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Human rights situations that require the Council's attention

### **Joint written statement\* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Union of Arab Jurists, non-governmental organizations in special consultative status, International Educational Development, Inc., World Peace Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



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## South Sudan: Addressing the Humanitarian Crisis\*

### Introduction

Since the outbreak of violence in December 2013 between the rival forces of Sudan People's Liberation Army (SPLA) in support of President Salva Kiir and SPLA In Opposition (SPLA-IO) backing former First Vice-President Riek Machar there have been efforts to cease violence. However, peace agreements<sup>1</sup> have been issued and signed and promises by the government have been made without keeping.

Despite these endeavours the situation has worsened in all aspects. Innocent families and communities have greatly suffered at the hands of the warring parties. While violence persists, other catastrophes have ensued as a result of the ongoing conflict that continues to spread towards unaffected areas. Moreover, efforts to protect and secure civilians are minimal and face challenges.

### Continued violence and displaced persons

#### - Continued violence

The continued spread of violence in South Sudan to previously affected and unaffected areas demonstrates a complete disregard of the Cessation of Hostilities (2014), the Peace Agreement (2015), the recommended steps to ensure peace, promises made by the South Sudan government including at the Extra-Ordinary Summit of the Intergovernmental Authority on Development (IGAD) Assembly on 25 March 2017<sup>2</sup>. For instance, on April 3, 2017 violence broke out in Pajok area in Eastern Equatoria that is populated by some 50,000 people. Reports have told of “grave violations against civilians” and has caused mass displacement into Uganda (approximately 10,000 refugees) and other surrounding areas in the preceding days<sup>3</sup>.

Moreover, their journey is a matter of concern as they also lack the necessary financial means for safe and adequate transportation. For instance, the recent violence in the towns of Tonga and Kodok have cause people to leave their homes by foot for “up to 150 kilometres in searing temperatures” where unfortunately, some died en route and others, after arriving weak and exhausted found themselves facing more violence and little to no “food, water and healthcare” in Aburoc county<sup>4</sup>. Civilians already in Aburoc are apparently in danger of being subjected to gross human rights violations and this region already suffers from severe shortages of drinking water bearing risk outbreaks of diarrhoea and cholera. “These are women, children and men at the mercy of military commanders, on both sides of the political divide, who have consistently shown little or no regard for the protection of civilians”<sup>5</sup>.

#### - Refugees

“No refugee crisis today worries me more than South Sudan,” said Valentin Tapsoba, the African chief for the United Nations High Commission for Refugees (UNHCR).

Approximately 1.7 million refugees from South Sudan have fled to neighbouring countries since the start of conflict and violence between SPLA and SPLA-IO forces in December 2013. Almost 900,000 have sought refuge in Uganda, close to 400,000 in Sudan, 300,000 in Ethiopia, over 70,000 in Democratic Republic of Congo (DRC), and approximately 65,000 in Kenya<sup>6</sup>. Around 350,000 refugees have emigrated from South Sudan from January 2017 to April 2017 as there has been renewed violence around the country. UNHCR has taken this information into consideration and has already re-planned for the emigration of at least 477,000 refugees from 330,000 for this year, 2017.

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1 Cessation of Hostilities in January, 2014 and a Peace Agreement in August, 2015

2 To implement a ceasefire and facilitate humanitarian access.

<http://www.un.org/apps/news/story.asp?NewsID=56654#.WRLPqOWGOUk>

3 <http://reliefweb.int/report/south-sudan/south-sudan-situation-regional-update-1-15-april-2017>

4 <http://www.un.org/apps/news/story.asp?NewsID=56679#.WRLPoeWGOUk>

5 <http://www.un.org/apps/news/story.asp?NewsID=56703#.WRMso-V96Uk>

6 <http://data.unhcr.org/SouthSudan/regional.php>

The numbers of refugees have put accommodation and funding in a serious situation as most agencies and organisations did not expect such a high number in such a short time. In terms of displacement a total of almost 2.3 million South Sudanese with roughly 1 million children have been forced to flee their homes due to violence and violence-related occurrences<sup>7</sup>. Concern and consideration for the physical and mental fatigue as well as trauma that the children must endure has to be seriously taken into account.

- *Internally Displaced Persons*

While it is necessary and important to account for and pay attention to refugees it should also be the case for internally displaced persons (IDPs). According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) nearly 2 million IDPs have been displaced by violence (may also include famine caused by the violence) where 223,895 are in Protection of Civilians (PoC) sites<sup>8</sup>.

### **Dire Humanitarian Situation**

- *Famine in South Sudan:*

In addition to the violence, starvation is another serious issue many South Sudanese face. In February 2017 three UN agencies declared famine in parts of Unity State (North-Central South Sudan), Leer and Mayendit and fears that it may spread to other food insecure areas. Ensuing armed-conflict further complicates improving the situation as it endangers and restricts humanitarian aid from reaching people in need, particularly in terms of food, water, and health<sup>9</sup>.

