HUMAN RIGHTS WATCH

"They Burned It All"

Destruction of Villages, Killings, and Sexual Violence in Unity State, South Sudan

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Remnants of a burnt hut in the village of Koch in May. Human Rights Watch heard how government aligned forces—including Bul militia— systematically burned homes and large parts or entire villages as they moved through Rubkona, Koch, and Guit counties in April and May 2015.
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SUMMARY

In late April 2015, South Sudan's government forces—the Sudan People's Liberation Army (the "SPLA")—and allied armed militia began a multi-pronged military campaign in oil-producing Unity state, against territory at that time under the control of the rebel Sudan People's Liberation Movement/Army-In Opposition (the "IO"). The opposition has been engaged in an armed conflict with the government since December 2013 and Unity state has seen much of the fiercest fighting with both sides launching major attacks on towns and other key positions.

In April and May of this year in central Unity, government forces, especially allied armed militia from the Bul Nuer ethnic group, killed, beat, and raped scores of civilians, particularly women, burned homes and food stocks in over two dozen small towns, villages, and settlements, and stole tens of thousands of cows, goats, and sheep, as well as clothes, food, cooking utensils, and other materials.

The repeated attacks on civilians and the destruction of the homes and food they needed to survive caused systematic and widespread forced displacement as the government-aligned forces swept across Unity's Rubkona, Guit, Koch, and Leer counties in late April to June, leading to over 100,000 civilians fleeing their homes, according to the United Nations.

In many cases, attacks on settlements in Rubkona, Guit, and Koch counties met with no resistance as IO fighters and other men living in the villages had already fled before the government forces arrived, but there were some hostilities between the warring parties for example in late April in Waak and Nhialdiu in Rubkona county and Guit in Guit county. In these locations the IO were quickly repelled.

Government forces also attacked Leer county, south of Koch, where similar attacks on civilians were conducted. In May and June alone there were an estimated 28,000 new arrivals at the Protection of Civilians ("POC") camp in the Bentiu base of the UN Mission in South Sudan (UNMISS) from all of these counties. In some places, government forces in June instructed civilians to move to government-controlled Bentiu town where humanitarian organizations are increasingly struggling to meet the overwhelming needs of destitute and hungry families.

In May, hostilities in Unity's Mayendit and Panyijiar counties between SPLA soldiers, approaching from Lakes state into southern Unity, and IO forces together with allied fighters from the villages or 'local defense forces' (armed civilians who come together to fight when their home areas are under attack) caused the displacement of thousands more civilians. Human Rights Watch spoke to displaced people from these locations who reported that government forces had carried out attacks on civilians and civilian property, including killings, abductions of women and girls, theft of cattle, and burning and looting of property.

The attacks in Unity through to mid-June have also left humanitarian agencies struggling to reach tens of thousands of people who fled from towns and villages and remain isolated in rural, often swampy, areas without assistance.

The government's stated aim is to recapture territory and oust opposition forces, or as one senior government official put it, "to flush out the rebels." Government officials who met with Human Rights Watch ahead of the publication of this report denied the allegations of attacks on civilians during their offensive.

However, the patterns of attacks documented by Human Rights Watch—the repeated burning of homes and

An aerial image taken in June of a line of huts to the north of the town of Guit that had been burned down. Government forces had recently burned down buildings in the town of Guit prior to a UN visit in mid-June, including the county commissioner's office and the market. © 2015 Private

food conducted together with many beatings, rapes and abductions while no fighting was taking place in village after village—indicates the deliberate targeting of the civilian population across Rubkona, Guit, and Koch counties. Attacks deliberately targeting civilians, murder, and rape constitute war crimes and acts such as murder and rape may also amount to crimes against humanity, both of which are among the most serious crimes under international law. States are obligated to investigate and prosecute the perpetrators of such crimes.

The systematic nature of the destruction and pillage, and the brutality of the attacks on civilians, strongly suggests that attacks in Guit, Rubkona, and Koch were intended to displace the populations from those villages and settlements. After armed men pillaged cattle and burned homes and food stocks, women had little choice but to leave their home areas in order to survive and to feed and shelter their families. In a few instances displaced people told Human Rights Watch that fighters explicitly told them to leave, or threatened to return and burn homes they rebuilt. In many instances the fighters threatened to kill the women they found. The widespread occurrence of rape and gruesome killings in public, including as fighters pursued civilians into the areas where they were hiding, also suggests that the forces were trying to spread fear in the communities and push them away from villages. The theft of tens of thousands of cattle presents a particularly devastating blow to livelihoods given that cattle are the wealth and backbone of economic survival for Unity state's Nuer communities.

This report is based on research conducted in June and July 2015 by Human Rights Watch researchers in Unity state—in Bentiu, the state capital, and the town of Ganylel, Panyijiar county, in southern Unity state—and in Juba, South Sudan's capital. The bulk of the research focused on the conflict's impact on civilians in central Unity state—Rubkona, Guit, Koch counties—since late April and to a lesser extent on Leer county, south of Koch, but Human Rights Watch also documented abuses conducted by government forces in Mayendit and Panyijiar counties in southern Unity. Researchers interviewed 126 displaced persons in Bentiu and 48 displaced persons in Ganylel town.

Human Rights Watch documented approximately 60 unlawful killings of civilian women, men and children, including the elderly, some by hanging others by shooting, or being burned alive. Some killings took place in towns and villages but fighters from the militia of the Bul Nuer ethnic group (Bul fighters), operating alongside government forces, also shot at civilians they chased into forests and swamps. When asked why they had come to the UN base around 10 kilometers from Bentiu town, many survivors said that they feared they would be targeted and killed in government attacks.

Human Rights Watch researchers found that the government troops and allied forces regularly used violence against women during the attacks on villages, settlements, and the nearby places people ran to, especially in Rubkona and Koch counties. Human Rights Watch researchers documented 63 incidents of rape but this is likely a fraction of the total number. The 63 cases include brutal gang rapes, rapes that took place publicly in front of others, and rapes in which the victims were threatened with murder before they were raped. Survivors in Bentiu told Human Rights Watch researchers that some women who were raped sustained such serious injuries that they were unable to make the journey to Bentiu and had remained in the bush. Women who sought refuge in the UN base have also faced a risk of sexual violence when fetching water or firewood, or going to latrines at night in poorly-lit areas.

International service providers should urgently provide adequate outreach inside the UN base and, where possible, into areas recently affected by conflict, to identify victims of sexual violence and ensure they have access to medical and mental health services. As of the end of June 2015, the Bentiu camp had registered about 81,000 inhabitants, including at least 28,000 new arrivals in May and June, who now reside in mostly cramped and unsanitary conditions. Given the prevalence of sexual violence, more medical, mental health, and support services for survivors are needed.

Forces entering villages and settlements in the course of their military operations would pillage and burn down civilian property, and also brutalize civilians who had remained in the village, most often women and girls. Men, including IO fighters, typically fled or were not present in villages ahead of oncoming attacking troops, but women, who believed that as non-combatants they would not be targeted, often stayed behind with their children and elderly people.

In some cases, Bul fighters forced women and children to act as porters, and carry, sometimes for days, looted goods back to their home areas—allowing them to return home afterwards. Human Rights Watch also documented 35 cases of abductions by Bul fighters. Unless a victim had managed to escape, the whereabouts and fate of most of the women was unknown at the time of the interviews. Some of those abducted were girls who had also been raped before they were taken away. Human Rights Watch believes that this is likely a fraction of the total number of incidents.

Beatings of women were widespread. Most women interviewed, who had remained in villages when government aligned forces attacked, told Human Rights Watch that they were beaten at least once by Bul fighters with ropes or sticks, often brutally.

When describing attacks by government forces in many places in the counties of Guit, Rubkona, and Koch, victims often told Human Rights Watch that government soldiers had used what they called 'barches,' armored vehicles that at times followed them into very wet swampy areas where they hid as they tried to flee attacks. Witnesses said that this was the first time they had seen these kinds of armored vehicles used. Descriptions by witnesses suggest these may be the same vehicles first seen in Bentiu by international observers in early 2015.

On May 26, South Sudan's Ministry of Defense issued an order calling on government forces to refrain from deliberate attacks on civilians and their property and promising accountability for crimes committed. This order should be followed by action, including an investigation, by the government. If unaddressed, the abuses committed by Bul fighters may provoke revenge attacks and unlawful reprisal killings and rape by fighters from communities recently devastated. One grandmother who had struggled to walk to the Bentiu UN base after her home had been burned by Bul fighters told Human Rights Watch that she hoped her community's youth would now steal back cattle from the Bul, burn their villages, and rape their women. The government could help prevent further cycles of abuse by acknowledging the destruction caused during their offensives, especially in central Unity, investigating those responsible and organizing the return of stolen cattle to thousands of now destitute families.

The UN, some of its member states, the African Union, and the regional Intergovernmental Authority on Development (IGAD) have all condemned the fighting in Unity state. The UN Security Council should urgently identify senior political and military officials responsible for the recent attacks in Unity state, as well as other serious crimes committed since December 2013, and impose targeted individual sanctions, including travel bans, and asset freezes.

The UN Security Council has threatened an arms embargo on South Sudan but should now urgently establish and fully enforce a comprehensive mechanism to prevent military equipment, which could be used to unlawfully attack civilians, from being provided to either the government or the IO. The AU in May called on the UN Security Council to urgently impose an arms embargo.

Moreover, the scale and gravity of the crimes committed in April, May, and June 2015 reflect, once again, the role of decades of impunity in fueling further crimes in South Sudan. The recent abuses—and the limited capacity of South Sudan's domestic justice system—underscore the urgent need for the UN Security Council, the AU, the government of South Sudan, and the country's other international partners to take concrete steps to ensure fair, credible justice for serious crimes committed in violation of international law through trials before an independent hybrid court with a majority of international judges and robust complement of international prosecutors, investigators, and other staff, and/or the International Criminal Court (ICC).

RECOMMENDATIONS

To the Parties to the Conflict

- Ensure all forces, including any affiliated militia forces, immediately cease all violations of international human rights and humanitarian law.
- Exclude amnesty for serious crimes committed in violation of international law from any peace agreement.
- Consult with the United Nations on the establishment of a hybrid judicial mechanism as committed to in the February 1, 2015 agreement on a transitional government.

