

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	95
Land:	Sydsudan
Kilde:	UN Security Council
Titel:	Report of the Secretary-General on children and armed conflict in South Sudan
Udgivet:	11. december 2014
Optaget på baggrundsmaterialet:	18. juni 2015



Security Council

Distr.: General
11 December 2014

Original: English

Report of the Secretary-General on children and armed conflict in South Sudan

Summary

The present report is the first report of the Secretary-General on children and armed conflict in South Sudan since South Sudan seceded from the Sudan on 9 July 2011. It contains information on the six grave violations against children and, more broadly, on the situation of children affected by armed conflict during the period from 1 March 2011 to 30 September 2014.

The report demonstrates that all parties to the conflict in South Sudan were responsible for grave violations against children during the reporting period, including killing and maiming, recruitment and use, abduction and rape and other forms of sexual violence. Military use of schools, attacks against schools and hospitals and denial of humanitarian access were also reported. The scale of violations has increased rapidly since the escalation of armed conflict in December 2013.

While progress was made on ending and preventing the recruitment and use of children by the Sudan People's Liberation Army (SPLA) between March 2011 and November 2013, including through the implementation of the action plan to end and prevent recruitment signed by SPLA, the Government of South Sudan and the United Nations, much of that progress was reversed after December 2013.

A series of recommendations to end and prevent grave violations against children in South Sudan and to improve the protection of children are set out in the report.



I. Introduction

1. The present report, submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions, is my first report on children and armed conflict in South Sudan following South Sudan's accession to independence on 9 July 2011. The report covers the period from 1 March 2011 to 30 September 2014 and contains information on the major developments relating to the situation of children and armed conflict in the country since my 2011 report on children and armed conflict in the Sudan ([S/2011/413](#)). The latter report covered the geographical area of Southern Sudan, which at that time was part of the Sudan. In particular, the present report sets out grave violations perpetrated against children in South Sudan and the progress made in ending such violations, as recommended by myself and by the Working Group on Children and Armed Conflict in its conclusions on the situation of children and armed conflict in South Sudan adopted on 11 October 2012 (see [S/AC.51/2012/2](#)). The Sudan People's Liberation Army (SPLA) and SPLA in Opposition are listed in annex I to my 2014 annual report on children and armed conflict ([A/68/878-S/2014/339](#)) for recruitment, use, killing and maiming of children, while the White Army is listed for recruitment and use. SPLA has been listed for recruitment and use of children since 2005.

2. The information contained herein was collected, verified and compiled by the Country Task Force on Monitoring and Reporting within the framework of Security Council resolution 1612 (2005).

II. Political and security developments

A. 1 March 2011 to 14 December 2013

3. The reporting period witnessed major political and security developments, most notably the Declaration of Independence of 9 July 2011. Upon independence, SPLA became the national army, while its political wing, the Sudan People's Liberation Movement (SPLM), became the majority ruling party and formed the first Government. The Chairman of SPLM, Salva Kiir Mayardit, became the President and Riek Machar Teny Dhurgon was appointed Vice-President.

4. The Security Council established the United Nations Mission in South Sudan (UNMISS) by its resolution 1996 (2011), effective 9 July 2011.

5. Immediately following independence, in view of the instability prevailing in some states, notably Jonglei and Upper Nile, owing to the presence of militia groups, the spillover of the conflict in South Kordofan and Blue Nile into South Sudan and the sporadic clashes with the Sudan, the Government of South Sudan took initiatives to neutralize internal security threats through the integration of militia groups into SPLA. Elements of militias allied to Peter Gadet, the late Gatluak Gai and David YauYau were subsequently integrated into SPLA; however, the process was never fully completed and some, including David YauYau, later split off from SPLA. In addition, the political landscape was mired in tensions with the Sudan over unresolved issues remaining from the Comprehensive Peace Agreement, including lack of progress on border demarcation, non-agreement on issues relating to citizenship and the temporary shutdown of oil production in January 2012. The latter resulted in the adoption of austerity measures by the

Government, including delays in the payment of salaries for civil servants and national security forces. This negatively affected the delivery of public services and efforts to build institutions and a strong protective environment for children.

6. Intercommunal violence was observed throughout the reporting period and contributed to massive displacement, deaths and the injuring and maiming of tens of thousands of people, including children. Many civilians remained unaccounted for, including abducted children. In December 2011, the intercommunal violence reached a dramatic peak in Jonglei State and turned into the Government's first major crisis. An estimated 6,000 to 8,000 armed youths, known as the White Army (a paramilitary organized group comprising primarily members of the Lou Nuer ethnic group) mobilized in Jonglei State and launched a series of systematic attacks over 12 days on areas inhabited by the Murle ethnic group. In response, smaller groups of armed Murle youths launched retaliatory attacks on Lou Nuer and Bor Dinka areas, which continued until 4 February 2012.

7. In 2012, localized violence continued, often leading to civilian casualties, particularly in Jonglei State but also in Unity, Upper Nile and Western Bahral-Ghazal States. This violence involved militia groups but was also connected to cattle raiding.

