and killed civilian men of all ages. They also killed some women, including nursing mothers, pregnant women, and elderly women who could not flee. The majority of women and girls they found were abducted, raped and forced into slavery and sexual slavery.

In a January 2016 report, the Office of the Deputy Humanitarian Coordinator for South Sudan stated that between November 2014 and November 2015 there were an estimated 7,165 deaths from violence and another 829 from drowning in 24 communities in Unity state alone.[128]

The attacks on civilian property, and in particular on shelters and food supplies documented in this report were also widespread and systematic and appeared to be part of a government policy to force civilians to leave their villages. The numbers of displaced people in Unity state rose drastically after the start of the 2015 spring offensive.[129] This made Unity the state with the highest number of displaced people in the country.

In its March 2016 report, the Office of the High Commissioner for Human Rights (OHCHR) stated that during the 2015 government offensive in Unity state, "civilians were deliberately and systematically targeted by the SPLA and affiliated militia."[130] OHCHR described the use of sexual violence as "widespread."[131] Reports received by OHCHR about looting and destruction led to their conclusion that government forces "systematically burned homes and entire villages and looted property" and that this suggested "a deliberate

[128] The Office of the Deputy Humanitarian Coordinator in South Sudan, *Crisis Impacts on Households in Unity State, South Sudan, 2014-2015,* p. 6, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/160202_Crisis%20impacts%20on%20households%20in%20Unity%20State_SS.pdf (accessed 22 July 2016).
[129] Office of the United Nations High Commissioner for Human Rights, Assessment mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan: detailed findings, 10 March 2016, para. 184, available at http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A-HRC-31-CRP-6_en.doc#sthash.HQjvucnm.dpuf (accessed 22 July 2016).
[130] Ibid at para. 200.
[131] Ibid at para. 205.

strategy to deprive the civilians living in the area of any form of livelihood or material support."[132] The result, according to OHCHR, was "the widespread forced displacement of civilians living in the affected areas."[133]

Amnesty International has documented that these targeted attacks against civilians continued despite the signing of a peace treaty and with no apparent military purpose or objective. All of these violations were perpetrated with the apparent explicit or implicit approval and condonation of senior military commanders.

While Amnesty International did not find specific evidence of an express policy to direct attacks against the civilian population, the International Criminal Court has stated that the existence of a state or organisational policy may be inferred from the situation. Given the evidence of widespread as well as systematic targeting of civilians during the attacks in Leer county, it is reasonable to conclude that these acts were undertaken in accordance with an organisational policy.

OBLIGATION TO INVESTIGATE AND PROSECUTE

Amnesty International has found that targeted attacks against civilians continued despite the signing of a peace agreement and with no apparent military purpose or objective. All of these violations of international law were perpetrated with the apparent explicit or implicit approval of senior military commanders.

South Sudan is required under international law to conduct prompt, independent and effective investigations into serious violations and abuses of international human rights and humanitarian law such as the acts described in this report. Individuals who commit or order war crimes or crimes against humanity bear individual criminal responsibility. Military commanders and civilian superiors may also be responsible for the acts of their subordinates if they are aware of the crimes, or should have been aware of them, and fail to prevent, end or punish them. Those suspected of responsibility must be prosecuted in proceedings that meet international fair trial standards, and the government must provide fair and adequate reparations to victims.

Witnesses and victims told Amnesty International that the attacks on villages in Leer county documented by Amnesty International were perpetrated by government soldiers and allied militias from Koch and Mayom counties, under the command of government authorities, including the area commander and county commissioners. In some instances witnesses told Amnesty International the assailants' names or the names of the officials in charge. In June 2016, Amnesty International shared these names with General Paul Malong, Chief of General Staff of the South Sudan military and urged him to further investigate the allegations against these individuals. Amnesty International did not receive a response to this letter.