To the Government of South Sudan

- Issue clear, public orders to all armed forces, military intelligence, and allied militia to prevent, end, and punish all abuses, including crimes of sexual and gender-based violence.
- Immediately investigate and suspend senior military commanders' prima facie responsible for serious abuses allegedly committed by forces under their control.
- Publicly commit to ensure justice and compensation for the victims. Dispatch a senior member of the government to meet with displaced people affected by the violence and organize the return of stolen cattle to these communities.
- Immediately end the recruitment and use of children in organized forces or any allied groups.
- Ensure unimpeded access for humanitarian aid organizations to all populations in need of assistance and ensure that humanitarian and medical facilities, staff, and material, including food stocks, are protected from attacks, looting, or diversion.
- Deploy military judge advocates to areas of active conflict and where government soldiers are positioned in towns and other civilian areas. Because of a lack of civilian police and judicial capacity in conflict areas, military judge advocates should investigate reports of attacks by the Sudan People's Liberation Army or allied forces on civilians or other violations of international humanitarian law and publicly report on their findings.
- Fully cooperate with investigation and monitoring activities by the UN Mission in South Sudan, the Office of the High Commissioner for Human Rights, and the African Union, including by providing information requested and facilitating access.
- Advance justice for serious crimes committed in violation of international law by working with the UN secretariat to establish an independent hybrid court that meets international standards and inviting the International Criminal Court's jurisdiction over serious crimes committed since December 2013 through a declaration under article 12(3) of the International Criminal Court's Rome Statute.

To the UN Security Council

- Impose a comprehensive arms embargo on South Sudan and establish a UN monitoring body or panel of experts to monitor and report on implementation of the embargo.
- Impose further targeted sanctions, including travel bans and asset freezes, on individuals responsible for violating the arms embargo or serious violations of international humanitarian law.
- Convene further consultations on the UN secretariat-prepared accountability options for South Sudan with a view to ensuring prosecutions for serious crimes committed in South Sudan before an independent hybrid court—with a majority of international judges and a robust complement of international prosecutors, investigators, and other staff—and/or the International Criminal Court.
- A representative of the UN Secretary General should initiate talks with South Sudan representatives on the February 1 commitment to a hybrid court with a view to its establishment without delay, irrespective of the conclusion of a final peace agreement, and to report back to the Security Council on this within a limited specified time frame.
- Ensure that the human rights division of the UN Mission in South Sudan has the means to properly investigate allegations of serious violations in remote areas, including access to helicopter assets to conduct field trips to affected areas, and reports promptly and publicly on its findings.

- The UN Mission in South Sudan should implement protocols for women's leadership and participation and safety in the design of Protection of Civilian sites on their bases to identify and prevent the risk of sexual violence and other abuses.

To the African Union

- Dispatch a high-level mission to Juba, South Sudan's capital, to engage with the government on investigating credible and reliable allegations of serious abuses by government forces and allied militia.

- Publish the delayed report of the African Union's Commission of Inquiry on South Sudan and press for fair, credible prosecutions of the crimes through an independent hybrid court, with adequate international participation, and/or trial before the International Criminal Court.

- Fully support the implementation of UN Security Council individual sanctions and an arms embargo, if established.

To the United Nations High Commissioner for Human Rights

- Press for fair, credible, impartial investigation and prosecution of serious crimes committed during the conflict in accordance with international standards, including through a hybrid judicial mechanism, acceptance of the International Criminal Court's jurisdiction by the government of South Sudan and/or Security Council referral of the situation in South Sudan to the International Criminal Court.

- Release public statements, provide regular briefings to the UN Human Rights Council, and closely liaise with the UN Mission in South Sudan, the Intergovernmental Authority of Development, and the African Union to promote human rights and accountability, clearly state that any peace agreement must exclude amnesties for perpetrators of crimes under international law and recommend to the UN Human Rights Council to establish a Special Rapporteur on South Sudan.

- Urgently dispatch a mission to South Sudan to monitor and report on the human rights situation, with a focus on ensuring accountability for past and on-going violations, including by identifying the chain of command during the April–June offensive in Unity state and to help establish a database identifying those allegedly responsible for crimes under international law and serious violations of international human rights, for use in future vetting processes.

- Call for the public release of the final report of the African Union Commission of Inquiry on South Sudan.

To the United Nations Human Rights Council

- Appoint a Special Rapporteur on South Sudan with a mandate to monitor and publicly report on violations, make recommendations for achieving effective accountability for past and ongoing crimes, including through the establishment of transitional justice mechanisms; work in close cooperation with other international mechanisms such as the UN Mission in South Sudan, the Intergovernmental Authority on Development, and the African Union to promote human rights and accountability.

To South Sudan's International Partners

- Donors should support outreach programs to survivors of sexual violence that would better inform them about available medical and mental health services in order to facilitate referrals and access to emergency treatment for women and girls who are victims of sexual violence.

- Services should be provided at UN camps to reduce the need for women and girls to undertake high-risk activities such as collecting firewood in remote areas or standing in line for water at nighttime.

METHODOLOGY

Based largely on a mission to Bentiu, the capital of Unity state in June 2015, this report examines abuses related to government attacks on Rubkona, Guit, and Koch counties since late April. Two Human Rights Watch researchers interviewed 126 victims and witnesses, mostly women living in makeshift shelters in the UN Mission in South Sudan's (UNMISS) Protection of Civilian camps for internally displaced persons in Bentiu.

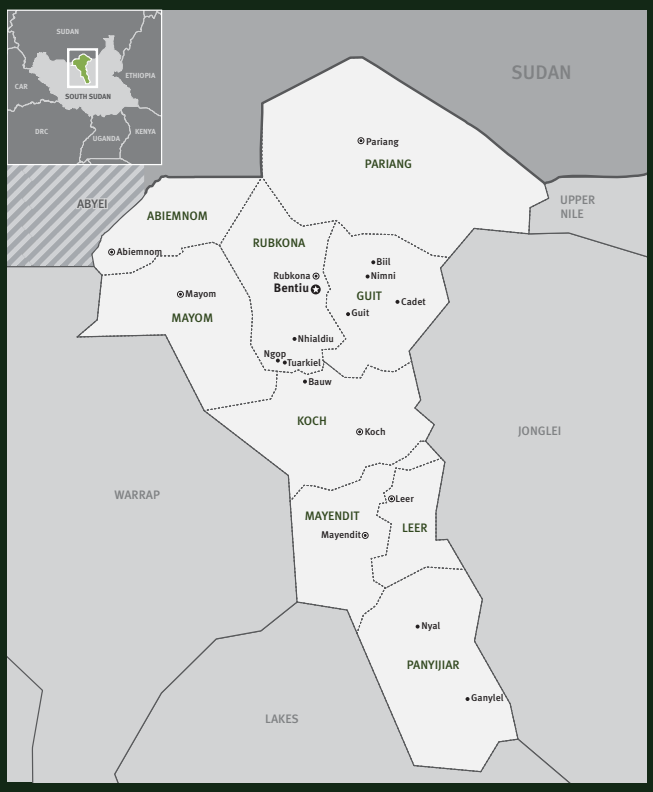
These displaced people represented approximately 25 different villages and settlements across the three affected counties in Unity state. A second mission to the town of Ganylel in southern Unity state was conducted in early July where Human Rights Watch researchers spoke with 48 displaced people from Mayendit town, Mayendit county and from Taiyer and Nyal towns in Panyijar county where fighting took place between government forces and the IO and their allies during the month of May. About two thirds of those interviewed in their new homes in Ganylel were women and the rest were men. Human Rights Watch also interviewed government, opposition, and UN officials and representatives of humanitarian organizations and service providers in Bentiu and Juba.

The names of interviewees have been withheld for security reasons. The individuals interviewed for this report were fully informed about the nature and purpose of our research and how we would use the information they provided. Human Rights Watch obtained oral consent for each of the interviews. No incentives were provided to individuals in exchange for their interviews. All the interviews were conducted in person and with translation into Nuer. Researchers took care to minimize the risk of retraumatization when conducting interviews, and, where appropriate, Human Rights Watch facilitated referrals to an international organization for medical, counseling, and other services.

On occasion, in order to identify any corroborating testimony about reported abuses, Human Rights Watch researchers sought to interview individuals displaced from particular villages; however with the exception of three cases in which women helped the researchers identify rape survivors, the researchers interviewed recently displaced people randomly without any assumptions or knowledge as to whether they were victims or witnesses to abuses or crimes. The findings described below, from statements by just a proportion of those displaced, should be viewed as but a partial illustration of the profound suffering experienced by civilians in Unity state.

UNITY STATE, SOUTH SUDAN

This report examines abuses related to government attacks on Rubkona, Guit, Koch, Mayendit, Leer, and Panyijiar counties since late April 2015.



Girls waiting in line for water in the UNMISS camp near Bentiu. As of the end of June, the camp had registered about 81,000 inhabitants, including at least 28,000 new arrivals in April and May who now reside in mostly cramped and unsanitary conditions.
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BACKGROUND

South Sudan's conflict began in December 2013. It was triggered by a gun battle in Juba between soldiers loyal to President Salva Kiir and those loyal to Riek Machar, the former vice president and now leader of the Sudan People's Liberation Movement/Army-In Opposition (otherwise known as the "IO"). Since its first 24 hours, the conflict has been marked by horrific attacks on civilians. Both government and opposition forces have been responsible for the unlawful killings of thousands of civilians often targeted, including in gruesome massacres, because of their ethnicity. The fighting has displaced about two million people. Much of the conflict-affected area is already food insecure and vulnerable to famine.

Civilians in Unity state have suffered appalling war crimes at the hands of both government and IO forces and their allies. For example, Human Rights Watch documented the burning of numerous villages and other abuses, including killings and rape, by government forces and their Darfuri rebel ally, the Justice and Equality Movement, in early 2014. In April 2014 the IO attacked Bentiu, the capital of Unity state, killing numerous civilians including hundreds of people in a massacre in a mosque and also attacked Bentiu's main hospital. The IO have made other attempts to capture the state capital since and have regularly shelled the town and surrounding areas.

