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South Sudan: Justice Needed to Stem Violence

South Sudan should urgently ensure an effective and independent investigation into the violent, ethnic-driven attacks in Jonglei state, and arrest and prosecute those identified as responsible, Human Rights Watch said today. To assist this task, it should promptly ask the United Nations and regional organizations to establish a commission of inquiry.

“To stem this horrific cycle of violence, the organizers have to be held to account,” said [Daniel Bekele](#), Africa director at Human Rights Watch. “For speed and credibility’s sake, the government should ask the UN and African bodies for help.”

Since early January, 2012, the government has repeatedly promised to investigate the attacks and hold those responsible to account, but it has not made any apparent progress in investigations or arrests. There have been new attacks and counter-attacks in January and February, and threats of more to come in March. To help South Sudan move forward with investigations, UN Secretary General Ban Ki-Moon could appoint a commission of inquiry consisting of experts, including South Sudanese, and request support from the African Union, Human Rights Watch said.

On December 23, 2011, according to UN estimates, 8,000 armed men, largely from ethnic Lou Nuer villages in central Jonglei state, attacked ethnic Murle villages in the eastern part of the state, starting with the town of Likwongole. The attackers burned and looted homes; killed and injured people using machetes, sticks, knives, and guns;

abducted women and children; seized hundreds of thousands of cattle; and forced tens of thousands of people to flee their homes to hide in the bush.

Intelligence gathered by government forces and the United Nations peacekeepers had indicated some time in advance that such attacks were imminent, and both the UN and the government warned residents of local communities to flee. However, because of unsuccessful government efforts to mediate with the communities and an inability to move extra forces into the area swiftly, the government and UN forces in the area were too greatly outnumbered to intervene. A witness who was at the scene several days after the attack told Human Rights Watch he saw 12 dead bodies, including three women who appeared to have been raped with blunt objects.

A week after the attack, despite a visit by Vice President Riek Machar to the area to speak to the leaders of the armed group in an effort to stop the violence, the attackers pushed south to the town of Pibor. The presence of United Nations peacekeepers and South Sudanese forces in Pibor may have averted wholesale destruction of the town. However, it did not prevent the attackers from burning down parts of it nor from proceeding further south into more remote villages where initial testimony gathered by the South Sudan Human Rights Commission indicates that the attackers killed, wounded, and abducted many more people.

The death toll and full impact on communities is still being determined. Murle leaders reported that more than 3,000 had been killed, while UN monitors have been able to confirm just a fraction of that figure and have not released an estimate of total casualties.

Scores of people from both Murle and Nuer communities are being treated for machete and gunshot wounds at clinics in Pibor, Juba, and Malakal, and international aid groups are struggling to provide assistance to more than 140,000 people affected by the attacks and counter-attacks.

“This goes far beyond traditional cattle-rustling,” Bekele said. “The conflict is far more vicious, involving the deliberate targeting of villagers, including women and children, for abuse and has taken on dangerous ethnic and political overtones.”

In early January, President Salva Kiir vowed to “work to ensure those behind this attack are identified and brought to justice,” and the government spokesman, Dr. Barnaba Marial, said the government was in the process of setting up an investigation committee to arrest perpetrators. However, Human Rights Watch has not been able to get any information that any arrests have been made in connection with the conflict.

Meanwhile there have been retaliation attacks by Murle in January and February 2012, and a statement issued on February 4 by a group calling itself the “Dinka and Nuer White Army” indicating [another attack is being organized for March 1](#).

The South Sudan Human Rights Commission and the human rights team in the United Nations’ peacekeeping mission (UNMISS) have both carried out fact-finding investigations, but both are preliminary and focus on documenting testimony and violations over questions of responsibility. Neither fulfills the need for a thorough investigation, capable of identifying the perpetrators with a view to bring them to justice, Human Rights Watch said.

Political sensitivities may also be at play, and officials and parties on the grounds are quick to make allegations that government politicians in both Sudan and South Sudan are playing a role in stoking the violence. In January South Sudan’s president, vice president, and spokesman all publicly warned “politicians” against inciting violence.

Groups inside and outside South Sudan have issued statements supporting the violence. One press statement issued on December 25 by “Lou and Jikany Youth in Jongeli State” said the youth had captured the town of Likwongole and had decided to “wipe out the entire Murle tribe on the face of the earth.” A [self-appointed “Leader of Nuer Youth in North America”](#) issued additional statements, announced the formation of the “Nuer White Army,” and publicly claimed he had raised \$45,000 in the United States and Canada to support the attacks.

Jonglei state has a history of violent clashes between the Lou Nuer, Murle, and Dinka communities. Easy access to guns, the tactic of targeting women and children for killings and abduction, and hostile rhetoric have all contributed to the surge in violence in recent years, with [more than 1,000 killed in March and April of 2009](#) alone.

No one has ever been arrested or prosecuted for the 2009 attacks, and the lack of accountability and failure to put into place an effective and equitable grievance procedure, help perpetuate the inter-communal conflict.

In recent weeks, the South Sudanese government has indicated that it is planning a civilian disarmament operation of the affected Murle, Nuer, and Dinka communities. Civilian disarmaments have become a standard government response to inter-communal violence, but on occasion [these operations have themselves turned violent](#) and could spark further violence if the decision to disarm a particular community is seen as leaving it vulnerable to attack by its armed enemies.

If the government proceeds, it should ensure the operation is community-led, even-handed in respect to the scope and timing of the disarmament of each community, and carried out in a way that respects human rights, Human Rights Watch said.