8. Throughout 2013, intercommunal tensions, primarily over cattle raiding, intensified in the States of Unity, Warrap and Lakes and in Pibor County (Jonglei State), and fighting between David YauYau and SPLA contributed to a deterioration in the situation. In July 2013, against the backdrop of divisions within SPLM, Vice-President Machar and most of the Cabinet were dismissed by President Kiir after a Cabinet reshuffle, further escalating political tensions in the country.

B. 15 December 2013 to 30 September 2014

9. On 15 December 2013, following a breakdown in discussions at a meeting of the SPLM National Liberation Council, fighting broke out in Juba, initially among members of the Presidential Guard. Within days, SPLA split between forces loyal to the Government and forces loyal to former Vice-President Machar. The fighting escalated and rapidly spread to various military installations and civilian neighbourhoods. SPLA disintegrated in Jonglei, Unity and Upper Nile States and large numbers of defections to the armed opposition were reported. The capitals of the three States fell to opposition forces in quick succession, with each capital subsequently changing hands several times. SPLA eventually regained control in all three State capitals. Fighting also reportedly occurred in rural areas, although limited verified information is available on the extent and consequences.

10. Although the onset of the December 2013 conflict was triggered by political interests, an ethnic dimension to the conflict emerged and quickly evolved, with devastating effects for children. Girls and boys have been killed, maimed, raped and orphaned, and hundreds of thousands have been rendered homeless by ethnic violence. Displacement and insecurity have heightened the risk of exposure to violations for children that were already vulnerable.

11. Government forces are constituted by SPLA soldiers, supported by non-State armed groups, including a faction of the South Sudan Liberation Movement/Army (SSLM/A), which had been partially integrated into SPLA in Unity State. Armed

groups from the Sudan, including the Justice and Equality Movement (JEM), have also supported SPLA. In addition, the Government has received support from the Uganda People's Defence Force. Although to date it has not played an active role in the current conflict, the South Sudan Democratic Movement/Army (SSDM/A) Cobra Faction aligned itself with the Government following the agreement of 9 May 2014 on the resolution of the conflict in Jonglei State. Opposition forces primarily include former SPLA soldiers who defected to support Riek Machar (SPLA in Opposition), backed by a faction of the South Sudan Liberation Army (SSLA) and the White Army. Uniformed security forces, including elements of the South Sudan National Police Service, have also fought on both sides of the conflict.

12. Since January 2014, peace talks have continued in Ethiopia under the auspices of the Intergovernmental Authority on Development (IGAD). A cessation of hostilities agreement was signed in January 2014. In May 2014, the parties agreed to form a transitional government, hold a participatory peace process and facilitate the deployment of an IGAD monitoring and verification mechanism to monitor, investigate and report on compliance by the parties with the cessation of hostilities agreement. In June 2014, agreement was reached on transition modalities and on forming a transitional government within 60 days, a deadline that was missed. Talks led by IGAD reopened at the end of September but stalled again owing to lack of agreement on power-sharing arrangements. In November 2014, the parties recommitted to the cessation of hostilities agreement. Meanwhile, armed conflict has continued in Upper Nile, Jonglei and Unity States.

13. Widespread violations and a worsening humanitarian crisis have led to the emergence of protection of civilian sites, with civilians fleeing their homes and seeking protection at UNMISS bases. Prior to December 2013, the humanitarian situation was already challenging owing to an influx of returnees from the Sudan and surrounding countries, limited infrastructure, weak capacity of government institutions, high unemployment and illiteracy rates and food insecurity. After December 2013, the situation worsened, with devastating consequences for the population. Moreover, the violence has led to serious breaches of international human rights and humanitarian law by both sides to the conflict.

14. The impact of the violence on children has been catastrophic. Children have not only been affected by the conflict, they have been directly targeted. The number of instances of grave violations (which are interdependent and cumulative) perpetrated against children from mid-December 2013 to September 2014 is greater than the number of instances in 2012 and 2013 combined. The vulnerability of children has increased dramatically. They have faced significant protection risks, such as recruitment by armed forces and groups, sexual violence, and killing and maiming, including by landmines. The crisis has also presented challenges to family tracing for unaccompanied/separated children, with some 6,000 children having been registered as either separated from their families, unaccompanied or missing. It has also increased opportunities for potential recruitment of children by armed groups in refugee and internally displaced person camps.

15. As at September 2014, of the 3.8 million civilians designated for assistance by the humanitarian community's crisis response plan, 3.1 million had received assistance, including more than half a million children affected by psychosocial distress. Meanwhile, an estimated 1.3 million people have been displaced within the country and another 452,000 people have fled to neighbouring countries.

Approximately 103,000 people have sought safety across 10 protection of civilian sites within UNMISS bases, where the lack of space has made child-friendly environments and emergency education difficult. Sexual violence against children has also remained a risk inside these overcrowded sites.

III. Information on grave violations committed against children

16. Grave violations against children were committed by all parties to the conflict during the reporting period. Children have been directly and indirectly affected by violence and armed conflict in multiple and often compounding ways. Recruitment and use of children has remained a trend linked to the ongoing instability and increased mobilization of armed groups. Incidences of recruitment and use and of other grave violations peaked in late 2013 and early 2014 owing to the escalation of the conflict, especially in the four states of Central Equatoria, Jonglei, Upper Nile and Unity.