This latest campaign in 2015 has prompted a massive new wave of displacement. On May 8, the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) said that 100,000 people had been displaced since the beginning of May by the conflict in Unity state, noting with special concern the displacement of civilians around Guit in Guit county and Ngop and Nhialdiu in Rubkona county, all areas attacked by government forces in late April and early May. Large scale displacement has also taken place in Mayendit, Leer, and Panyijiar counties further to the

As thousands of people flee government attacks on their villages, the population at the UNMISS camp in Bentiu has exploded and living conditions have deteriorated. Problems with overcrowding and poor sanitation have intensified during the rainy season when sections of the camp flood. Conditions are expected to improve as people are relocated to new sections of the camp. © 2015 Samer Muscati/Human Rights Watch

south of Unity following government attacks as well as fighting between government and IO forces.

In early June government officials, including the county commissioners for Guit and Rubkona counties, told people in these areas on government radio that they must come to Bentiu if they wanted to protect their cattle and their lives. According to several sources who heard the message, the officials gave the population five days to bring their cattle to the town before a new phase of the government offensive was due to start and said that those who remained in their locations would be considered rebels. In some villages messengers were also sent who relayed a similar message.

Government officials confirmed to Human Rights Watch that they did ask people over the radio to bring their cattle to Bentiu town, but said it was for their protection and that there was no threat to civilians from government forces. Whatever the precise wording and intent of the message, civilians who had already seen villages burned and thousands of cows stolen during the government's offensive perceived the instructions as a threat. Tens of thousands of cattle were brought to Bentiu to join the tens of thousands already there, including stolen cows. More cattle were raided on their way to the town. After the announcement, government forces and Bul fighters in June attacked villages in Guit county, burning and pillaging homes and taking cattle, replicating earlier attacks from April and May. Witnesses who fled many of these locations said that there had been no IO resistance.

Since South Sudan's conflict began in 2013 there has been no serious effort by either the government or opposition forces to end human rights and international humanitarian law abuses by their forces or provide any accountability for the atrocities that have taken place.

In February 2015, the parties to the conflict agreed to the establishment of a hybrid accountability mechanism for South Sudan, stating an "independent hybrid judicial body, with participation from South Sudanese and eminent African lawyers and jurists, shall be established to investigate and prosecute individuals bearing the greatest responsibility for violations of international humanitarian law, and/or applicable South Sudanese law, committed since December 15, 2013."[1] The parties have not taken any concrete steps to implement this. The AU Commission of Inquiry on South Sudan—which was established in December 2013 and mandated to make recommendations on accountability—completed its report, but the AU Peace and Security Council (PSC) deferred consideration of its contents at the January 2015 AU summit.

The UN secretariat has prepared a paper on accountability options for South Sudan. The UN Security Council held initial, informal consultations on this paper in early May, but has yet to revisit the issue. The UN Mission in South Sudan (UNMISS) has done important human rights investigations and reporting, but this work has been stymied because staff have been unable to visit many locations after helicopter trips have been cancelled, in some cases because of security concerns but often because these assets have been otherwise prioritized.

1 Areas of agreement on the establishment of the transitional government to national unity (TGoNU) in the Republic of South Sudan, available at: http://www.sudantribune.com/IMG/pdf/1_feb_2015_agreement.pdf.

INTERNATIONAL LAW VIOLATIONS

Killings

Human Rights Watch documented around 35 unlawful killings in central Unity—Rubkona, Guit, and Koch counties—of civilian women and men, including children and the elderly, some by hanging others by shooting, or being burned alive. When asked why they had fled to the UN base, many survivors from central Unity state said that they feared they would be targeted and killed in government attacks.

Witnesses described government armed forces and allied militia engaging in cruel and brutal behavior during attacks on settlements that appear to have been designed to spread fear so that civilians would flee from their homes. Victims and witnesses interviewed by Human Rights Watch often described fleeing their villages and fighters pursuing them into swampy or forested areas. Women who had tried to hide often said that the fighters would return after the initial attack, sometimes for several consecutive days, to steal more cows and shoot at any remaining people.

Civilians were also killed by government forces—the Sudan People's Liberation Army (SPLA)—during attacks on Mayendit town in Mayendit county and on Nyal town in Panyijiar county in May following the incursion into southern Unity in May from neighboring Lakes state. Human Rights Watch documented almost 30 killings in these areas, described at the end of this section of the report. Witnesses described soldiers shooting at civilians as they tried to flee, both during periods of fighting between the SPLA and local armed civilians with some IO forces, and after fighting had ended. Other civilians were said to have been crushed by tanks.

> "I was with my neighbor when they asked her whether her baby was a boy or a girl. When she said 'boy' they told her that they were going to kill the baby because 'when he grows up he will fight with us so I have to kill him before that happens.' They shot the boy in front of the mother."
>
> —A woman (NG) from Koch town, Koch county, name withheld, Bentiu, June 18, 2015

Killings in Villages and Settlements

A woman from Koch told Human Rights Watch she had seen fighters from government aligned Bul militia throw three elderly men into a burning hut.[2] One elderly woman who had also fled Koch town said that Bul fighters attempted to hang her from a beam in her hut and that they killed an old man in this way in another hut.[3] A 22-year-old woman from Koch described another attempted hanging, this time of her mother:

2 Human Rights Watch interview, name withheld (NG), Bentiu, June 18, 2015.

3 Human Rights Watch interview, name withheld (ND), Bentiu, June 18, 2015.

> [Bul men in civilian clothes and SPLA] asked us for money and alcohol, [my mother] said we didn't have any, so they took her to the tree and hung her by her neck. I don't know the reason why they did this. They didn't say anything besides 'bring us your things.' They used a rope. She survived because she fell down from the tree—after they hung her, they left.[4]

A 22-year-old woman told Human Rights Watch that she watched a Bul fighter in civilian clothes enter her relatives' hut or 'tukul' in Bargok village near Koch town where he shot dead three women and one man hiding inside the home.[5] She said her tukul and all the others in the village were later burned down by the fighters, a mix of soldiers in full uniform and Bul fighters in mostly civilian clothes.

Two women from Bang, close to Koch town, said that a Bul fighter, apparently drunk, entered a nearby hut and shot three women and injured a fourth.[6] She said that government forces, in full uniform and with camouflaged vehicles arrived in Bang from Koch just before the Bul fighters. "Those from Mayom [Bul fighters] were immediately burning and grabbing cows," she said.

Displaced people who fled from Bauw, northern Koch county, reported that the Bul forces who stayed several days in the village killed "many people." Human Rights Watch documented seven deaths, including the burning of one man in a hut. One middle-aged man was shot while trying to run with his cattle. An old man was killed, his daughter-in-law said, when:

> They put a fire on his house and he was trying to get out and they killed him. They also killed his daughter. They killed them in front of the house. First the man was killed and then his daughter.[7]

A 23-year-old woman whose husband had already fled with other men from Bauw was living with her blind brother-in-law when Bul fighters arrived and shot him in the chest in her tukul.[8] "He was not [even] running," she said, adding that SPLA soldiers then arrived and told the Bul fighters not to harm children.

A 40-year-old woman from Guit described seeing her son-in-law executed by government soldiers and also seeing the bodies of three other male relatives who had also been shot dead during the attack.[9]

A woman said government fighters burned her mother-in-law inside her hut in June in the village of Kuer Geny, also in Guit county.[10] "When we came back at night, the tukul was burned to the ground with her remains inside," she told Human Rights Watch. Another woman told Human Rights Watch that she was inside her tukul in her village in Guit county when Bul fighters fired inside and killed her elderly uncle.[11]

A young mother of one told Human Rights Watch that her husband's second wife and another woman were killed in June, also in Guit county, after an army vehicle hit and then ran them over.[12] "They ran over their bodies many times," she said.

In Boreh village near Nhialdiu, Rubkona county, an old man was killed after fighters called him out of his tukul and then shot him. The fighters then burned tukuls after pillaging the "best" clothes and taking animals to Mayom, traditionally Bul territory.[13] A woman from the same village said her husband was shot as he ran from the fighters.[14]

4 Human Rights Watch interview, name withheld (NKB), Bentiu, June 21, 2015.

5 Human Rights Watch interview, name withheld (NS), Bentiu, June 20, 2015.

6 Human Rights Watch interview, name withheld (NKC), Bentiu, June 20, 2015.

7 Human Rights Watch interview, name withheld (MT), Bentiu, June 16, 2015.

8 Human Rights Watch interview, name withheld (NBB), Bentiu, June 20, 2015.

9 Human Rights Watch interview, name withheld (A), Bentiu, June 18, 2015.

10 Human Rights Watch interview, name withheld (NM), Bentiu, June 19, 2015.

11 Human Rights Watch interview, name withheld (YK), Bentiu, June 22, 2015.

12 Human Rights Watch interview, name withheld (NRC), Bentiu, June 19, 2015.

13 Human Rights Watch interview, name withheld (MKKP), Bentiu, June 15, 2015.

14 Human Rights Watch interview, name withheld (NRG), Bentiu, June 25, 2015.

An elderly woman from Rubkona county moved to the UNMISS camp in June 2015 after soldiers said they would kill her if she stayed in Bentiu town. "I was on the way to the market when the soldiers told me this. I was very scared so we came here." © 2015 Samer Muscati/Human Rights Watch

Government forces also killed civilians in Leer county, which was attacked in mid-May after the government and Bul Nuer moved south from Koch county. A group of women from Payak village in Leer county who spoke to Human Rights Watch said that Bul fighters slit the throat of an old man after he refused to carry looted property for them and that Bul fighters had also hung an old woman.[15] One woman from Rubchier village told Human Rights Watch that she saw four people run over by a tank after government forces entered their village having overcome the resistance of some armed youth. "They were running with the tanks after the people and then after they hit them they would roll back over them to confirm that they were dead. After I saw this I ran and escaped," she said.[16]

Another woman saw a man shot and killed as they fled together from the forces as well as the bodies of three children also freshly shot and two men "squashed," presumably by tanks, as they escaped. She also said that three boys, who she estimated to be around 15 years of age and who were not fighting, were burned alive. "We were all running together and then they decided to branch off and get into a tukul. [The soldiers] got out of

15 Human Rights Watch interviews, names withheld, Bentiu, June 20, 2015. These witnesses saw the bodies of these two people when they returned from fleeing Bul fighters, but did not witness the killings themselves.

16 Human Rights Watch interview, name withheld (NY), Ganylel, July 7, 2015. Another man interviewed in Ganylel on July 7, 2015, also from this village, reported that he knew five men who had been crushed by tanks during the attack as they tried to flee.