Generally, South Sudan has failed to demonstrate the will or the capacity to carry out independent and effective investigations into conflict-related crimes. There are also critical gaps in South Sudan's domestic legislation. Torture, enforced disappearance, genocide and crimes against humanity are not criminalized under South Sudanese law. There is also no provision in South Sudanese law for command responsibility. Given the unwillingness of South Sudan to ensure accountability, the weaknesses of South Sudan's criminal justice system, and the gaps in South Sudan's criminal legal framework, there is an urgent need for the Hybrid Court for South Sudan (HCSS) provided for in the August 2015 peace agreement. The AU Commission should work to quickly establish this court.

In addition, all states, in keeping with their obligations under the principle of universal jurisdiction, should investigate and, where enough admissible evidence is gathered, prosecute crimes under international law committed in South Sudan, including crimes against humanity, war crimes, torture, extrajudicial executions and enforced disappearances.[134]

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[132] Ibid at para. 229-230.
[133] Ibid at para. 234.
[134] See for example ICJ, Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium), Judgment, I.C.J. Reports 2002, p. 3, where the majority of the court confirmed the right of all states to exercise universal jurisdiction. Amnesty International, Universal jurisdiction: The duty of states to enact and implement legislation, (Index: IOR 53/003/2001), September 2001

GOVERNMENT RESPONSE TO ALLEGATIONS AND ADDRESSING SLAVERY AND SEXUAL SLAVERY

In February 2016, Amnesty International interviewed the commissioner of Leer during August through December 2015. He acknowledged that abductions and rapes were perpetrated by government and allied forces after the signing of the peace agreement in 2015, but he denied being in charge of the troops responsible for these abuses. He said that he tried to intervene to the extent that he could to release captured women and girls. He stated that it was the commissioner of Koch who was in charge of the soldiers and allied militia fighters. He said:

"I came to Leer in August and stayed here. At that time there was killing and raping…Youth from Koch had come to the area. There was abduction of women and girls under 14…The first week of August 2015 there were 2000 youth from Koch in Leer town…I had 150 soldiers. I cannot say anything [to stop the Koch youth]. I went to the headquarters of the county one kilometre away while the town was full of cows and people. The first girls I saw were 12. They told me these are girls they found here to carry looted items. I asked them to go get the girls. They got 160 girls. They brought them to where I was sitting and I asked them where they were from and I returned them to where they came from with Landcruisers…

The Koch commissioner was acting under the command of the division commander, not the governor [of Leer]. He said to let the youth come…

What was happening outside was not fine for me…After 12 days in Leer town [around August 12] no one was under command. I said to the governor, 'I need help or I will leave.' I asked for the people of Koch to go. The governor said I would have been killed without the people. I asked the people of Mayendit to come and the first of September the Koch youth left. The Koch commissioner was here and left with them… when the Koch commissioner left he took 63 girls…

I ran away from here 2 October…and came back on 16 November…"[135]

Amnesty International also interviewed the current commissioner of Leer. The commissioner told Amnesty International on 11 February that some women and girls were still in the custody of their captors and stated that they would remain there until the next phase after peace was established and accountability processes could be implemented. He said:

"Peace does not come in one day. It is a process. Peace is like the development of a child. The first phase is the ceasefire, then implementation of peace, and then you have accountability once the rule of law has been set up."[136]

He told Amnesty International that during this third phase, the government would resolve the outstanding abductions by establishing a body of leaders from the community from which the abducted woman or girl came and the community from which the captor came to hear their cases and compensate families. He said there would not be criminal prosecutions. He said:

"Women and girls are still held but I will not tell you where. The husbands will pay a dowry. If they [the abducted] don't agree then they will be sent back to their family…the counties from where they are taken and the counties where they went – there will be a court with leaders from both sides. If the girl does not want to stay then the man will be punished, a certain amount of cattle will be paid."[137]

The statements made by the current commissioner of Leer county, reflected his and a broader government failure to apprehend the urgency with which the government should act to release abducted women and girls and to recognize the slavery, sexual slavery, and sexual assault of women and girls as war crimes and/or crimes against humanity and that those responsible must be brought to justice through fair trials not subject to the death penalty. It also demonstrates complicity by senior government officials in crimes under international law that have been committed and continue to be committed in Leer county.

