

Mandates of the Special Rapporteur on the rights of persons with disabilities; the Special Rapporteur on the right to education; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the right to food; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the human rights of internally displaced persons; the Special Rapporteur on minority issues; the Independent Expert on the enjoyment of all human rights by older persons; the Special Rapporteur on extreme poverty and human rights; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on freedom of religion or belief; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; the Special Rapporteur on violence against women and girls, its causes and consequences; the Special Rapporteur on the human rights to safe drinking water and sanitation and the Working Group on discrimination against women and girls

Ref.: UA SSD 1/2026

(Please use this reference in your reply)

1 April 2026

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the rights of persons with disabilities; Special Rapporteur on the right to education; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the right to food; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the human rights of internally displaced persons; Special Rapporteur on minority issues; Independent Expert on the enjoyment of all human rights by older persons; Special Rapporteur on extreme poverty and human rights; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Special Rapporteur on freedom of religion or belief; Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; Special Rapporteur on violence against women and girls, its causes and consequences; Special Rapporteur on the human rights to safe drinking water and sanitation and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 53/14, 53/7, 53/4, 58/10, 52/9, 59/4, 60/10, 52/10, 52/4, 59/12, 52/5, 60/11, 53/10, 52/36, 58/5, 58/14, 52/7, 54/8, 59/20, 51/19 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **large-scale internal displacement and serious allegations of violations of international human rights law and international humanitarian law committed by South Sudan People's Defence Forces (SSPDF), the Sudan People's Liberation Army-In Opposition (SPLA-IO), and allied militias, against civilians in Jonglei, Upper Nile, Western Bahr el Ghazal and Eastern Equatoria States. These violations are reportedly linked to intensified armed clashes and related military operations since late December 2025.**

Reported violations include large-scale and systematic internal displacement; indiscriminate attacks against civilians, their homes and other civilian objects, including aerial bombardments; unlawful killings and summary executions of civilians; abductions; and acts of torture or other cruel, inhuman or degrading treatment or punishment. Allegations further indicate widespread conflict-related sexual violence and other forms of gender-based violence, disproportionately affecting women of all ages and girls, acts of hate speech and incitement to violence, increasing threats to civic space, intimidation of journalists and those engaged in political activities, and targeting of human rights defenders and activists. Information received further points to significant impediments to humanitarian operations across the country, including obstruction of humanitarian assistance, attacks against humanitarian personnel and facilities, including medical and educational facilities, looting of medical and aid infrastructure, and the imposition of burdensome administrative and bureaucratic restrictions. These factors, combined with a highly volatile security environment, are reportedly undermining the ability of humanitarian actors to deliver life-saving assistance and heightening the risk of further civilian casualties, including among humanitarian workers.

According to the information received:

Since 29 December 2025, fighting between the SSPDF and the SPLA-IO has intensified across several locations in Jonglei State, triggering repeated waves of displacement and widespread civilian suffering. Civilians have reportedly been forced to flee their homes and move between temporary sites or seek refuge in the bush in search of safety. Some have suffered significant injuries.

On 27 February 2026, local authorities reported a surge in population movements across Nyirol, Uror, Akobo, Ayod, Duk, Canal/Pigi, Twic East, and Bor South Counties in Jonglei State, as well as Awerial County in Lakes State. Displaced families have reportedly fled with limited belongings and have sheltered in the open, under trees, or in makeshift structures with little or no access to food, healthcare, safe drinking water, or protection services. Community water sources have reportedly been deliberately destroyed or contaminated by the SSPDF and Agwelek militia, affiliated with Government forces during military operations and aerial bombardments, further exacerbating humanitarian conditions and forcing communities to flee.

On 2 March 2026, the United Nations Mission in South Sudan (UNMISS) reported that a peacekeeping convoy was ambushed along the border between Jonglei State and the Greater Pibor Administrative Area after being stopped at an unauthorized roadblock. Humanitarian actors have also reported threats to operations. On 25 January

2026, Government forces reportedly ordered all civilians, UN personnel, and humanitarian organizations to evacuate Nyirol, Uror and Akobo counties within 48 hours ahead of planned military operations.

More recently, on 6 March 2026, the military reportedly issued another evacuation order for civilians in Akobo town and surrounding villages and directed the closure of the United Nations Mission in South Sudan's temporary operating base in Akobo, as well as the withdrawal of UN agencies and non-governmental organizations.