Roda, 20, fled to Bentiu from Mayendit county in late May 2015 when Bul fighters attacked her village, burning everything in sight. "I heard men shouting 'come out of your tukuls… They took our property from inside my tukul, my mats, clothes, pans. Then they burned the tukul." June 2015 at the UNMISS camp near Bentiu, South Sudan .
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the tank [that was chasing them] and burned the roof," she said.[17] Government forces, apparently mostly together with Bul fighters, have attacked Leer town in Leer county at least three times since May. One man said that his two wives were killed as they escaped the town during the first attack.[18]

Another woman from Leer town said: "my father was killed in the first attack. …. We found him injured and then he died. The IO had already been defeated, they were looking to get someone and they just shot him."[19] A woman from Mirmir, Leer county, said that SPLA soldiers killed three women in front of her when the soldiers were in control of the town.[20]

Mayendit town, southern Unity, was attacked on May 12 by SPLA forces from neighboring Lakes state who battled with local defense forces before entering the town. People who fled reported soldiers shooting civilians trying to flee and crushing others with tanks when they were in the town. One woman who fled the town with other civilians reported seeing a woman shot and a soldier beat a boy to death as she ran away.[21] A 35-year-old business-

17 Human Rights Watch interview, name withheld (NM), Ganylel, July 7, 2015.

18 Human Rights Watch interview, name withheld (JG), Ganylel, July 11, 2015.

19 Human Rights Watch interview, name withheld (MG), Ganylel, July 8, 2015.

20 Human Rights Watch interview, name withheld (RNK), Ganylel, July 7, 2015.

21 Human Rights Watch interview, name withheld (ND), Ganylel, July 7, 2015.

man also saw a 5-year-old child he knew killed by soldiers.[22] Another woman said that her nephew, who was running with her, was shot by SPLA forces. "He was not a member of our local defense force, he had no gun," she said.[23] Several other witnesses said that they saw bodies of civilians, including children, on the ground as they fled or that they saw people "fall" as they ran together.

One man reported seeing a man shot as they fled the town, the bodies of a woman and two children, and the broken bodies of two brothers he knew, both in their 50s, who had apparently been crushed by tanks.[24] He also reported seeing the bodies of six other men and women in the town after the SPLA had taken control of the area. A 30-year-old woman said that her nephew had been crushed by a tank. "He has no gun … I saw him … he was crushed before he reached the river… we were running together he ran in order to hide from the barche [armored personnel carrier on caterpillar tracks]," she said, adding that local defense forces had already been defeated by this time. She also saw a woman and child shot as they fled Mayendit. A businessman, whose shop was looted and then burned but who stayed near the town for the first week when it was under SPLA control, said that two of his relatives were killed, one shot and the other, a young man, crushed by a tank. He also, later in the week, witnessed SPLA soldiers castrating a man and a boy, whom he estimated to be about 15 years old.[25]

SPLA forces only held the town of Nyal, in Panyijiar county, for a day, on May 20, when members of the local defense forces, together with a smaller number of IO forces recaptured it.[26] People who fled the town reported that civilians had been killed and several neighborhoods burned during the short period of SPLA control.[27] Again civilians were reported to have been shot at and killed as they fled, or crushed by tanks. "Neither of them had a gun and both were civilians. Their bodies had been grinded. We buried them," one woman said about the bodies of two of her male relatives.[28] Another man said that two of his relatives had been killed, including one hit and then crushed by a tank. The other had been shot.[29] A woman who was captured by SPLA forces and forced to collect firewood for them, said another woman captured with her was killed by a soldier. "She was shot in the head, she is a drunkard and was insulting the SPLA soldiers and so they shot her," she said.[30]

"Hunting People"

Many of the interviewees who fled villages in Rubkona, Guit, and Koch counties said that forces followed them from villages into bushy areas or sparser settlement areas where they shot at and sometimes killed civilians.

A woman from Bauw said, "When we saw SPLA soldiers, we began running and [my mother] was killed because she was running. I saw her fall, I kept running, others told me that she was dead."[31]

"We hid during the day in the bushes, and could go back to the village at night," a woman from Bang village in Koch county said. "They were hunting for cows and people."[32] One middle-aged woman from a village near Nhialdiu said she saw the bodies of three boys who had been shot

22 Human Rights Watch interview, name withheld (DPS), Ganylel, July 8, 2015.

23 Human Rights Watch interview, name withheld (NM), Ganylel, July 10, 2015.

24 Human Rights Watch interview, name withheld (JGM), Ganylel, July 10, 2015.

25 Human Rights Watch interview, name withheld (GB), Ganylel, July 11, 2015. Human Rights Watch also received a separate report of a castration by SPLA soldiers in Mayendit town.

26 Local defense forces are a common phenomenon across conflict affected South Sudan. Made up of armed youth (mostly boys of about 14 or 15 years of age to men in their 30s) they are often highly effective fighting groups, led by leaders chosen by the members for their bravery and fighting skill. In some cases members live at home and only come together when there is a threat on their community, in other cases the fighters live together in informal barracks.

27 Civilians who fled Nyal town often knew the names of people they said had been killed even if they had not witnessed killings themselves. One man for example was able to name nine people who he said he knew had been killed and another man named seven.

28 Human Rights Watch interview, name withheld (RNK), Ganylel, July 10, 2015.

29 Human Rights Watch interview, name withheld (LP), Ganylel, July 8, 2015.

30 Human Rights Watch interview, name withheld (MN), Ganylel, July 10, 2015.

31 Human Rights Watch interview, name withheld (NC), Bentiu, June 17, 2015.

32 Human Rights Watch interview, name withheld (NKC), Bentiu, June 20, 2015.

as they fled an attack. Before she fled she said that Bul fighters had set her tukul on fire even though she and her five children were inside.[33] A 20-year-old woman said she and others fled across a river from Padeng, in Rubkona county, desperately seeking safety after running from their village, but that the Bul fighters followed them there. She said the fighters shot at least two men dead and injured another.[34]

Many victims said that Bul fighters and soldiers would come to their hiding areas during the day searching for cattle and people who had fled. "Soldiers came to our place, they were just moving, looking for people. They used to come in the morning and then go back to Koch," said a woman who fled to Bol, near Koch.[35] A woman who fled from Waak into a swampy area said government soldiers used the guns mounted on their "barches" to fire on civilians' hiding places.[36]

A man from Kuer Geny in Guit county said that after the forces had stolen all his 200 cattle, together with many hundreds of other cows from other people, they pursued him into the bush area where he fled. "They were hunting people in the day and then at night they would go back to Kuer Geny," he said. "We don't have any place to run, they surrounded us and even went beyond us … All the cows had already been taken but they still came to catch people."[37]

Several killings took place during cattle raids. A 40-year-old woman from Guar in Koch county said forces in both full uniform and in civilian clothes arrived on foot in a cattle-grazing area in June and "started shooting … They shot [a woman] twice in the legs. After that we ran away and never saw her again."[38] A woman from Guit saw Bul fighters kill an old man in May, shooting him in the back because "he told them he didn't want them to steal his cows." Bul fighters also took the woman's 18 cows in the same raid.[39] Another woman said her family lost 45 cows in an attack near Kuer Mading in Guit county. She said, "We just hid in the bush. We saw them when we were hiding. They took cows, sheep, and goats. They were shooting at the river where people were hiding, people were killed but I don't know them."[40]

Children, who are often cattle herders, were also killed or shot at. One woman said that she spent several days looking for her son in Rubkona county before she was told he had been killed by the forces while they were taking cattle.[41] Another woman who escaped attacks in Guit in June said she saw a boy aged between 10 and 15 shot during a raid.[42]

A 13-year-old boy, originally from Bauw, Koch county, was left to tend the cattle after adult men ran from the camp before the Bul arrived. He described his terror during the raids:

> We fled with cattle to the river [but] we had to leave the cows behind because they were shooting right up to us. We were in the river for three days because you can't come out because of the shooting. There was random shooting into the reeds to get [us] hiding people. We ate water lily and roots [in the river].[43]

Bul fighters repeatedly threatened to kill women. Around a dozen women who spoke to Human Rights Watch said that Bul fighters threatened to kill them while beating them or before raping them. One woman's description of the threat she received in her village in Rubkona county was typical: "When they were beating us, they said, 'You will see what will happen to you.' They said 'If you don't leave this place, we are coming back to kill you.'"[44]

Another woman in Koch said: "After they beat us, they said 'Let's go, we leave you women here but others will come to kill you.'"[45]

33 Human Rights Watch interview, name withheld (NC), Bentiu, June 16, 2015.

34 Human Rights Watch interview, name withheld (ND) Bentiu, June 17, 2015.

35 Human Rights Watch interview, name withheld (NRD), Bentiu, June 17, 2015.

36 Human Rights Watch interview, name withheld (ND), Bentiu, June 22, 2015.

37 Human Rights Watch interview, name withheld (CPH), Bentiu, June 25, 2015.

38 Human Rights Watch interview, name withheld (NG), Bentiu, June 25, 2015.

39 Human Rights Watch interview, name withheld (YK), Bentiu, June 25, 2015.

40 Human Rights Watch interview, name withheld (KT), Bentiu, June 25, 2015.

41 Human Rights Watch interview, name withheld (NGD), Bentiu, June 19, 2015.

42 Human Rights Watch interview, name withheld (NRC), Bentiu, June 19, 2015.

43 Human Rights Watch interview, name withheld (LG), Bentiu, June 18, 2015.

44 Human Rights Watch interview, name withheld (NJ), Bentiu, June 19, 2015.

45 Human Rights Watch interview, name withheld (EN), Bentiu, June 21, 2015

Angelina, 20, from Koch county was spared in May when members of government aligned militia abducted three women and a teenage girl that she was hiding with. "When I fled [my village], I felt very tired and I sometimes would fall and have to use my arms to pull myself forward on the ground," said the 20-year-old who has a physical disability. "I arrived [at the UNMISS camp] three weeks after the attack. My whole body was swollen."
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Violence against Women and Girls

Sexual Violence[46]

Human Rights Watch found that the government forces and allied militia regularly used particularly brutal forms of violence against women during the attacks on villages, settlements and the nearby places people ran to, especially in Rubkona and Koch counties. Human Rights Watch documented 63 rape cases but believes this is a fraction of the total number. Rape was repeatedly reported to Human Rights Watch researchers, and was described by one woman as "just a normal thing." Almost all interviewees had knowledge of rape in their communities or nearby villages. In many cases the women were raped by more than one perpetrator.[47]

One of the first villages to be attacked in late April or early May was Ngop in Rubkona county where the mother of a six-month-old baby was raped.[48] She told Human Rights Watch that three other female relatives were also raped at the same time. The woman said that the other women were too injured, as a result of the sexual violence, to be able to walk to the UN base.