[135] Amnesty International interview in South Sudan, 11 February 2016.
[136] Amnesty International interview in South Sudan, 11 February 2016.
[137] Amnesty International interview in South Sudan, 11 February 2016.

Forcing women and girls to marry without consent is a violation of international human rights and international humanitarian law. In the situations documented in this report, “marriages” between the victims and those who have abducted and raped them cannot, regardless of national or communal laws and norms, be considered to be based on consent. Such unions amount to forcing women and girls to marry those who have abducted, raped and enslaved them. This conduct constitutes war crimes and may constitute the crimes against humanity of rape, sexual assault, torture, sexual slavery and forced marriages.

Abducted women who spoke to Amnesty International expressed a desire for states who could influence the South Sudanese government to understand what had happened to them and what was still happening to women and girls from Leer county. They urged Amnesty International to advocate for greater access to health services, for compensation and justice, and for the release of the women and girls who had yet to come home. South Sudan should work to ensure the immediate release of all abducted, arbitrarily detained and/or enslaved persons and guarantee their safe and unhindered return. To achieve this, the TGoNU should task an existing body, or form a new one to spearhead, coordinate and oversee a process for identifying, tracing, returning and rehabilitating abducted women.

8. RECOMMENDATIONS

TO THE TRANSITIONAL GOVERNMENT OF NATIONAL UNITY

- End and suppress all violations of international human rights and humanitarian law being committed by members of the armed forces and allied militias. In particular, all forces should immediately cease murders of civilians and directed attacks against the civilian population or individual civilians; slavery and sexual slavery, rape and sexual and gender-based violence; arbitrary detention; abduction; looting and destruction of public and private property;
- Initiate a prompt, effective and impartial investigation into the allegations of serious violations of international humanitarian law and other serious violations and abuses of international human rights law including those described in this report and bring those suspected of criminal responsibility to justice in open, accessible civilian courts and in fair trials without recourse to the death penalty;
- Ensure the immediate release of abducted, arbitrarily detained and/or enslaved persons and guarantee their safe and unhindered return. To achieve this, the Transitional Government of National Unity should instruct an existing body, or form a new one, to:
    - Gather precise information concerning incidents of abduction and enslavement including the identity of victims and their present whereabouts;
    - Establish clear guidelines for the identification and retrieval of abducted persons, including methods of ensuring respect for informed decisions of abducted persons concerning return;
    - Coordinate the process for the return of abducted persons;
    - Monitor any new occurrences of abduction or enslavement;
    - Support processes for holding accountable individuals responsible for abductions and enslavement;
    - Support and coordinate programs for the rehabilitation of victims of abduction, including psychological and medical support;
    - Conduct a public information campaign to make clear the illegality of, and the government's opposition to, abduction and enslavement practices.
- Immediately suspend military and civilian officials for whom there is credible information that they committed crimes under international humanitarian law or serious human rights violations, including the crimes described in this report, until allegations concerning them can be independently, impartially and effectively investigated;
- Initiate a comprehensive vetting program compliant with due process standards to remove from, and prevent the recruitment into State services (including SPLA, law enforcement and the national security services) of individuals, especially at senior levels, on whom there are reasonable grounds to believe that they have been involved in violations of international human rights law, international humanitarian law, or abuses of human rights;

- Ensure that all individuals who have suffered violations or abuses of human rights are afforded an effective remedy and reparations, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition;
- Work to ensure the speedy and effective establishment of the Hybrid Court for South Sudan (HCSS), the Commission on Truth, Reconciliation and Healing (CTRH) and the Compensation and Reparations Authority and Fund (CRA and CRF), provided for in the ARCSS.