17. From March 2011 to September 2014, a total of 1,243 incidents were reported, affecting 68,776 children (33,207 boys, 22,487 girls and 13,082 sex unknown), of which 920 incidents affecting 54,674 children (25,018 boys, 17,744 girls and 11,912 sex unknown) were verified. Out of the 68,776 children affected, the military use of schools alone has affected the access of more than 50,000 children to education and safe spaces during times of conflict. The number and scale of violations have increased dramatically since the outbreak of conflict between SPLA and SPLA in Opposition. In fact, from December 2013 to September 2014, the United Nations received reports of 591 incidents affecting 23,041 children, of which 475 incidents affecting 14,537 children have been verified. That is higher than the number of incidents reported in 2012 and 2013 combined. Monitoring and reporting mechanism reports indicate that both pro-Government and opposition actors, including armed groups and forces allied to either side of the conflict and armed youths, have conscripted and used children on a large scale and committed other grave violations, including killing, maiming and sexual violence.

A. Recruitment and use of children in armed forces and groups

18. A total of 171 incidents of recruitment and use of children were reported from March 2011 to September 2014, affecting 3,731 children (3,702 boys and 29 girls), of which 137 incidents affecting 1,219 children were verified. The main perpetrators were SPLA, SPLA in Opposition and armed groups allied with David YauYau, Peter Gadet, the late Gatluak Gai, Gabriel Tanginye and Hassan Deng. In addition, children were mobilized from cattle camps to fight alongside the opposition, in what is known as the White Army. The United Nations also received reports of cross-border mobilization of children by foreign armed groups, from within refugee populations inside South Sudan along the Sudanese border.

19. Owing to a challenging security situation and safety concerns for individual children when interviewed by United Nations child protection officers, it has not always been possible to conduct interviews to effectively verify age, roles and with whom the children were serving. In addition, the verification of cases has been severely constrained by insecurity and lack of access to many areas.

20. The majority of the children identified as associated with armed forces and groups performed support roles, such as cooks, porters and bodyguards, for senior commanders. Children associated with SPLA have been identified in convoys protecting high-ranking officials, wearing SPLA uniforms and sometimes armed, during SPLA military recruitment drives and in SPLA barracks. Since December 2013, children have also been involved in fighting on the frontlines. Some of them joined SPLA during the integration of armed groups, in which a pre-screening for the release of children was never carried out. This was the case, for example, when a faction deserted from SSDM/A Cobra Faction in October 2012 to join SPLA with a total of 25 boys. In September 2014, this caseload of children was still awaiting formal release and reintegration back to their families.

21. In October 2011, 10 boys who deserted from an SSLM/A training camp in Nyama (South Kordofan, Sudan) reported to the United Nations that they, had been taking military training, together with approximately 100 other children. The boys reported that they had been approached by an SSLM/A commander in their cattle camp in Mayom (Unity State), who told them that there were guns at the border of South Sudan and the Sudan that could be collected to protect their cattle. When the boys reached the collection point, they were forced into military training by SSLA. They reported that most of the soldiers in the cattle camp were children. Since December 2013, elements of SSLA have integrated into SPLA and it is believed that these children could have been involved in the fighting in Unity State.

22. Recruitment and use of children by all parties to the conflict has shown a marked increase since the conflict erupted in December 2013. While the recruitment and use of 121 and 163 children were verified in 2012 and 2013 respectively, the United Nations has verified reports of the recruitment and use of 561 children (556 boys and 5 girls) since 15 December 2013. In addition, the United Nations has received reports indicating that several thousand children were reportedly associated with non-State armed actors. The low verification rate is largely due to insecurity, which has made some areas inaccessible to United Nations staff. For example, in January 2014, a group comprising approximately several thousand armed youths associated with the White Army was observed in Malakal (Upper Nile State). In March 2014, a group of an estimated 2,000 armed youths was observed in Ulang (Upper Nile State). The majority of both groups were believed to be under 18 years of age and some as young as 12 or 13 years old. Since the onset of the current conflict, the majority of children interviewed or observed as part of military units in various locations have been wearing military uniforms and carrying firearms and have indicated that they had received military training.

23. On 12 February 2014, an UNMISS team identified over 20 children aged 12 to 16 in military uniform at the State prison headquarters in Bentiu (Unity State). Other children were lined up and undergoing registration/enlisting inside a container at Giama Primary School, which SPLA was using for military purposes. The children were recruited by an SSLA faction that had integrated into SPLA at the end of November 2013.

24. Despite a written commitment made by the Chairman of SPLA in Opposition to my Special Representative for Children and Armed Conflict, Leila Zerrougui, in Addis Ababa in May 2014 to refrain from the recruitment and use of children, the United Nations has received reports of SPLA in Opposition organizing campaigns to forcefully recruit young people, including children, in seven counties in Unity State.

In June 2014, the Unity State military commander of SPLA in Opposition, Major General Peter Gadet, reportedly issued directives to military-appointed county commissioners to conscript young people to serve in SPLA in Opposition, with each county asked to provide 1,200 youths. Guit, Koch, Leer, Mayendit, Mayom, Panyijar and Rubkona Counties reportedly complied. To date, it has not been possible to establish how many children were forcibly recruited during these campaigns, but children under the age of 18, in full military attire and carrying weapons, have been observed by United Nations partners in those counties. While commanders on the ground confirmed receiving a directive to end the recruitment and use of children from the Chairman of SPLA in Opposition in May 2014, following his commitment to my Special Representative for Children and Armed Conflict, information collected to date suggests that this has not been implemented or enforced.