Human Rights Watch spoke with three women beaten and raped at the same time by Bul fighters after the forces entered the village of Nyaromne, also Rubkona county, burning homes and shooting. "They said, you are the wife of a rebel," one of the survivors said. The two other women who spoke with Human Rights Watch were raped at the same time as her, a short distance away. The women said that another four other women were raped on the same day in Nyaromne.[49]

A 20-year-old woman from Pibor, Rubkona county, whose home was looted and then burned down by Bul fighters as they attacked the village (in the days following the capture of Nhialdiu by the government) said that a smaller group of Bul returned later to where she was sheltering nearby, forced her to walk with them and then raped her:

> They took me to the bushes and held me down and shot two bullets in the air and said we are going to kill you. … All five of them went on me, said afterwards you can go now or you can stay, it's up to you. I could not walk well, there was a lot of blood.

The survivor also reported that another friend of hers, roughly the same age, was raped the following day.[50] Two middle aged women, interviewed separately, both reported the rape and killing of the same young woman, aged between 16 and 20 years, by Bul fighters near Pibor, and another woman from Pibor provided three other names of friends and relatives who had been raped there.[51]

A woman from Rubnyagai village also in Rubkona county described how three Bul fighters beat her and other women and then raped two young women in "an open place" in sight.[52] Displaced people from Biel, Dhoar, and Chotchuru villages in Rubkona county also told Human Rights Watch about rapes they witnessed or knew about.

Bul fighters stationed themselves in the village of Bauw in northern Koch county for several days after attacks on villages in Rubkona county, but before heading southwards toward Koch town. All of the women who had fled Bauw interviewed by Human Rights Watch reported witnessing or having knowledge of rapes. One woman said that Bul fighters beat her and a group of women, demanding she reveal the location of her cows, and afterward they told a young woman to lie down and three Bul fighters raped her.[53] Another woman said that she was spared because she was pregnant but four other women who fled to the bush near Bauw with her were raped in front of her. "If you run they will kill you so you just close your eyes so you don't see the rapes," she said.[54]

Additional rapes took place when the Bul fighters reached Koch town, where they were joined by government forces who came by road from Bentiu town to the north. One woman from Koch county described how her two daughters were raped and then one of them was tortured by multiple Bul fighters in Koch town:

> One man put a gun to the back of my head and said 'watch how we will rape your daughter.' They made me sit on the floor two arm lengths from where they raped my daughter and they beat me with a stick. After they were finished, they raped my older daughter. When they finished with her, they burned our tukul. They then grabbed her and held her down in a fire and burned her face, her shoulder and the length of her body. They let go of her and left when she caught on fire. She was too injured from her burns so we had to leave her in the bush when we fled.[55]

A 21-year-old female student and new mother raped by a Bul fighter in a village near Koch said that two other young women were also raped at the same time, each of them by three men.[56] "[But] they only raped me once because they saw I had recently given birth," she said. A woman from Jak, about an hour's walk from Koch said that she witnessed the rapes of five women in one day there.[57] A mother of six described how soldiers "came looking for people" in the bush area she had run to from Koch after witnessing the rapes of three women in Koch. Another woman who was beaten by Bul fighters after they demanded alcohol from her also said she saw a woman being raped in the village of Gop close to Koch town by Bul fighters.[58]

Three women from Pagak village in Leer county told Human Rights Watch researchers that they had seen soldiers grab a pregnant woman from under a tree and rape her. The three women also said that two soldiers, in full uniform, had raped their 5-year-old niece.[59] A woman from Mirmir in Leer county who fled to Ganylel told Human Rights Watch that she saw 10 SPLA soldiers line up and rape a woman after they gathered civilians in the center of the town. She also saw seven other women being taken away by SPLA soldiers during the same incident and could hear them screaming nearby.[60]

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46 On January 23, 2014, the parties signed a Cessation of Hostilities Agreement that committed them, among other things, to refrain from "any acts of rape, sexual abuse and torture." On October 11, 2014, the government also signed a Joint Communiqué with the UN Special Representative on Sexual Violence in Conflict that included measures such as the enforcement of clear orders through military and police chains of command prohibiting sexual violence, accountability mechanisms, exclusion of perpetrators from the security forces and from amnesty provisions, and enhanced services for survivors." In December 2014, opposition leader Machar issued a communiqué in which he committed to undertake similar measures. United Nations Security Council, Report of the Secretary-General on Conflict-related Sexual Violence, March 23, 2015, S/2015/203 http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/203 (accessed July 18, 2015).

47 In all of these cases Human Rights Watch either spoke to a rape survivor or an eyewitness to the rapes. Because women were often raped in small groups often victims were also eyewitnesses. Human Rights Watch received reports of dozens of other rapes as well as these confirmed cases. In several reports women interviewed were able to provide the names of friends who had been raped.

48 Human Rights Watch interview, name withheld (NLM), Bentiu, June 18, 2015.

49 Human Rights Watch interviews, name withheld (NBW) (NNM) (ND), Bentiu, June 18–19, 2015.

50 Human Rights Watch interview, name withheld (ND), Bentiu, June 17, 2015.

51 Human Rights Watch interviews, name withheld (NP) (NK) (N), Bentiu, June 16, 2015.

52 Human Rights Watch interview, name withheld (NJ), Bentiu, June 19, 2015.

53 Human Rights Watch interview, name withheld (NBB), Bentiu, June 20, 2015.

54 Human Rights Watch interview, name withheld (NBM), Bentiu, June 18, 2015.

55 Human Rights Watch interview, name withheld (NG), Bentiu, June 18, 2015.

56 Human Rights Watch interview, name withheld (SNCG), Bentiu, June 22 2015.

57 Human Rights Watch interview, name withheld (RNM), Bentiu, June 16, 2015.

58 Human Rights Watch interview, name withheld (NGM), Bentiu, June 20, 2015.

59 Although the women did not witness the rape, their sister in law—the girl's mother—described the attack to the three women in detail. The soldiers attacked the girl as she was fleeing with her mother to the bush and threatened them both with death. The girl's injuries from the rape had been so severe that she was unable to reach the UN base in Bentiu and stayed behind with her mother and grandmother to look after her. Human Rights Watch interviews, names withheld (NG), Bentiu, June 20, 2015.

60 Human Rights Watch interviews, names withheld (RNK) (RND), Ganylel, July 7, 2015.

Access to Services, Security in the UNMISS Base

Given the high numbers of women and girls who have experienced sexual violence, the overall response, particularly outreach to inform survivors of services at the UNMISS base in Bentiu, is inadequate. Only one survivor interviewed by Human Rights Watch had received any medical or other services for sexual violence. Another survivor said she had approached two different clinics when she first arrived and disclosed that she had been raped but was not provided tests, treatment, or a referral. Although many more women and girls are seeking medical services than before April, the overall number is still extremely small relative to the size of the crisis—in part because women and girls do not know what services are available and where to go to get treatment.

Service providers, as well as women and girls, told Human Rights Watch that there are numerous risk factors inside the camp that make them vulnerable to violence in the camps, including rape. Women have to wait in line for hours to get water, sometimes arriving at the water distribution lines before dawn. There, they are vulnerable to abuse from young men drinking alcohol at the markets. A woman who works at and lives next to a water distribution line told Human Rights Watch that one night in May she heard women screaming and running. When she looked out of her house, she saw men with big sticks and machetes running near the water line.[61] Since then, women have stopped coming to fetch water before 7 a.m. Another woman told Human Rights Watch that her pregnant relative was dragged away from a different water line and raped by three youths in May.[62] Women have also reported that they feel at risk using the latrines at night, where there is no lighting.

Women and girls often have to walk outside the UN base for as long as three or four hours to collect firewood and charcoal, sometimes close to government soldiers. One displaced woman from Koch said in early June she was collecting firewood with another woman when a group of women ran in the opposite direction saying that four of their group had been taken by government soldiers.[63] "They had left all their firewood behind and just ran. We ran as well. …. I'm afraid to collect firewood now but what choice do I have? I don't have my house, my possessions, my cows, or any money. I can't buy firewood so I have to go back to collect it."[64]

Women told Human Rights Watch that often elderly women or pre-adolescent girls are sent to collect wood because they are perceived to face a lower risk of rape than older girls and younger women.

61 Human Rights Watch interview, name withheld (MN), Bentiu, June 25, 2015.

62 Human Rights Watch interview, name withheld (MM), Bentiu, June 25, 2015.

63 Human Rights Watch interview, name withheld (NB), Bentiu, June 25, 2015.

64 Human Rights Watch interview, name withheld (NB), Bentiu, June 25, 2015.

(top) A woman at the front of a line for water in the UNMISS camp near Bentiu is directed to an enclosed water pumping area where demand is high and women must wait in long lines, sometimes for hours even before dawn. There, they are vulnerable to abuse from young men drinking at a nearby market.