The situation is reportedly further aggravated by a worsening cholera outbreak. As of early March 2026, 149 cholera cases and 19 deaths were reported in Ayod County, while nationwide cholera cases have surpassed 99,000 since September 2024, with over 1,600 deaths reported across multiple states.

The International Organization for Migration (IOM) Displacement Tracking Matrix indicates that more than 263,000 people (approximately 49,900 households) have been displaced between 1 January and 28 February 2026 in Jonglei, Lakes and Upper Nile States, with additional displacement reported in Central Equatoria State. Major concentrations of displaced persons include approximately 88,666 people in Uror County, 55,640 in Nyirol, 23,180 in Ayod, 18,919 in Duk, and 17,255 in Akobo. Women of all ages and girls represent approximately 61 per cent of those displaced, while children under the age of 18 constitute about 51 per cent, of which nearly 48,400 children under the age of five. Older persons represent roughly five per cent of the displaced population. Children continue to be exposed to grave violations such as recruitment and use by armed groups, abduction, sexual violence, killing, maiming, and explosive remnants of war related harm. Conflict and climate-related shocks have severely disrupted education, with over 300 schools closed or affected and approximately 300,000 learners impacted. South Sudan's extensive Explosive Ordinance (EO) contamination poses a persistent threat; since 2020, children have accounted for more than 83 per cent of EO casualties. EO-related child casualties increased by 21 per cent in 2025.

Displaced populations reportedly face acute humanitarian needs, including food insecurity, lack of shelter, inadequate health services, and insufficient water, sanitation and hygiene (WASH) facilities. Many IDPs live in overcrowded camps or informal settlements with minimal access to healthcare.¹ Delays in accessing cholera treatment were reported due to insecurity, geographic distance, and suspension of transportation. Ongoing hostilities, insecurity and recurrent seasonal flooding have reportedly further undermined the practical accessibility and acceptability of health care, as affected populations are often required to travel long distances under unsafe conditions to reach the limited number of functioning health facilities. These constraints are reportedly compounded by population displacement, damaged or non-operational health infrastructure, and disrupted transport routes, which together significantly hinder timely access to essential medical services. The escalation of conflict has also reportedly severely affected essential infrastructure and services. Since the onset of hostilities in late 2025, at least 16 health facilities have reportedly been looted or partially destroyed in Jonglei State, including in Uror, Nyirol, Ayod and Duk counties, disrupting

¹ <https://dtm.iom.int/reports/south-sudan-displacement-tracking-matrix-achievements-2025>.

healthcare services for tens of thousands of people. It is reported that SSPDF, in particular, was allegedly looting hospitals and setting churches and houses on fire.

The situation has reportedly been further compounded by serious and widespread protection risks. Civilians are reported to face killings, abductions (reportedly 547 civilians have been abducted in 2025), family separation, conflict-related sexual violence and other forms of gender-based violence, as well as exposure to unexploded ordnance. On 22 February 2026, an unexploded ordnance reportedly detonated in Juet Boma, Yuai Payam, Uror County, killing a 10-year-old boy and injuring another child. The injured child was reportedly unable to receive adequate treatment due to shortages of essential medical supplies.

Reports received further indicate targeting of civilians during military operations. On 21 February 2026, Government forces allegedly killed 21 unarmed civilians, including 15 women and three girls, in Pankor village, Ayod County, after luring them into gathering under the pretext of distributing food aid then opening fire on them. On the same day, Agwelek soldiers reportedly tied up and beheaded four civilians – one older man, a woman, a boy, and a girl in Thiam village of Wau Payam, Western Bahr al Ghazal state. Other reported incidents allegedly involved the summary killings of civilians across various parts of the country, as well as widespread displacement, reflecting a near-total disregard for civilian protection amid escalating hostilities between the army and opposition forces.

Further reports indicate rising hate speech and incitement to violence targeting entire communities and ethnic groups. In an authenticated audio recording, a senior military official was recorded urging his forces to spare no lives, and to destroy civilian homes, livestock, and property. Furthermore, there are documented reports about the increasing threats to civic space by the national Security Services, including through censoring the media, monitoring civil society activities, intimidating journalists and political activities, and targeting human rights defenders and activists who speak out. In 2025, there have reportedly been 27 incidents of intimidation and arbitrary arrest of journalists, civil society actors, and human rights defenders, affecting 62 people, including 28 women. Some were held for weeks before being granted bail while others were released without charge within hours.