25. Schools have been used as places for child recruitment. In Unity State, in December 2013, soldiers and officers who defected from SPLA forcibly recruited children from schools in Bentiu and Rubkona to reinforce the strength of SPLA in Opposition. For example, credible witness testimonies refer to 425 children (245 from Rubkona Solo Secondary School and 180 from Rubkona Primary School) recruited from their schools in December 2013 by SPLA in Opposition. The boys had received three months of military training at a location close to the border with the Sudan and took part in the fighting in Bentiu in April and May. While the United Nations has not been able to further verify the total number of children involved in the incident and their current whereabouts, it was able to verify three individual cases (all boys).

26. In January and February 2014, 64 boys aged 14 to 17 were reportedly recruited by JEM in Unity State. Fifty-five of the cases were verified, while nine remained unconfirmed. Nine of the children were later released and reunited with their families. Given the involvement of JEM in the conflict in South Sudan, it is believed that the boys may have taken part in hostilities within the country.

27. In June 2014, during her visit to South Sudan, my Special Representative for Children and Armed Conflict observed several children in SPLA uniform in Bentiu town and inside the SPLA headquarters. In Gumuruk, Pibor County (Jonglei State), she met with David YauYau, who was surrounded by children associated with the SSDM/A Cobra Faction. He acknowledged that he had recruited and used children but declared himself ready to collaborate with the United Nations to release them. Despite the fact that he was appointed Chief Administrator of the Greater Pibor Administrative Area on 30 July 2014 by President Kiir and that the SSDM/A Cobra Faction is in the process of integrating into SPLA, David YauYau has yet to release the children.

28. Girl children have also been recruited and used by armed forces and groups. One such case in June 2014 involved three girls aged 15 to 17, two of whom were observed serving in an SPLA military house in Malakal, Upper Nile State. The third girl stated that she had been recruited and raped by elements of an armed group allied with SPLA since December 2013, along with 20 other girls the same age, after being abducted in an incident that reportedly took place in Detang (Upper Nile State). The report could not be verified.

29. The recruitment of children into armed forces and armed groups has taken various forms, including coercion, abduction and children joining of their own

volition. Children have been at risk of recruitment in refugee camps, internally displaced person camps, protection of civilian sites and their own communities. The ability of armed forces and groups to recruit has been facilitated by a number of factors. First, in the case of refugee and internally displaced person camps, the national police forces tasked with policing the camps have failed to deny access to the armed actors, many of whom have entered camps freely, in uniform and carrying weapons. This has also been a challenge within the local communities. Second, community and camp populations are closely affiliated with armed groups and have not resisted — or could not resist — their entry and assimilation within camp and community settings. Third, sufficient alternative livelihoods and education opportunities have not been available, thus increasing vulnerability and risks of recruitment. This has been particularly relevant in the case of children who were formerly associated with armed forces and groups, many of whom had not been provided with reintegration support such as education or livelihood opportunities. Investment in vocational training is needed and support for a reintegration package that addresses the individual needs of children is urgently required. Lastly, the proliferation of small arms and easy access to weaponry has continued to compound the problem.

B. Killing and maiming of children

30. A total of 1,111 children (147 boys, 102 girls and 862 sex unknown) were reportedly killed and 472 (262 boys, 140 girls and 70 sex unknown) injured during the reporting period. Out of the 1,583 reportedly killed or injured, 451 cases were verified by the United Nations. Between 15 December 2013 and 30 September 2014, 619 children (43 boys, 39 girls and 537 sex unknown) were killed and 219 (133 boys, 82 girls, 4 sex unknown) maimed. The killing and maiming of 305 children during that period has been verified. More children were killed and maimed between December 2013 and September 2014 than in the previous two years combined.

31. Intercommunal conflict, in particular in Jonglei State, resulted in many child casualties. During the violence between the Lou Nuer and the Murle in the period from December 2011 to January 2012, UNMISS verified the killing of 88 children, primarily as a result of beatings with machetes, and the abduction of 42 children. Additional reports of killing and abduction of children could not be verified. In July 2013, 49 boys were injured when Lou Nuer youths clashed with Murle youths in Manyabol (Jonglei State). Some of the boys had gunshot wounds and other war-related injuries. The boys were evacuated to Bor (Jonglei State) for medical treatment and later reunited with their families by the United Nations Children's Fund (UNICEF) and partners, along with the Government.

32. Explosive remnants of war have also claimed the lives of children. For example, four children were seriously wounded by explosive remnants of war in Bentiou town (Unity State) in April 2012 and, later that year, one boy was confirmed injured by an explosive remnant of war in Doro refugee camp (Upper Nile). In early 2013, four separate incidents of unexploded ordnance explosions resulted in the deaths of five children (four boys and one girl) and the maiming of seven (five boys and two girls).

33. Children have also been casualties of aerial bombardments by the Sudan Armed Forces (SAF). In April 2012, 4 children (one boy and three girls) were killed and 9 injured (eight boys and one girl) during an aerial bombardment by SAF in Unity State and one child was killed in November 2012 when SAF carried out aerial bombardments in the Kiir Adem area (Northern Bahr al-Ghazal).