(opposite page) A girl carrying firewood in the UNMISS camp near Bentiu in June, 2015. Women told Human Rights Watch that often elderly women or pre-adolescent girls are sent to collect wood because they are perceived to face a lower risk of rape than older girls and younger women.
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A math teacher in the UNMISS camp near Bentiu teaching boys and girls. The vast majority of camp inhabitants are children and women.
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Abductions

Human Rights Watch documented more than 30 cases of abductions of women and children since the end of April. A woman from Chotchuru village in Rubkona county said that 'many' girls were taken away by Bul fighters from her village including four girls or young women, aged between 15 and 20 years, from a neighbor's home.[65] She said the girls were raped before being taken away. Four girls and young women, aged between 15 to 20 years of age, three of whom were Bul Nuer, were also taken from Ngop village, Rubkona county, according to a woman who witnessed them being taken away.[66] A woman from Bol, near Koch town, said that two girls she knew, one 17 and one 15-year-old, were captured 'for wives' and taken from the village.[67]

A woman from Kuerginya in Guit county said that forces made up of both government soldiers and Bul fighters abducted six of her young female friends during an attack in June.[68] A woman from Bauw said that four children, three girls and one boy, were abducted. "They were taken from my neighbors and never returned again," she said.[69] A victim from Fundar village, Leer county, who along with about seven other women, was beaten by the Bul fighters, also witnessed the abduction by Bul fighters of a woman from the village who has not been seen since and whose fate is unknown.[70]

Women and girls were also abducted during the government offensive in Mayendit county in May. After the SPLA captured Mayendit town, they patrolled the town and surrounding villages and detained women and girls who returned to their homes to salvage food and other items. An elderly woman from Mayendit town told Human Rights Watch, "They were calling people by megaphone to come back home. 'We won't do anything,' they said, but then when the women went back they were raped." She said she was one of a group of five women: "When we met the SPLA, the older ones among us were released but the younger ones were raped."[71] Another resident of Mayendit town claimed he saw many women and girls being held by the SPLA in Mayendit town in late June.[72] A man told Human Rights Watch that a family member, an unmarried woman, was taken from Mayendit by the forces.[73] He was told that she was one of a group of 13 women taken. A business man, whose shop in Mayendit town was looted and then burned, said that two of his female relatives had been taken by government soldiers and "kept" in the town. "We don't know where they are now," he said.[74]

Beatings

Almost all of the women Human Rights Watch interviewed who had been present when forces arrived in their villages in Rubkona, Guit, and Koch counties said that Bul fighters beat them, sometimes with ropes, sticks or thorny branches, and many also said they had seen other women also beaten. Women of all ages, including old women, were beaten, sometimes by more than one man. "They beat me, four of them, on the arms and on my back," a woman from Pibor, Rubkona county, told Human Rights Watch. One woman from Waak, also in Rubkona county, said that she was beaten so severely she had a miscarriage. Another woman from Pibor said that she was unable to walk because she was so badly beaten.

When Human Rights Watch asked interviewees about rape cases in their communities, several women responded by saying that they were 'only' beaten, or that they were lucky because they had been beaten instead of being raped.

65 Human Rights Watch interview, name withheld (AN), Bentiu, June 15, 2015.

66 Human Rights Watch interview, name withheld (NLM), Bentiu, June 18, 2015.

67 Human Rights Watch interview, name withheld (NRD), Bentiu, June 17, 2015.

68 Human Rights Watch interview, name withheld (ND), Bentiu, June 25, 2015.

69 Human Rights Watch interview, name withheld (NBM), Bentiu, June 18, 2015.

70 Human Rights Watch interview, name withheld (EN), Bentiu, June 21, 2015.

71 Human Rights Watch interview, name withheld (MN), Ganyiel, July 8, 2015.

72 Human Rights Watch interview, name withheld (JPM), Ganyiel, July 11, 2015.

73 Human Rights Watch interview, name withheld (JGM), Ganyiel, July 10, 2015.

74 Human Rights Watch interview, name withheld (GB), Ganyiel, July 11, 2015.

Forced Labor

Women and children were forced by Bul fighters to herd stolen cattle and goats back to Bul areas after their villages were attacked, a journey that in some cases took days. Human Rights Watch documented more than 50 such cases. Those forced to carry looted goods usually said they and others were also beaten by the fighters who accompanied them. "They took my children to take goats to the other side of the river; they were sent back the same day. They beat both my boys," one woman from Ngop in Rubkona county said.[75] Another woman who ran to Twet from Bauw, Koch county, told Human Rights Watch:

> I had to help them [the Bul] to cross the river with goats for a whole week, had to do it more than one time in a day. …There were a lot of children who were also made to do this, they were released.[76]

Women from Pibor and Waak villages in Rubkona county and from Bauw village and Koch town in Koch county were also forced to carry looted property back to Mayom, the Bul Nuer area. One woman said:

> There were five of us. They just appointed us from the group of women, told us to stand up and then come with them. … It took us seven days to get there and seven back, there was little food and we were beaten on the way.[77]

Ten women were also forced to carry two of the Bul fighters who had sustained injuries, back to Mayom, from the village of Wathjack in Rubkona county, according to three women who were in Wathjack at the time.[78]

In Bauw and in Koch, where fighters stayed for longer periods of time, women were forced to cook for them. Four women from Bauw described how after fighters burned much of the food owned by the villagers. They forced the women to cook what was left for the fighters. All the women Human Rights Watch spoke to said that as they performed their forced tasks, the fighters would also beat them. One woman in Bauw was stabbed on the back of the neck while she was forced to work for the fighters, but survived.

Destruction and Pillage of Civilian Property

Human Rights Watch found that government forces—especially allied Bul Nuer militia— systematically burned homes and large parts or entire villages as they moved through Rubkona, Koch, and Guit counties. They destroyed the shelters people needed to survive as the rainy season began in May. Interviewees frequently reported that attackers burned the food they did not loot, leaving families with nothing to eat. Massive cattle raiding characterized the offensive in almost every location Human Rights Watch visited in the course of conducting research for this report. Almost all those interviewed said the attackers stole their cows either from villages or, in larger numbers, from cattle camps. Human Rights watch also documented burning by SPLA soldiers in southern Unity state, described at the end of this section.

In some locations, government attackers vandalized humanitarian facilities, or destroyed materials like drugs and seeds, including by pulling them out of buildings and leaving them in the open to rot, further undermining communities' abilities to survive in their home areas.

Burning of Homes and Villages

The sheer scale of burning in Rubkona, Guit, and Koch counties that displaced villagers described to Human Rights Watch researchers was staggering. Almost all interviewed from 25 villages, towns, or settlements in the area said that their villages had been partially or entirely burned forcing them to live "under trees" or in the bush under plastic sheeting or other material salvaged by those who managed to flee before attacks took place.

75 Human Rights Watch interview, name withheld (NLM), Bentiu, June 18, 2015.

76 Human Rights Watch interview, name withheld (ANG), Bentiu, June 18, 2015.

77 Human Rights Watch interview, name withheld (NM), Bentiu, June 25, 2015.

78 Human Rights Watch interviews, name withheld (NG) (ND) (N), Bentiu, June 16, 2015.

In Koch, two containers of school textbooks had been opened and their contents strewn into the mud. UNMISS officials found that in every place they visited in May 2015, humanitarian materials such as seeds, medical equipment and medicines or educational materials had been destroyed during attacks by government forces in April and May 2015 . © 2015 Private

Witnesses described similar tactics in each village—fighters would set thatch on the roofs of the tukuls on fire with a cigarette lighter or burning stick, usually starting with the two corners in front of the house before lighting the back corners.

The destruction of homes was most often cited as the main reason many people decided to come to the UNMISS base, with other reasons including fear of further attacks on their home areas, the destruction of food stocks, and the pillage of cattle described below.[79] "We ate water lilies in the bush. [But in the end] we came to UNMISS because of the rain and cold and there was no shelter," a woman from Ngop, in Rubkona county, told Human Rights Watch.[80] Another woman who fled the town of Pibor, Rubkona county echoed the same motive: "[We tried to survive but] there was nothing left: no houses, no food, everything was burned. We ate water lily and then we came to UNMISS."[81]

Visits by UNMISS staff to four locations in Unity state found that parts of Nhialdiu town, Rubkona county, the former headquarters of the IO in Unity, were burned down, the village of Ngop, Rubkona county, was entirely burned and that some huts in Koch town, Koch county, had been burned.[82] Buildings in the town of Guit had also been recently burned prior to a UN visit in mid-June, including the county commissioner's office and the market. From the air, observers saw that lines of huts to the north of the town had been burned.

Many respondents fled their homes ahead of attacks on villages taking what they could carry, but saw their villages burning as they fled or saw the damage themselves when they returned later to look for children missing after the chaos of an attack, or to try and recover property. "We heard other villages were also burned, they did not leave anything behind. We saw smoke all around us on the horizon, in every direction," said a woman who fled Bauw town in northern Koch county in early May.

Many were present when the attackers burned their homes. Dozens of women said that they had stayed behind in villages after men had fled. Men fled ahead of attacks sometimes to try and protect the cattle they took with them, or out of fear they would be targeted either because they were IO fighters or would be assumed to be so. Women said that they did not flee either because they thought that as female non-combatants they would not be harmed, or because they had too many children to run with easily.

Women from many different villages who stayed repeatedly described fighters calling them out of their tukuls and then setting the buildings on fire. A woman, from Guit county told Human Rights Watch:

> When they found us at home, they called us out and put fire on the house and burned down the tukul and took the goats and cows. They told us to wait outside our tukul while they burned. My house was burned, many were burned, the whole village.[83]

In the days ahead of and following a battle between the government forces and the IO in the village of Waak, Rubkona county, early on in the government's campaign, homes in villages in eastern Rubkona county, including Thau were burned as Bul fighters with government forces, which included armored personal carriers, attacked Rubkona from neighboring Mayom county. Two women interviewed separately said that Bul fighters had burned down much of Waak after government forces battled with IO fighters before the latter withdrew.[84] Respondents from Tuarkiel described seeing the whole village being burned before they left. Others from Ngop, nearby, also said that the entire village had been burned to the ground. "They used a lighter to set my tukul on fire," one woman from Ngop said.[85]

Pibor village, close to Nhialdiu, was wholly burned in the days following the capture of Nhialdiu at the end of April by the government, according to six women interviewed separately by Human Rights Watch. "I was at home when they [the fighters] came, after they burned it I slept outside. Food that we took outside they threw back into the fire. Some used fire from other huts and some used a lighter," one woman said.[86] Four displaced women who fled the village of Nyaromne, also within half a day's walk of Nhialdiu, described watching Bul fighters setting many huts in the village on fire.[87] Two women who came from the village of Chuor, close to Nhialdiu, said it was also burned down.[88]

Displaced people from Guit and Dhorbour in Guit county said that homes in these two villages were burned by government forces in full uniform at the end of April or early May. Human Rights Watch interviewed 15 people freshly displaced from Guit in mid-June following government attacks in the area. According to eyewitnesses, the attackers were government troops accompanied by Bul fighters who also raided cattle and gathered them

79 The UN base provides displaced people with food and is protected by peacekeepers. However conditions in the base are poor and new arrivals face a lack of shelter and poor hygiene conditions. When it rains large parts of the base flood.

