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TO: The Chairman, Joint Monitoring and Evaluation Commission
Juba, South Sudan

FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mechanism,
Juba, South Sudan

DATE: 25 November 2015

SUBJECT: Report on Rape and Murder in Unity State

Your Excellency,

Please find attached the Joint Technical Committee (JTC) report on serious violations of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 26 August 2015) in Unity State.



Major General (Retired) Negash Dagne Ayele
Chairman, Joint Technical Committee



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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO RAPE AND MURDER IN UNITY STATE
(V053)**

PRESENTED TO:

**THE CHAIRMAN
JOINT MONITORING AND EVALUATION COMMISSION
JUBA, SOUTH SUDAN**

25 November 2015



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Executive Summary

There is no doubt that during the present conflict there have been numerous cases of rape and murder perpetrated by uniformed personnel from or allied to both Parties. This has been widely reported as a significant concern by UN agencies and NGO's.

Following specific allegations made by women from the POC site in Bentiu, JTC directed there be an independent investigation by the MVT in order to gather information and highlight the issue.

The aim of this report is not to provide an authoritative summary of the incidence of rape and murder in South Sudan, but to raise what the JTC considers to be an extremely important issue by outlining a few recent examples in order that JMEC is aware of the gravity of problem and can take the appropriate action. The JTC does not attribute specific responsibility for the incidents described, however they all involved uniformed men. The issue is one of rape, murder and sexual violence perpetrated by armed personnel under the command and control of the Parties.

It is the clear opinion of the JTC that rape and murder by uniformed members of both Parties and their allied militias is widespread, and continues to be so even after the signing of the Peace Agreement. This is in clear violation of the Agreement, the COHA and International Law.



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by their experiences; the interviews were not easy, and in some cases the details muddled. However, there was no doubt that the women interviewed described what happened to them as best they could and had suffered considerably.

2.0 Rape and Murder in Unity State

2.1 The following four examples are of recent rape and murder cases in Unity State. They mainly concern victims who were attacked when seeking refuge in the POC site. These are summaries of statements made by the victims:

- Case 1: On 2 November a married woman aged about 30 originally from Leer County was raped in an area called Runjesh in Bau Payam. She was with her twin infant sons aged 8 months when a group of soldiers came (some in uniform and some in civilian clothes). One of her sons was taken, thrown to the ground and killed and when she tried to defend her other child she was taken and raped by 6 men. Some men, including her brothers, were taken by the soldiers and she eventually found them dead about an hour away.
- Case 2: On the evening of 5 November a woman of about 40 was travelling with her parents from Koch towards the POC site in Bentiu when they came across a group of soldiers in military uniform at Dandok in Guit County. The soldiers grabbed her, and when her parents tried to intervene they shot them dead. She was taken to a nearby forest and raped by 5 men.
- Case 3: At about midday on 11 November a woman of about 35 from Mayendit County was between Koch and Buaw travelling towards the POC site with her 6 year-old son, a co-wife and a man when they came across a "large" group of soldiers in military uniform. She was grabbed by the soldiers and raped next to the road by 12 of them. During this ordeal the co-wife fled with her son into the bush, and the man she was travelling with was shot dead by her attackers. At the time of the interview two days later she had still had no word about her son and co-wife.
- Case 4: On a date unspecified but probably around the 8-10 November (the victim had arrived at the POC site on 11 November) a woman (age unknown) was with a group of other women and a boy, who was the son of one of the women, at Kuach village, Koch County. A soldier in military uniform came and took her and raped her. He then called other soldiers who came and raped the other women. The boy was shot dead by the attackers.



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3.0 Assessment:

- It is evident that even after the signing of the Peace Agreement rape and murder continue to be widespread. Whilst the cases outlined happened in Unity State, it is unlikely such cases are confined to this state.
- It is the opinion of the JTC that there is no doubt that these incidents took place. The affect such experiences have had on the victims can only be imagined. It is widely acknowledged that many such cases go unreported, and indeed women from the POC site in Bentiu interviewed previously by MVT members have clearly stated that this is the case.
- It is impossible to assign specific responsibility for the four cases discussed, although the evidence from the statements of the victims suggests that uniformed personnel from or allied to both Parties were involved.

4.0 Conclusion

- 4.1 Criminal acts of the rape and murder of civilians by military forces and their allied militias continues to take place, even after the signing of the Peace Agreement.
- 4.1 These acts constitute a gross violation of the Peace Agreement (Chapter II, articles 1.7, 1.7.2 and 1.7.5 and COHA article 3), as well as of International Humanitarian Law.

5.0 Recommendations and observations:

- The JTC recommends that JMEC address the issue of the rape and murder of civilians with the Parties, and remind them in no uncertain terms that they are responsible for the actions of all forces (including allied militias) under their control, and therefore responsible for the atrocities described in this report.
- The warring parties should be reminded that as well as violating the Peace Agreement rape and all forms of sexual violence constitute violations under International Humanitarian Law. The Parties are obliged under International Humanitarian law to protect women and girls (and indeed men and boys) against acts of sexual violence.



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- The JTC further recommends that the Parties be reminded in the strongest terms that those responsible for such crimes should be held to account for their actions, and that the Parties have a duty not only to do all in their power to prevent atrocities of this kind, but also to find and prosecute those who perpetrate them.