34. On 16 December 2013, in Juba, United Nations staff witnessed the summary execution of two Nuer boys aged 12 and 16 by an officer of the South Sudan National Police Service, who left their bodies on the roadside; the boys had been arrested by SPLA forces while playing football and detained at the local police station.

35. Following the fighting in Rubkona and Bentiu towns (Unity State) in April 2014, five boys were killed and three injured, apparently following execution by gunshot. Two of the boys were found dead with their hands tied behind their back outside a mosque, where civilians had fled to seek protection. In addition, children were reportedly seen in piles of dead bodies left after the massacres at the hospital and mosque in Bentiu. However, it has been a challenge to verify the actual numbers of children affected in those attacks. The affiliation of the perpetrators and the origin of individual bullets are unknown, since fire was exchanged between SPLA and SPLA in Opposition.

36. In addition, the United Nations received reports according to which 490 dead children were identified in the many mass graves found in and around Bor (Jonglei State) following the heavy fighting there in late 2013 and early 2014.

37. Over 150 children have been treated in various UNMISS level II hospitals in Bentiu, Bor, Juba and Malakal for conflict-related injuries, mainly gunshot wounds, fractures and conflict-related sexual violence.

38. The United Nations received testimonies from boys aged 14 to 17 in Juba, Central Equatoria State, who had been detained and subjected to inhumane and degrading treatment, such as beatings, burning and being urinated on during interrogations about ethnic affiliations and involvement in the conflict.

C. Rape and other forms of sexual violence against children

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

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

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

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

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

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

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

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

D. Attacks against schools and hospitals and military use of schools

47. During the reporting period, a total of 155 incidents involving attacks on schools and hospitals and the military use of schools, affecting more than 50,000 boys and girls, were reported. The United Nations has verified 100 of those cases. Out of the 155 incidents reported, 30 involved attacks on schools, 25 of which have been verified.

48. Eighty-three incidents involving the military use of schools by SPLA were verified throughout the reporting period. Since January 2014, 33 schools have been vacated by armed actors following advocacy efforts and changes in control over individual areas. At the end of September 2014, 27 schools were still being used for military purposes by armed actors, including SPLA (21), SPLA in Opposition (1), SSDM/A Cobra Faction (1) and unknown actors (4), affecting access to education for almost 10,000 children.

49. In most cases, the military use of schools did not directly result in any reported killing or injuring of children; it did, however, result in the partial or complete closure of schools to allow armed actors to use the facility for accommodation or temporary barracks. Stockpiles of unexploded ordnance and other remnants of war have been found inside schools previously used by SPLA or armed groups, as was the case in 2012 when SPLA stored arms and ammunition in two rooms in Tonj Secondary School (Warrap State) for over two months. This necessitated constant engagement with the United Nations Mine Action Service; the stockpile was verified as removed in October 2012.

50. While in most cases, schools were used as temporary barracks and accommodation, verified cases of the use of schools for recruitment of children have also been documented since the eruption of violence in December 2013, as described in section III.A above.

51. Thirty-three incidents of attacks on hospitals were reported, of which 30 were verified. The incidents comprise both damage to clinics and health-care centres during fighting and looting of medical supplies and equipment. From March 2011 to December 2013, the United Nations received very few reports about this type of violation. However, beginning in December 2013, the numbers increased dramatically, with 22 incidents reported and 21 verified. In one incident, on 15 April 2014, Bentiu Hospital was attacked by SPLA in Opposition: medical staff and dozens of patients and civilians seeking protection inside the hospital were killed, hospital buildings were vandalized and medical supplies looted.

E. Abduction of children

52. During the reporting period, a total of 137 incidents were reported, affecting 1,222 children (448 boys, 443 girls and 331 sex unknown), of which 69 incidents were verified, affecting 696 children (357 boys, 338 girls and one sex unknown).

53. Intercommunal abductions were reported in many states in South Sudan, especially in Jonglei State. In 2011, 2012 and 2013, a total of 602, 129 and 250 children respectively were abducted. In addition, a further 243 children were documented as missing in the context of intercommunal conflict in 2012. These abductions are a key feature of the tribal violence that occurred throughout the reporting period.

54. During the intercommunal violence in Jonglei in 2011 and 2012, the United Nations observed an increase in the tendency of armed elements from the Lou Nuer tribe to abduct women and children. This had traditionally been associated with the cattle raiding practices of Murle-affiliated militia, but not with Lou Nuer armed elements. Women and girls who are abducted are usually forced into marriage but also subjected to sexual violence. For example, on 19 April 2011, a total of 128 children were abducted by armed militias from the Nuer tribe, reportedly in retaliation against the Murle tribe, in Pibor County. Between May 2012 and October 2013, 16 children (8 boys and 8 girls, aged 2 to 10) were abducted from the Lulubo tribe in Lokiliriby suspected Murle armed men from Jonglei State. During an attack in Kitkit village in Timsaha (Northern Bahr al-Ghazal) on 2 January 2013, a significant number of women and children (52 boys and 44 girls) were abducted by Rizeigat militia and allegedly taken to villages in East Darfur. On 15 April 2013, 127 of the women and children were released and reunited with their families. As a

result, families have been afraid to send children to school and cultivate their land, resulting in lower educational achievement and limited access to food.