80 Human Rights Watch interview, name withheld (NLM), Bentiu, June 18, 2015.

81 Human Rights Watch interview, name withheld (NG), Bentiu, June 17, 2015.

82 UN Mission in South Sudan field reports from May and June 2015.

83 Human Rights Watch interview with woman from Guit county, name withheld (NYM), Bentiu, June 25, 2015.

84 Human Rights Watch interview, name withheld (NG) (NC), Bentiu, June 21, 2015.

85 Human Rights Watch interview, name withheld (NLM), Bentiu, June 18, 2015.

86 Human Rights Watch interview, name withheld (NNB), Bentiu, June 20, 2015.

87 Human Rights Watch interview, name withheld (NBW) (NNM) (ND), Bentiu, June 15 and 17, 2015.

88 Human Rights Watch interview, name withheld (NDP) (NL), Bentiu, June 15, 2015.

in 'huge' numbers in Kuer Geny. According to men and women who arrived in Bentiu, accompanied by their exhausted and hungry children, many villages in Guit were burned including Kwach, Buma, Kuinyar and Jiath.[89]

Women and men who fled Koch town, attacked in mid-May by a mix of Bul fighters and government forces, also described widespread burning both of huts in the town and in villages in surrounding areas.[90] A woman from a small village called Jak, south of Koch town said:

> They also burned houses, it was the Bul who burned the houses, a lot of them we can tell they are from Mayom because of their accents; they were saying bad things to us. … They took our goats but did not take food, they ate some and burned the rest. [91]

Before reaching the county headquarters of Koch, the fighters stayed in Bauw town in northern Koch county for several days, setting homes on fire during their time there. Human Rights Watch spoke to eight women who either stayed in Bauw village during this period or who fled and returned who said that their homes had been burned down and reported many other huts also being burned.[92] The fighters also burned food stocks in Bauw. "They came to my house and burned it and burned my food inside it," one woman said.[93]

In many cases when people were still present when their villages were attacked, they saw their food stocks burned after fighters removed good quality clothes and other valuable items from their homes. "They took the clothes, all the good things and then they burned the food inside the house," said a woman from Chotchuru village, located close to Nhialdiu, which was attacked soon after the IO fled Waak.[94] "They took the clothes and burned everything else inside including food," an unmarried woman from Chuor in Rubkona county told Human Rights Watch.[95]

In some cases the burning of the food stocks was clearly deliberate, not just a consequence of food being stored in huts that were burned down. "They put food back in the fire," said a mother of six, who tried to save some of her food in Koch town from her hut before she fled.[96] "They destroyed our food. Even the food dug under the ground; if they found it they would burn it," one of a group of women originally from the town of Bauw, Koch county, said in an interview with Human Rights Watch.[97]

Food was also stolen by the Bul fighters, for example, several people who had fled Koch town said that fighters had taken their sugar and other more valuable commodities with them. Fighters often demanded beer from the women. A woman from Bauw said, "The men asked for money, beer, asked where our bags are. They said how are you going to live here? We are going to burn it all. You can go to Wankai [a Bul Nuer area] if you want to live."[98]

In some cases people reported that seeds intended to be planted later for food supplies were burned in the fires. Because of a lack of rain, villagers who were asked about whether they had already planted mostly said that they had not yet begun cultivation. The destruction, including of what people need to farm, and the displacement is likely to worsen food insecurity in Unity state. The United States government funded Famine Early Warning Network has warned food insecurity will worsen if conflict continues, pushing more households into its 'catastrophic' classification.[99]

89 Human Right Watch interviews, names withheld, Bentiu, June 15–25, 2015.

90 Human Right Watch interviews, names withheld, Bentiu, June 15–25, 2015. The witnesses said that the Bul fighters had approached Koch on foot, and that government forces had approached by road from Bentiu.

91 Human Rights Watch interview, name withheld (NRM), Bentiu, June 16, 2015.

92 Human Right Watch interviews, names withheld, Bentiu, June 15–25, 2015.

93 Human Rights Watch interview, name withheld (MNA), Bentiu, June 16, 2015.

94 Human Rights Watch interview, name withheld (AN), Bentiu, June 16, 2015.

95 Human Rights Watch interview, name withheld (NDP), Bentiu, June 18, 2015.

96 Human Rights Watch interview, name withheld (NC) Bentiu, June 16, 2015.

97 Human Rights Watch interview, name withheld (NJD), Bentiu, June 19, 2015.

98 Human Rights Watch interview, name withheld (NBM), Bentiu, June 18, 2015.

99 The Famine Early Warning Systems Network (FEWSNET), Alert, "Heavy Fighting Causes Large Scale Displacement and Suspension of Humanitarian Access in Unity and Upper Nile States, "May 2015, http://www.fews.net/east-africa/south-sudan/food-security-outlook-update/may-2015 (accessed July 18, 2015).

During a visit in May, UNMISS staff found that parts of Nhialdiu town, Rubkona county, had been burned down, including these huts.. © 2015 Private

Government forces also burned homes and other civilian property in their May offensive into southern Unity state. According to more than 20 people Human Rights Watch spoke to in July who had fled Mayendit town, Mayendit county, and surrounding villages, most of the town was burned following the government's defeat of armed local defense forces on May 12. After attacking and then fighting off IO and local fighters in the port of Taiyer, Panyijiar county, on May 13, government soldiers burned the entire settlement leaving only a school standing. Government forces only held the town of Nyal, Panyijiar county for a day before the local defense force recaptured the town, but while the government forces had control of the town, they burned several neighborhoods there. Witnesses told Human Rights Watch researchers that they saw government soldiers lighting thatch with lighters or already burning material as they fled. Three witnesses who fled Mayendit and surrounding villages described seeing SPLA soldiers burning food stored in the huts.

Destruction of Humanitarian Facilities

Humanitarian facilities were also targeted for destruction by government forces. UNMISS officials making day trips to affected locations found that in every place they visited humanitarian materials such as seeds, medical equipment, and medicines or educational materials had been destroyed by attackers. In Ngop, a compound constructed by the community to try and attract humanitarians to set up in the village had been destroyed.

In Nhialdiu, the UN found the market had been destroyed and the government clinic pillaged and new vaccine fridges and water pump parts destroyed. In Koch, the hospital was looted and equipment and drugs in the rooms pulled out into its yard. Similar destruction had taken place at a clinic and two containers of school textbooks had also been opened and their ruined contents strewn into the mud. In Leer, town rooms in the compounds of five international humanitarian organizations had been looted or their contents wantonly destroyed or thrown out into the mud, including in a clinic.

Pillage of Cattle, Food

Vast numbers of cattle were stolen during the government's campaign in Rubkona, Koch, and Guit counties. Cattle in Unity state represent wealth and also are communities' primary means of survival. Almost all those interviewed by Human Rights Watch, who represented 28 different villages or settlements across the three counties, said that they had lost cattle in raids during the government's offensive. Human Rights Watch was also told that government and aligned forces took cattle during their May offensive into Mayendit and Panyijiar counties in southern Unity state.

Some cows were taken from villages during attacks together with goats and sheep. "When they came to my house they also called me outside," a woman from Boreh, near Nhialdiu, described. "They burned down all of our houses, even my house, everything inside it they took all the best clothes and then also goats, cattle, sheep."[100]

In several cases villagers tried to run ahead of attacks with their livestock but were attacked when the forces pursued them. "But they followed us to Twet. We ran with the cows, but we were caught and lost all the cows and the goats. Five cows were taken and all the goats," one women who fled the village of Bauw, Koch county, said.[101]

Bul fighters also stole very large numbers of cattle from cattle camps, often situated some distance away from their owners' villages.

These attacks were often extremely violent and the attackers often opened fire, sometimes described as 'random' shooting by witnesses, presumably to terrify the cattle keepers. "A week ago I was at a pasture for my cattle and they took all of them. I was in Guit, coming to Bentiu. They raided us and started shooting at random. It was a mixed force—Bul men in civilian clothes and SPLA. We had about 100 cows taken," one woman said.[102]

One girl, about 13-years-old, from Bauw but who was with her family's cattle close to Thar Jath when they were taken, described the attack on the camp:

> We have about 100 cows; they were taken by Bul. We know them, they are our neighbors.... Some [of the Bul fighters] were walking to the cattle camp, some in a car. There were many of them. All the cows were taken, there were many camps [at that location] ... they were doing random shooting, I saw one body on the ground, but don't know who it was.[103]

Civilians brought tens of thousands of cows to Bentiu for protection following government instructions to communities in early June to bring their cattle there. Human Rights Watch was told of three cases where cattle had been raided on their way to Bentiu. "We met Bul in Magazin [near Bentiu] and they were shooting and took all of the cows. One hundred cows were taken," one man said.

SPLA forces and armed youth who moved with them from Lakes state into southern Unity also stole large numbers of cattle and goats. "A lot of cattle were taken. All cattle and goats were taken, I lost five cows and four goats, my fishing nets and my house was burned there," a woman displaced from Mayendit town told Human Rights Watch.[104] A man from Mayendit said the forces had taken 15 of his cows and 30 goats.[105] Another said he had lost all 40 of his cows to the soldiers.[106] Several witnesses described the SPLA setting up a cattle camp in Mayendit town where they gathered stolen cows.

100 Human Rights Watch interview, name withheld (MKKP), Bentiu, June 15, 2015.

101 Human Rights Watch interview, name withheld (MNC), Bentiu, June 17, 2015.

102 Human Rights Watch interview, name withheld (NB), Bentiu, June 25, 2015.

103 Human Rights Watch interview, name withheld (MT), Bentiu, June 16, 2015.

Nyacour and her daughter were forced to flee to the UNMISS camp near Bentiu after Bul fighters burned down her home and beat her, when they attacked Koch county in May 2015. Her husband is still hiding in the bush.
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FORCES RESPONSIBLE FOR ABUSES

Victims and witnesses from Guit, Rubkona, and Koch counties often made a distinction between regular government forces, identified by their full uniforms, weapons and sometimes their cars, and fighters from the Bul Nuer who were often in civilian clothes or only partly in uniform-like clothing and were also distinguished by their appearance. The Bul Nuer are often readily identifiable by other Nuer groups, especially those living next to the Bul in Rubkona county. Interviewees said that Bul fighters committed most of the burnings, rapes, and other abuses in central Unity state, including cattle raiding, documented in this report. Because Unity state's senior military officials and governor are from the Bul Nuer, witnesses perceived the Bul fighters as all part of the government's forces.