TO THE AFRICAN UNION

- Call for the immediate release of abducted, arbitrarily detained and/or enslaved persons and effective assistance for their return and rehabilitation;
- Ensure the speedy establishment by the AU Commission of the Hybrid Court for South Sudan (HCSS) in a format that complies with international law, prioritizing the effective operationalization of investigatory, and victim and witness protection units;
- Encourage UN and other efforts to collect and preserve evidence for future proceedings before the Hybrid Court and cooperate with bodies undertaking this work;
- Support the establishment of the Commission on Truth, Reconciliation and Healing (CTRH) and the Compensation and Reparations Authority and Fund (CRA and CRF), provided for in the ARCSS in full compliance with international law;
- Call for international financial and technical support for the establishment and operationalisation of transitional justice bodies;
- Call for a comprehensive vetting process of security forces to ensure that individuals for whom there is credible information that they have committed crimes under international law or other serious violations or abuses of human rights are excluded from service, until allegations concerning them can be independently and impartially investigated.

TO THE UN SECURITY COUNCIL

- Call for the immediate release of abducted, arbitrarily detained and/or enslaved persons and effective assistance for their return and rehabilitation;
- Request and support investigatory efforts to collect and preserve evidence for future proceedings before the Hybrid Court;
- Impose targeted sanctions against civilian and military officials who have engaged in violations of international humanitarian law and violations and abuses of international human rights law in South Sudan;
- Impose a comprehensive arms embargo on the supply, sale, transfer or trans-shipment of weapons, ammunition, military vehicles and any other forms of military assistance, including technical and financial assistance, and equipment maintenance and training to South Sudan;
- Ensure that any support to security forces complies with the Human Rights Due Diligence Policy. Specifically, the UN should ensure that it does not support individuals for whom there is credible information that they committed crimes under international humanitarian law or human rights abuses.

TO THE JOINT MONITORING AND VERIFICATION MECHANISM

- Call for the immediate release of abducted, arbitrarily detained and/or enslaved persons and effective assistance for their return and rehabilitation;
- Ensure that the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) effectively monitors and reports on compliance with the Permanent Ceasefire and Transitional Security

Arrangements contained in the ARCSS, particularly the requirement that parties "ensure the immediate and unconditional release of […] all those detained in connection with the conflict."

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“WE ARE STILL RUNNING”

WAR CRIMES IN LEER, SOUTH SUDAN

In August 2015, after more than 20 months of intermittent negotiations, South Sudan’s warring parties finally signed a peace agreement. Despite this, fighting continued, and along with it a number of violations of international human rights and humanitarian law.

This report describes events in Leer county, Unity state, between August and December 2015, where government forces violated their obligations under international humanitarian and human rights law including by committing murder and/or directing an attack against civilians, perpetrating sexual violence, slavery and sexual slavery, and intentionally destroying civilian property, including food and other items needed for survival.

In 123 cases documented by Amnesty International, men, women, and children were killed by government forces and allied militias while fleeing or hiding from attackers. Amnesty International also spoke to 26 women and girls who said they were abducted by government forces or pro-government militias during attacks. The women and girls were typically abducted in groups ranging from a few to around 100 or more. The vast majority of the women and girls who spoke to Amnesty International said they were forced to work for their captors. Eighteen of the women and girls who were abducted and held against their will said that they were raped by government or pro-government forces.

No process has been undertaken to identify and hold responsible parties to account and critically, some violations are ongoing as abducted women and girls continue to be deprived of their liberty in conditions that amount to slavery and sexual slavery.

Amnesty International urges the African Union Commission to urgently establish the Hybrid Court for South Sudan in a format that complies with international law as set out in the Agreement on the Resolution of the Conflict in South Sudan. The Transitional Government of National Unity should also prioritise the immediate release of abducted women and girls.

Index: AFR 65/4486/2016
Date: July 2016

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