55. In February 2014, the United Nations also verified reports of 105 children (29 boys and 76 girls) abducted by SPLA in Opposition in Malakal, Upper Nile State. To date, the purpose of the abduction has not been confirmed, but it is believed that the girls were taken for sexual purposes, while the boys may have been forced to take part in hostilities. Similar unverified incidents were also reported in Leer, Unity State, where 85 girls were reportedly abducted by tribesmen suspected to be Murle.

F. Denial of humanitarian access

56. During the reporting period, 428 incidents were reported, of which 267 were verified. Incidents included forceful entry into humanitarian compounds, looting of compounds, seizure of assets and harassment of humanitarian workers at checkpoints, all of which have significantly impacted the delivery of assistance to affected populations, including women and children.

57. Commandeering and impounding of relief assets, in particular vehicles, at SPLA and South Sudan National Police Service checkpoints were reported. For example, in 2012, a total of 67 incidents in which vehicles were commandeered and/or relief assets seized, either by State security forces or militia groups, were reported.

58. These incidents negatively impacted the ability of humanitarian workers to promptly and safely access populations in need. For example, during the first quarter of 2012, violence against nine humanitarian workers by SPLA soldiers was reported in Central Equatoria and Warrap States. In mid-March 2012, over 40 national non-governmental organization staff members were gathered by SPLA in Agok (Warrap State) as part of a reported military mobilization drive. A similar incident was reported in Pariang County (Unity State) during the third quarter of 2012, where five non-governmental organization staff members were subjected to a forceful recruitment drive by a militia group. As a result, health care, water and other types of humanitarian assistance were severely disrupted. All the affected humanitarian aid workers were later released following intense advocacy by the United Nations and non-governmental organizations.

59. The upsurge in insecurity after December 2013 created new challenges for humanitarian operations. In August 2014, five humanitarian workers were executed in Maban County, Upper Nile State, and official statements notwithstanding, there is no progress in the investigations. Insecurity rendered many areas throughout the country inaccessible to humanitarian assistance for needy populations, causing several agencies to relocate, in particular from state capitals and remote locations, sometimes repeatedly.

G. Violations against children attributed to the Lord's Resistance Army

60. From March 2011 to September 2014, a total of 64 children (18 boys and 46 girls) either escaped or were rescued from the Lord's Resistance Army (LRA).

However, since July 2011, LRA attacks have decreased significantly, with only one LRA attack reported in November 2013, affecting two villages in Western Equatoria State, close to the borders of the Democratic Republic of the Congo and the Central African Republic. No children were reported to be affected by those incidents. Prior to that, in May 2011, three children (one boy and two girls) were abducted when LRA carried out two attacks in Gangura (Western Equatoria State). The boy and one of the girls were later rescued by the Home Guards, a community self-defence group. In July 2011, a girl was abducted when a group believed to be LRA attacked Raja (Western Bahr al-Ghazal). In addition, 18 girls who had either escaped or were rescued from LRA in 2011 reported to have been subjected to sexual violence while in captivity. Regional efforts among the LRA-affected countries continued, with annual coordination meetings being held to deliberate on children affected by LRA.

IV. Follow-up to the conclusions of the Working Group on Children and Armed Conflict and the recommendations of the Secretary-General

A. South Sudan country task force on monitoring and reporting grave violations against children

61. The South Sudan country task force on monitoring and reporting grave violations against children continued to meet regularly throughout the reporting period at both the technical and policy levels. In its exchanges with the Government authorities of South Sudan, the task force continued to bring my recommendations and the conclusions of the Working Group on Children and Armed Conflict to their attention. Formal engagements to address violations were also carried out, specifically with SPLA, the Ministry of Defence and Veteran Affairs, the Ministry of Justice, the South Sudan Disarmament, Demobilization and Reintegration Commission and the Ministry of Gender, Child and Social Welfare, at both the national and state levels.

62. On 2 June 2014, the co-chairs of the task force briefed the Working Group on Children and Armed Conflict on the impact of the ongoing conflict on children by videoteleconference, prior to a high-level visit by my Special Representative for Children and Armed Conflict to South Sudan.

B. Progress made in the release of children from armed forces and groups in South Sudan: implementation of the action plan

63. On 13 March 2012, the Government of South Sudan renewed the action plan on the release of children from armed forces and groups, which was first signed on 20 November 2009 by SPLA, by signing a revised action plan, witnessed by my former Special Representative for Children and Armed Conflict, Radhika Coomaraswamy. Prior to the escalation of armed conflict in December 2013, the Government of South Sudan had been making progress in implementing the action plan. A national technical committee comprising the SPLA Child Protection Unit, the co-chairs of the country task force on monitoring and reporting grave violations against children, the South Sudan Disarmament, Demobilization and Reintegration Commission, SPLA military judge advocates and the Spokesperson's Office had

been established in March 2012 to lead the implementation of the revised action plan. The SPLA Child Protection Unit had established offices in seven military divisions, with 1,043 dedicated SPLA child protection officers positioned at the SPLA General Headquarters and state levels.