Moreover, while famine ensues in many parts of the country the government of South Sudan is using its oil revenues to proliferate the conflict<sup>10</sup>. This demonstrates clear mismanagement of revenue. The majority of capital is being allocated to arms instead of ensuring security (for instance food security) and the rights of South Sudanese people and communities, according to a confidential UN report<sup>11</sup>.

The international community must also bear some responsibility, particularly states, businesses, and companies that are involved with South Sudan's oil industry and business that helps finance and perpetuate the violence. If indeed the "protracted conflict" helped bring about famine and food insecurity, and that the conflict is indirectly financed by foreign partners/players then it follows that they have played a part in not only the ethnic violence but also the augmenting food insecurity leading towards famine, and are therefore, partly responsible.

- *Humanitarian security*

In addition to food insecurity, farmers have lost livestock and farming tools amidst the famine catastrophe and the damage to agriculture. Together with food insecurity and encroaching famine, malnutrition has become a serious problem that approximately 1 million South Sudanese children face<sup>12</sup>. Further, access to emergency public health is nil let alone regular health and sanitation facilities.

Additionally, humanitarian assistance and workers are facing major challenges. Due to extending conflict along the Nile's West Bank and attacks on humanitarian workers in previous months, humanitarian organizations have been forced to relocate staff from Kodok to Aburoc (North-East). Consequently, looting of vital humanitarian assets have been reported in Aburoc according to Mr. Serge Tissot, FAO Representative in South Sudan<sup>13</sup>, thereby adding to the major challenges of protecting and assisting civilians and humanitarian workers.

These dire situations are testament to how complex and convoluted the crisis has become as it has clearly adversely affected a multitude of security areas that eradicates the most basic human rights of South Sudanese people.

7 <http://reliefweb.int/report/south-sudan/2016-south-sudan-humanitarian-needs-overview>

8 <http://reliefweb.int/report/south-sudan/south-sudan-situation-regional-update-1-15-april-2017>

9 <http://www.npr.org/sections/goatsandsoda/2017/03/14/520033701/why-the-famine-in-south-sudan-keeps-getting-worse>

10 <http://www.reuters.com/article/us-southsudan-security-un-idUSKBN16O0DB>

11 Ibid

12 <http://www.un.org/apps/news/story.asp?NewsID=56205#.WRM2u-V96Uk>

13 <http://www.un.org/apps/news/story.asp?NewsID=56662#.WRLReeV96Uk>

### Progress and possible ways forward

#### - Accountability

*“I can confirm that, as of Sunday, nobody is being detained in connection with this attack against civilians,”* said Human Rights Minister Eugene Nindorera who interviewed several witnesses.<sup>14</sup>

Accountability efforts need to be enhanced by all parties involved. Perpetrators continue to commit grave crimes with impunity further encouraging similar or worse crimes. Though long overdue, it appears that effective strategic steps are being taken to ensure accountability. According to Mr. Nindorera, the Governor of Wau State is working with an established committee to produce a comprehensive report in order to “determine the motive for the attacks and identify the perpetrators in order to hold them accountable.”

Political solutions in tandem with local authorities, leaders, and people must take place to ensure cessation of hostilities and more importantly to re-build a South Sudan for the security and prosperity for South Sudanese.

### Conclusions and Recommendations

While the efforts of United Nations Mission in South Sudan (UNMISS) deserve acknowledgement, we must remain mindful that this is only the beginning of security operations and that even more work and effort is needed and warranted to ensure further safety and positive results regarding the plight of now millions of innocent South Sudanese. The ethnic violence, famine, torching of villages, and other horrendous atrocities has already produced millions of displaced people who deserve the attention of the international community.

Three years of conflict have already devastated the people of South Sudan and put the country’s future into serious risk. All areas that amount to peace and security have either been destroyed or are in peril. From rural livelihoods, crop and food production, the economy and agriculture of the country, health and nutrition, to water and sanitation and more; all have been adversely affected.

The very spirit of the UN Charter has been shaken under such crises and the determination of the peoples of the United Nations is in question. The Preamble and Article 1 of the UN Charter are not reflected in the actions and determinations of the peoples and states of the United Nations.

We, therefore, recommend the Council:

- *to urge* all stakeholders to support local peace initiatives, groups, and associations in any way possible;
- the government of South Sudan to:

- *hold themselves accountable* over previous promises and commitments of a cease-fire;
- *uphold commitments* of protection and security of its citizens;

that states and relevant stakeholders to:

- *provide assistance* (monetary, technical etc.) to humanitarian aid, missions, workers, and to improve POC sites as per their requests;
- *investigate* sources of arms and war funds, particularly in South Sudan’s oil industry and hold contributors and participants accountable who indirectly finance the conflict.

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\*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGOs without consultative status, also share the views expressed in this statement.

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14 <http://www.un.org/apps/news/story.asp?NewsID=56609#.WRLqyOV96U>