

PRESS STATEMENT; FOR IMMEDIATE RELEASE; 20 APRIL 2014

### **SSHURSA CONDEMNS ATTACK ON CIVILIANS AND CALLS ON INTERNATIONAL COMMUNITY TO ACT**

The South Sudan Human Rights Society for Advocacy (SSHURSA) condemns in the strongest terms possible the attack on 17 April 2014 meted on unarmed civilians of the Internally Displaced Persons (IDPs) of (about 5000) mostly members of the Nuer ethnic group. The IDPs have been sheltered at the United Nations Mission In South Sudan (UNMISS) base in Bor, Jonglei state, right from the start of the ongoing crises in South Sudan in December 2013. The attack according to the survivors including the community leaders, 47 of whom SSHURSA has interviewed, left 148 persons dead mostly children and women, and wounded over 200 persons, a number untallied with the UN media preliminary releases that put the deaths not above 70 but disputed by the interviewed survivors as 'incorrect'. The true figures of the deaths rates are yet to be ascertained as varied reports are in flow.

The attack was alleged to have been carried out by an armed youth group from Dinka Bor ethnic group of Jonglei state. However, according to the interviewees, they believe it was carried out by well trained armed personnel, accusing the South Sudan's national army, the Sudan People's Liberation Army (SPLA) as behind the attack in disguise of the armed youth, an accusation the army has denied.

Whoever was behind the attack, be it the army or the youth or both, SSHURSA condemns such pre-mediated killings as against human dignity. It is barbaric and must be condemned by all those who care about humanity. This is a violation of Articles 11(right to life and human dignity), 15(equal protection of the law), 16(rights of women), 17(rights of children) and 18(the right of freedom from torture or cruel, inhumane or degrading treatment) as enshrined in the Transitional Constitution of South Sudan 2011 and other regional and international human rights instruments. The attack also violates the principles of the international humanitarian law stipulated in Geneva Convention and its optional protocols which South Sudan has ratified and domesticated and as a state, it is obliged to observe.

SSHURSA also condemns the careless, irresponsible and hate speech by the South Sudan's Minister of Information Honourable Michael Makuei Lueth who in a press conference after the attack described the IDPs as "*intolerable rebels*" and with UN being described by the Minister of the Interior Honourable Aleu Ayieny Aleu as having provoked the armed group by "*shooting up into the air*". Such statements by Ministers who are also Members of the Parliament are inciting. There is no any justification under any law or circumstances whatsoever, to attack unarmed civilians.

SSHURSA also condemns the negligence of the UN soldiers who did not act in time according to the survivors and that led to attackers killing in hundreds.

SSHURSA appeals and makes the following recommendations:

**1. To the UNMISS:**

- (i) carry out thorough and independent investigations to ascertain who attacked or was behind the attack.
- (ii) intensify the protection of the civilians in all UNMISS camps in South Sudan as granted under Chapter VII mandate of the UN Charter.
- (iii) relocate the sheltered civilians at UN to Kenya, Uganda and Ethiopia especially Nuer and Shilluk Communities who cannot reach such countries without protection.

**2. To the UN Security Council:**

- (i) refer the South Sudan's case to the International Criminal Court (ICC) as provided for under Chapter VII of the UN Charter and article 13(b) of Rome Statute of the ICC.
- (ii) take interim measures against the South Sudan as a state to observe its obligations of maintaining peace and security as a member of UN under the UN Charter.
- (iii) take measures against UN individual field staff especially international staff whose negligence endangers the safety of the civilians under their care<sup>1</sup>.

**3. To the Government of South Sudan:**

- (i) protect civilians under government controlled areas
- (ii) carry out independent investigations to ascertain those responsible of inciting attacks on civilians within or without the government
- (iii) refrain from belligerent attitudes against UN and hold UN premises inviolable
- (iv) commit itself to peaceful resolution of the ongoing conflict
- (v) hold responsible its officials inciting the conflict and ethnic killings through hate speech.
- (vi) accord protection to Nuer ethnic group to move freely like other communities to other countries such as Kenya, Uganda and Ethiopia for refuge.
- (vii) discipline any army elements meddling in politics hence inciting ethnic violence
- (viii) take measures against individual soldiers or otherwise committing war crimes and crimes against humanity and human rights under the government controlled areas.

**4. To the SPLM/A In Opposition:**

- (i) refrain from inciting revenge attacks along ethnic lines or under any circumstances
- (ii) respect the principles of international humanitarian law and rules of engagement governing the conduct of hostilities under Geneva Laws.
- (iii) protect all civilians and their property under its controlled territories or care.
- (iv) commit to the signed Cessation of Hostilities and peaceful resolution of the ongoing armed conflict in South Sudan
- (v) take measures against any of its members having tendency of committing crimes and violations of human rights.

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<sup>1</sup> Many survivors of the Bor UN base attack as interviewed by SSHURSA on 17, 18 and 19 April 2014, confessed that death rates shot high because the UN did not act in time against the attack.

**5. To the Troika Countries and the rest of the International community:**

- (i) take drastic and independent investigations with UN to expose and hold those responsible or behind the attack of civilians on UN base in Bor.
- (ii) take fortified and immediate measures to hold responsible individuals within South Sudan especially the government officials who obstruct peaceful resolution to the conflict, fueling conflict by inciting people to violence along ethnic lines which provoke further revenge hence escalation of the conflict
- (iii) pressure on government of South Sudan and SPLM/A In Opposition to commit to peaceful resolution
- (iv) work closely with IGAD to ensure neutral management of the Addis Ababa peace talks.
- (v) monitor, expose and remove the external factors fueling conflict in South Sudan such as external military assistance
- (vi) take full commitment to genuinely help South Sudanese to peace through meaningful dialogue on fundamental issues of governance, Constitution, constitutionalism and democratization which threw South Sudan into violence.

**6. To the Nuer Community:**

- (i) refrain from any revenge attacks on Dinka or any suspect of the recent attacks on Nuer
- (ii) compile and release own verified version of what happened and how it happened including a final number of the dead and wounded on Bor attack of 17/4/2014

**7. To Dinka Community(Greater Bor Communities):**

- (i) make public statements to clarify to confirm or deny the position of the youth from Bor Communities as accused by the government of carrying out the attack on UN base.
- (ii) distance themselves from inflammatory statements by the political leaders that put the community harmonies at risk along ethnic lines.

SSHURSA finally calls upon all stakeholders to commit themselves to the restoration of a peaceful South Sudan through meaningful dialogue.

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SSHURSA is a non political and non-profit making human rights organization founded in June 2007 by South Sudanese Lawyers and Law Students at Makerere Law Development Centre (LDC), Kampala, Uganda. Its vision; a human rights abiding South Sudan and its mission is to monitor human rights status and promote rule of law, Constitution and Constitutionalism.

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