64. From January 2009 to 15 December 2013, 955 children associated with SPLA were released. A system of screening and early identification of children was established and, in 2012, 421 boys and 29 girls who sought to voluntarily enlist with SPLA were rejected. In addition, SPLA and the United Nations conducted joint verification visits to SPLA barracks; in 2012, the United Nations was granted access to 71 of them. Furthermore, the Government initiated the development of civil and birth registration systems, with the support of UNICEF.

65. A number of military command orders and punitive directives were issued by SPLA. In 2013, eight targeted military command orders were issued concerning unimpeded access to barracks for verification purposes, screening and registration of children associated with SPLA, the prohibition of unauthorized redeployment of SPLA child protection officers and the evacuation of all schools used by SPLA. The order regarding the recruitment of children and the use of schools provided punitive disciplinary measures for non-compliance. By December 2013, only seven schools were being used and plans were made to vacate them. Despite those efforts, the recruitment of children by some SPLA commanders and divisions continued. On 10 September 2014, the SPLA Deputy Chief of General Staff reinforced the punitive directive of August 2013 by issuing an order to all SPLA units to ensure compliance. Also, the Legal Adviser to the Minister of Defence and Veteran Affairs proposed amendments to the SPLA Act (2009) to include punitive measures for perpetrators of grave violations against children.

66. The United Nations provided capacity-building support to SPLA to facilitate the implementation of the revised action plan. In 2011, prior to the signing of the revised plan, an international child protection adviser had already been embedded within the SPLA headquarters in Bilpham, Juba, to provide technical support to the SPLA Child Protection Unit. In 2012, SPLA and the United Nations held a workshop to develop a child protection training module to be incorporated and institutionalized within the overall SPLA training curriculum. A total of 30 SPLA officers participated in a training of trainers programme to facilitate further dissemination of the module. To date, over 30,000 SPLA officers and non-commissioned officers throughout South Sudan have been sensitized on the provisions of the revised action plan, the SPLA Act (2009), the South Sudan Child Act (2008) and international standards for the protection of children in armed conflict.

67. However, with the escalation of violence in December 2013, those efforts were not only suspended, but largely reversed, with a devastating impact on children. Relations between the United Nations and the Government of South Sudan have become difficult and access to SPLA severely diminished.

68. On 24 June 2014, during the visit of my Special Representative for Children and Armed Conflict to South Sudan, the Ministry of Defence and Veteran Affairs and SPLA signed a recommitment to the revised action plan agreement, which contains explicit commitments to put an end to the recruitment, use, killing and maiming of children and sexual violence against children; stop and prevent attacks on schools and hospitals; vacate schools used by Government forces and reinstate

them as safe havens for learning; and investigate and hold accountable perpetrators of these grave violations. In addition, in a meeting with my Special Representative for Children and Armed Conflict, President Kiir committed to issuing a decree to criminalize the recruitment and use of children in SPLA issuing command orders to stop the military use of schools and prevent violations perpetrated against children by SPLA. On 10 September 2014, military orders were issued by the acting SPLA Chief of General Staff to reinforce previous orders prohibiting the recruitment and use of children and the occupation and military use of schools. At the end of September 2014, 27 schools were still being used for military purposes by armed actors.

C. Advocacy

69. Throughout the reporting period, the United Nations systematically undertook advocacy initiatives with parties to the conflict to end and prevent grave violations against children.

70. The campaign “Children, Not Soldiers” was formally launched on 6 March 2014 by my Special Representative for Children and Armed Conflict and UNICEF with the aim of ending and preventing the recruitment and use of children by Government forces by 2016. South Sudan is one of the seven countries involved. In September 2014, the Minister for Foreign Affairs of South Sudan attended a high-level round table on the campaign hosted by the United Kingdom of Great Britain and Northern Ireland. The campaign was officially launched at the national level by the Government of South Sudan on 29 October 2014.

71. On 10 May 2014, during her visit to Addis Ababa, my Special Representative for Children and Armed Conflict signed a commitment agreement with Riek Machar to end grave violations against children, provide assistance to children and appoint a high-level focal point. Riek Machar acknowledged the presence of children among the ranks of SPLA in Opposition, but stated that the main challenge was the strong willingness among young people to pick up arms combined with the fact that children are regarded as adults beginning at 15 years of age. Riek Machar later stated publicly that he had issued two directives to his commanders not to allow children to join SPLA in Opposition. In a meeting between the UNICEF Regional Director and the South Sudan and Ethiopia UNICEF country offices, SPLA in Opposition informed UNICEF that it had established a coordination structure to improve humanitarian assistance to affected populations. However, it is yet to provide a name and contact details for an in-country point of contact to take those commitments forward.

72. During her visit to Addis Ababa, my Special Representative for Children and Armed Conflict also met with the Deputy IGAD mediator to discuss concrete measures to operationalize the release and reintegration of children in the context of the cessation of hostilities agreement. In addition, she engaged with the African Union commission of inquiry and the African Committee of Experts on the Rights and Welfare of the Child, which visited South Sudan in August 2014.

D. Programmatic response

73. In 2012, the South Sudan Disarmament, Demobilization and Reintegration Commission, supported by UNICEF, developed a comprehensive project document for the release and reintegration of children associated with armed forces and groups and other children affected by conflict based on the Commission's policy of 2011. From March 2011 to December 2013, 493 children (343 from SPLA, 9 from the South Sudan National Police Service and 141 from non-State actors integrating into SPLA) were released through formal disarmament, demobilization and reintegration processes coordinated by the Commission and supported by UNICEF. An additional 210 children released in 2010 continued to receive reintegration assistance during the reporting period. These children were assisted to return to their families and communities and were provided with social and economic reintegration assistance.