The displacement crisis is occurring in the context of an already severe humanitarian situation. According to humanitarian agencies, more than 10 million people, approximately two-thirds of the population, are projected to require humanitarian assistance in 2026. Humanitarian needs are reportedly driven by the combined effects of ongoing conflict, climate-related shocks including recurrent flooding, disease outbreaks, economic deterioration, and the spillover effects of the conflict in neighbouring Sudan. In addition, approximately 7.5 million people are projected to face severe levels of food insecurity during the lean season, further exacerbating the vulnerability of affected populations.

Humanitarian access is also reportedly increasingly constrained. Humanitarian organizations have reported flight restrictions, road and river access limitations, and insecurity affecting aid delivery. Some humanitarian partners have relocated staff from affected areas due to insecurity. Humanitarian personnel and assets have also reportedly been targeted, with 350 reported attacks on staff and facilities in 2025. At least four aid

workers were reportedly killed between 7 and 16 February 2026, while several humanitarian facilities have reportedly been looted or damaged.

Akobo County reportedly hosts approximately 270,000 people, including displaced persons and host communities who depend heavily on humanitarian assistance. Latest reports indicate that thousands of civilians have fled the town. Humanitarian actors have warned that military operations in or around densely populated areas could expose civilians to grave danger and risk triggering a catastrophic humanitarian crisis. There have since been reports that SSPDF has been destroying houses encircling its new operations base in Akobo to “create a perimeter”.

Humanitarian operations are also being affected by insecurity and interference. Several incidents involving confiscation of humanitarian assets of humanitarian organizations, were reported, including the taking of clearly marked humanitarian vehicles, forcing some organizations to temporarily suspend activities.

In addition, funding shortages are affecting humanitarian response capacity. The International Organization for Migration has warned that funding gaps threaten assistance to nearly two million displaced people in South Sudan, while its 2026 response plan faces a funding gap of approximately USD 29 million.

The severity of funding shortfalls reduced food availability through ration cuts and pipeline breaks, while insecurity and displacement reduced economic access by limiting market activity and household income. As a result, IDPs in Upper Nile were disproportionately exposed to hunger, relying almost entirely on World Food Programme’s (WFP) last-resort airdrops in the absence of money or markets to secure food.² The Food and Agriculture Organization of the United Nations (FAO) and the WFP Hunger Hotspots early warning analysis identifies South Sudan among countries at high risk of further deterioration in acute food insecurity, citing conflict, displacement, and funding shortfalls as key drivers.³

While we do not wish to prejudge the accuracy of these allegations, we are deeply concerned about the serious human rights implications of the large-scale displacement of civilians, the reported deliberate, indiscriminate and disproportionate attacks against civilians and civilian objects, including aerial bombardments; unlawful killings and summary executions of civilians; subjecting of more than 247 women and girls to conflict-related sexual violence in addition to other forms of gender-based violence, disproportionately affecting women and girls. We are particularly concerned that there may be widespread and systematic destruction of housing and other civilian infrastructure, which are not yet fully documented. This destruction undermines livelihoods and essential assets, increases the risk of extreme poverty and long-term deprivation, and would also obstruct the safe and sustainable return of affected populations. We are further concerned about the targeting and attacks against journalists, human rights defenders and others that are carrying out an essential work of documenting human rights violations, reporting the facts and sharing information that

² World Food Programme (2025) *Conflict and funding cuts fuel soaring hunger in South Sudan*. 18 November. <https://www.wfp.org/stories/conflict-and-funding-cuts-fuel-soaring-hunger-south-sudan>

³ <https://www.wfp.org/news/fao-and-wfp-early-warning-report-reveals-worsening-hunger-13-hotspots-five-immediate-risk>.

is critical for the civilians affected by this conflict, the international public and to sustain any future accountability efforts. We are seriously concerned about the impediments to humanitarian operations across the country, including obstruction of humanitarian assistance indispensable to the survival of the civilian population, attacks against humanitarian personnel and facilities, including medical facilities, looting of medical and aid infrastructure, and the imposition of burdensome administrative and bureaucratic restrictions. We are particularly concerned that military operations and evacuation orders in populated areas may result in forced displacement and expose civilians to grave harm, in violation of international human rights law and international humanitarian law.