Eyewitnesses also said that, in most cases, government forces using "barches," tanks, and other vehicles were present. This was so in Waak, Tuarkiel, Dhoar, and Nhialdiu; all places where Bul Nuer committed abuses. Two witnesses said a government plane landed and resupplied forces that included the Bul Nuer in the village of Waak, Rubkona county. An army officer from Unity state told Human Rights Watch that the Bul Nuer were armed by the government in early 2015. This was separately confirmed to Human Rights Watch by a Unity state government official. Human Rights Watch has documented the—usually forced—recruitment in the past 18 months of over two dozen Bul boys by the forces of Matthew Puljang, the Unity state's Division 4 operations commander, who is from the Bul Nuer. Around 15 child soldiers who Human Rights Watch interviewed also consistently reported that they saw hundreds of other boys and men who had been recruited with them or in training camps.

104 Human Rights Watch interview, name withheld (MN), Ganylel, July 8, 2015.

105 Human Rights Watch interview, name withheld (JGM), Ganylel, July 8, 2015.

106 Human Rights Watch interview, name withheld (GB), Ganylel, July 8, 2015.

On June 16, Human Rights Watch witnessed what the UN estimated to be eight to ten thousand armed Bul Nuer walking into Bentiu town from the north, returning from battling the IO in their former stronghold of Panakuac. Witnesses told Human Rights that both Bul and government forces attacked communities and cattle camps in Guit county in the days following June 16. Unity state's deputy governor denied knowledge of the existence of any Bul Nuer militia and said that the attacks in Rubkona, Guit, and Koch counties were just "by government forces." He claimed not to know who the large number of fighters were that walked through the state capital. It is unclear whether the government paid wages or any form of stipend or allowance to the Bul Nuer militia but the available evidence suggests that the deployment of these aligned forces, who stole enormous numbers of cattle while fighting together with the government's troops, was a central part of the government's strategy during its offensives in Rubkona, Guit, Koch, and Leer counties.

There were some cases reported to Human Rights Watch researchers in which regular forces acting alone committed abuses in central Unity state, especially burning. For example, in late April or early May regular government forces from Bentiu set fire to parts of at least two large villages in Guit county, in one case after fighting off the IO. Government soldiers also burned some huts and stole goats in villages along the road to Nhialdiu, the former IO "capital" in Rubkona county.

In southern Unity, eyewitnesses told Human Rights Watch that in May primarily government forces—SPLA troops in uniform—attacked towns and villages in Mayendit and Panyijiar counties. They said that IO forces were present, but not in large numbers, when these attacks took place and that the government forces were engaged in hostilities with local self-styled defense forces—generally youth or men with light arms. When the government forces overpowered these defense groups, they proceeded to burn civilian property. In the port of Taiyer in Panyijiar county, they completely destroyed every structure except the school, and caused similar destruction in neighborhoods of Nyal town, also Panyijiar county, and large parts of Mayendit town and surrounding villages in Mayendit county. Civilians were also shot and killed during these attacks, in some cases run over by tanks or heavy vehicles, and women and girls were abducted. Some people displaced by this fighting also reported armed youth from Lakes state accompanying these government forces with the aim of stealing cattle.

Government officials should be investigated for their role in abuses, including officials who had troops under their command implicated in committing abuses. For example, Matthew Puljang was, according to the deputy governor of Unity state, in charge of at least the Nhialdiu offensive. Puljang and his senior officer, Thiab Gatluak Taitai, the Division 4 commander, should both be investigated to determine any criminal liability, on the basis of both direct and command responsibility, for potential crimes. Commanders in charge of offensives in southern Unity state in May should also be investigated as should the role of Chief of Staff Paul Malong, in planning attacks and what knowledge he had or should have had of abuses occurring.

WAR CRIMES, CRIMES AGAINST HUMANITY, AND ACCOUNTABILITY

Human Rights Watch has repeatedly documented the commission of potential war crimes and crimes against humanity in the current conflict in South Sudan, and emphasized the need to ensure the fair and effective investigation and prosecution of these crimes.[107] The abuses documented in this report are no different, and many, if not all, can be classified as war crimes or crimes against humanity for which there needs to be accountability and justice for the victims.

Serious violations of the laws of war with criminal intent, acts such as purposefully making civilians the target of attacks as well as murder, cruel treatment and torture, and acts of sexual violence and rape as described in this report may all constitute war crimes, and serious violations of human rights law that impose obligations to prosecute the perpetrators.[108] Likewise the attacks directed against civilian property and humanitarian objects and pillage—the forcible taking of private property for non-military use; the acts and threats of violence with the primary purpose to spread terror among the civilian population; and forced displacement of the civilian population in the absence of genuine security reasons or military imperative are all prohibited.

Those who should be prosecuted include persons who ordered planned or instigated the commission of a war crime and commanders and civilian leaders may be prosecuted for war crimes as a matter of command responsibility.[109]

Crimes against humanity are prohibited acts, including, for example, many of the abuses documented in this report such as murder, torture, and rape or other forms of sexual violence, committed as part of a widespread or systematic attack by a government or organization against a civilian population, with knowledge of the attack.

There can be no compromise by the government of South Sudan or by the international community (including in particular the UN Security Council and the African Union) on ensuring accountability and justice for the serious crimes committed in violation of international law during the conflict in South Sudan. To this end there should be no amnesty for serious crimes committed in violation of international law in any peace agreement.[110] On the contrary any agreement should foresee that the crimes are to be subject to credible, independent and impartial investigation; prosecuted in trials conducted with rigorous adherence to internationally recognized standards of due process; and sanctioned by penalties on conviction that are appropriate and reflect the gravity of the crime.

Such fair, credible investigations and trials will require international support and will need to be achieved through trials before a robust independent hybrid judicial mechanism, or the International Criminal Court.[111] At the same time, justice should not be made contingent upon the

107 See for example, Human Rights Watch, "South Sudan's New War: Abuses by Government and Opposition Forces," August 2014, https://www.hrw.org/report/2014/08/07/south-sudans-new-war/abuses-government-and-opposition-forces; Human Rights Watch, "South Sudan: War Crimes by Both Sides," February 2014, https://www.hrw.org/news/2014/02/26/south-sudan-war-crimes-both-sides; Human Rights Watch, "South Sudan: No Amnesty for Serious Crimes Negotiations, Peace Agreement Should Ensure Justice," June 2014, https://www.hrw.org/news/2014/06/08/south-sudan-no-amnesty-serious-crimes; Human Rights Watch, "South Sudan: Ending the Era of Injustice," December 2014, https://www.hrw.org/report/2014/12/10/ending-era-injustice/advancing-prosecutions-serious-crimes-committed-south-sudans.

108 See Human Rights Watch, Selling Justice Short: why Accountability Matters for Peace, July 2009, http://www.hrw.org/sites/default/files/reports/ij0709webwcover_1.pdf, pp. 10-14, The obligation in international law to prosecute serious international crimes.

109 A military or political leader may bear command responsibility, if they exercise effective control over perpetrators, and they knew, or should have known, about the commission of war crimes and took insufficient measures to prevent them or punish those responsible.

110 See Human Rights Watch, Selling Justice Short, op. cit., pp. 14-17, No amnesty for the most serious crimes.

111 For a detailed discussion of challenges within the domestic justice system, and options for accountability for serious crimes committed in South Sudan, see: "Ending the Era of Injustice," available at: https://www.hrw.org/report/2014/12/10/ending-era-injustice/advancing-prosecutions-serious-crimes-committed-south-sudans.

conclusion of a peace agreement and the AU, IGAD, Security Council, South Sudan and its other international partners should move ahead with concrete steps to advance fair, credible prosecutions, whether through a hybrid court, the International Criminal Court, or both.

Some accountability can also be applied by imposing further targeted sanctions on key individuals responsible for serious crimes. The UN Security Council should impose sanctions on such individuals but regional bodies such as the African Union and the European Union, as well as governments acting unilaterally, can also impose sanctions on those responsible.

GLOSSARY

Barches: Armoured personnel carriers on caterpillar tracks able to move through watery areas.

Bul Nuer: A Nuer group from Mayom county, Unity state.

"Government-aligned forces": Both the government and opposition forces have fought together with other armed groups, often ethnic militias. In this report the term refers to the combined forces of SPLA and the Bul militia.

Local Defense Forces: Loosely formed armed civilian groups that fight to defend their community areas. Both the government and opposition forces have supported and fought together with such groups during the conflict.

SPLA: South Sudan's army, the Sudan People's Liberation Army.

SPLA/M-IO, or **'IO'**: The Sudan People's Liberation Movement-in-Opposition, headed by former Vice President Riek Machar.

Tukul: A hut, usually with a thatched roof, found in eastern and northeastern Africa.

UNMISS: The UN Mission in South Sudan.

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In late April, 2015, South Sudan's government began a multi-pronged military campaign in Unity state to recapture territory under the control of rebels headed by the country's former vice president Riek Machar. In the course of the military operations in central Unity state, government forces, fighting alongside militia from the Bul Nuer ethnic group, committed serious violations of international law that may constitute both war crimes and crimes against humanity.

The violations include killings of civilians, widespread violence against women and girls, including rape, the systematic pillage of civilian property including theft of cattle and routine burning of civilian homes and infrastructure. Government soldiers also killed civilians and burned civilian property during their attacks into southern Unity state. The result has been the forced displacement of tens of thousands of people who have lost the homes and food they need to survive.

Based on over 170 interviews conducted in June and July with survivors and witnesses who were displaced by fighting or attacks on their villages, *"They Burned It All": Destruction of Villages, Killings, and Sexual Violence in South Sudan's Unity State* documents more than 60 unlawful killings of civilian women, men and children, including the elderly, some by hanging others by shooting, or being burned alive.

Human Rights Watch calls on all parties to the conflict to immediately end the serious abuses that have persistently characterized South Sudan's current conflict, and for all stakeholders to take meaningful steps to provide justice to the victims through the establishment of an independent hybrid court and/or the jurisdiction of the International Criminal Court. Human Rights Watch also urges the United Nations Security Council and African Union to immediately impose a comprehensive arms embargo on South Sudan.

(above) During a visit in May, UNMISS staff found that parts of Nhialdiu town, Rubkona county, had been burned down, including these huts.
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(front cover) Nyanial, 22, nurses one of her three children in the UNMISS camp near Bentiu in June. Soldiers and militia attacked her town in Koch county in May 2015.
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