74. Family separation has been a critical child protection concern since December 2013. Six thousand children have been registered as separated, unaccompanied or missing. Many of them are girls, who are vulnerable to a wide range of violations and abuses. The family tracing and reunification of these children is a challenge, partly owing to limited or no access for child protection actors to some areas. Efforts to intensify family tracing in accessible locations are being undertaken in coordination with child protection actors, using an innovative open source mobile phone application and data storage system that are aimed at expediting the family tracing and reunification process. Rapid response missions to the most hard-to-reach areas are also conducted to provide basic lifesaving assistance to children.

E. Legislative measures

75. The Ministry of Gender, Child and Social Welfare and the Ministry of Justice, with support from the United Nations, have persistently advocated for the ratification of the Convention on the Rights of the Child and the three Optional Protocols thereto. In November 2013, the South Sudan Legislative Assembly approved the ratification of the Convention and President Kiir has since given his assent. Accession to the Convention is pending.

F. Addressing impunity

76. With support from the United Nations, in 2012, SPLA trained 21 newly graduated SPLA judge advocates (18 men and three women) on specific roles that they could play in support of the military justice system to fight impunity. In March 2012, the SPLA Military Justice and Legal Affairs Directorate seconded a military judge advocate to work directly with the SPLA Child Protection Unit at General Headquarters and designated military judge advocates to the SPLA Child Protection Units in divisions, brigades, battalions and companies. These advocates investigated allegations of recruitment and use of children in which SPLA soldiers were implicated. To date, four cases have been reviewed, three of which resulted in arrests and the detention of three soldiers in Jonglei State; their status remains unknown.

77. Notwithstanding the above, the perpetrators of grave violations against children have largely benefited from impunity, including former leaders of armed

groups who were granted Presidential pardons and have integrated into SPLA. Domestic laws that could hold them accountable have not been routinely enforced, partly owing to resource constraints or infrastructure challenges, but also largely to a lack of political will. Furthermore, despite ongoing efforts and a deteriorated security situation since December 2013, there has been no evidence of accountability for the grave violations committed in connection with the current conflict.

78. In February 2014, the Ministry of Justice informed UNMISS that it had begun an ex officio investigation into atrocities committed in Juba, including grave violations against children. No further information has been provided. The Government also reported the arrest of approximately 100 individuals in connection with targeted killings in Juba in December 2013. A small number of violations committed during the crisis, including against children, are reportedly being adjudicated through the criminal and military justice systems. Little or nothing is known to the United Nations about the outcome of these investigations and processes, if any.

79. There continues to be an absence of any serious initiative by other parties to the conflict to hold perpetrators accountable for violations against children. Again, this is the result of lack of political will compounded by a lack of clarity regarding military command and control structures and a lack of effective military command in SPLA in Opposition, the White Army and armed youth.

V. Observations and recommendations

80. I condemn all grave violations committed against children and urge all parties to the conflict in South Sudan to lay down their arms and immediately stop the recruitment, use, killing and maiming of children, the rape of children and other forms of sexual violence, abduction and attacks on schools and hospitals, and to immediately release all children within their ranks. I call upon all parties to the conflict to abide by their obligations under international humanitarian and human rights law.

81. I take note of the progress made by the Government of South Sudan in the implementation of the action plan up to December 2013, but am deeply concerned at the setbacks that have unfolded since then. I call upon the Government of South Sudan to respect and fully implement the provisions of the recommitment agreement signed in June 2014, including vacating schools occupied by SPLA.

82. I urge SPLA in Opposition to immediately stop all grave violations against children and abide by the commitment that its Chairman signed with my Special Representative for Children and Armed Conflict in May 2014, to take concrete measures to stop the ongoing violations against children and to abide by international humanitarian and human rights law.

83. The persisting and widespread impunity benefiting perpetrators of grave violations against children and, in particular, the grave violations committed since December 2013, are a matter of serious concern. I urge the Government of South Sudan to take all the necessary measures to ensure accountability and to redouble efforts to advance the investigations in progress and prosecute those responsible. I

also call upon the Security Council, the African Union and IGAD to ensure that accountability is central to any political settlement.

84. I am concerned at the instances of denial of humanitarian access to the United Nations and partners, which have increased during the current conflict. I call upon all parties to ensure safe and unimpeded humanitarian access for the United Nations and partners to all areas.

85. I urge the Government of South Sudan to develop a disarmament, demobilization and reintegration programme for children separated from armed forces and groups, ensuring that all children are afforded adequate support and reintegration opportunities, with particular attention to the specific needs of girls.

86. I call upon the donor community to ensure adequate support to child protection activities and programmes, with particular attention to children separated from their families and child survivors of rape and other forms of sexual violence.

87. I call upon the Government of South Sudan to expedite its accession to the Convention on the Rights of the Child and the Optional Protocols thereto.

88. Lastly, I call upon the Security Council to continue to take into account the situation of children affected by armed conflict in its consideration of the situation in South Sudan.