We express our grave concern that the acts described above, if confirmed, may constitute serious violations of international humanitarian law and international human rights law, including the principles of distinction, proportionality, and precaution, as well as violations of international human rights law, including the right to life, liberty, and security of person, and the absolute prohibition on torture. Many of these acts appear to constitute war crimes and crimes against humanity, including murder of civilians, attacks on civilians, their homes and other civilian property, including medical and educational facilities, launching indiscriminate and disproportionate attacks, sexual and gender-based violence, starvation, forced displacement and acts of violence intended to spread terror amongst the civilian population with severe and lasting impacts on poverty, inequality, and the ability of affected populations to recover and rebuild their livelihood. Finally, we are also concerned by civic space being severely restricted, including threats and attacks against civil society actors, journalists and media workers and the targeting of human rights defenders.

In connection with the above alleged facts and concerns, we would like to draw your attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation.

Right to life in armed conflict

In this regard, we would like to refer to article 3 of the Universal Declaration of Human Rights which provides that every individual has the right to life, liberty and security of the person. The right to life constitutes a *jus cogens*, peremptory norm from which no derogation is permitted. It applies at all times including during armed conflicts. We further highlight that an integral part of the right to life is the conduct of thorough, prompt and impartial investigations of all suspected cases of extra-legal, arbitrary and summary executions. We would also refer to article 12 of the UDHR recognizing the right of everyone not to be subjected to arbitrary interference with his or her privacy, family, home or correspondence.

Additionally, we would like to refer to the International Covenant on Civil and Political Rights (ICCPR), to which South Sudan acceded on 7 June 2019. Article 6 of the Covenant guarantees the inherent right to life, which must be protected by law, and prohibits arbitrary deprivation of life under all circumstances. Article 9 provides for the prohibition of arbitrary arrest or detention. Article 12 further guarantees the right to liberty of movement and freedom to choose one's residence, which includes protection against arbitrary displacement.

We would like to recall that all parties to the conflict are under an obligation to distinguish between combatants and civilians and to direct attacks only against combatants (see also rules 1, 6 and 7 of the International Committee on the Red Cross, [study on customary International Humanitarian Law](#) (“the Customary Rules”). Indiscriminate attacks are prohibited (rule 11 of the Customary Rules). Further, launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, or damage to civilian objects, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited (rule 14 of the Customary Rules). Parties to the conflict must “do everything feasible to verify that targets are military objectives” (ICRC study, rule 16) and take all feasible precautions to avoid and minimize incidental loss of civilian life (rule 15 of the Customary Rules). We further remind that extensive destruction of property not justified by military necessity and carried out unlawfully or wantonly constitutes a war crime (rule 156 of the Customary Rules).

Additionally, the State has a duty to investigate alleged or suspected violations of article 6 including in situations of armed conflict in a prompt, effective, thorough, independent, impartial and transparent manner, and that all persons identified by the investigation as having participated in crimes of extra-legal or arbitrary killings, should be brought to justice and punished with sentences commensurate with the gravity of the crimes committed (general comment 36). In this respect, we refer to the United Nations Revised Manual for the Effective Investigation of Extra-Legal, Arbitrary and Summary Executions also known as the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) (“The Minnesota Protocol”).

In addition, particularly with regard to reports of targeted and ethnically motivated killings, we would like to refer to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which South Sudan acceded to on 24 April 2015. Article 2 of ICERD contains a comprehensive prohibition on all forms of racial discrimination. Article 5 contains obligations for States to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. Article 5 explicates that equality before the law applies to a range of rights, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution.

Prohibition of Torture and cruel, inhuman and degrading treatment

Article 5 of the Universal Declaration of Human Rights (UDHR); article 7 of the International Covenant on Civil and Political Rights (ICCPR); article 37(b) of the Convention on the Rights of the Child; and at least articles 1, 2 and 16 of the United Nations Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Convention against Torture) prohibit torture and other cruel, inhuman or degrading treatment or punishment. The prohibition on torture has attained the status of a peremptory norm of international law for which no exceptions or derogations are permissible. Article 10 of the ICCPR also requires that all persons deprived of their liberty be treated with dignity and respect.

Attached to such prohibition are obligations to criminalize and investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute or extradite suspects, to punish those responsible and to provide remedies to victims.⁴

States parties to the Convention against Torture - South Sudan acceded to the Convention on 30 April 2015 - have explicit treaty duties to establish all acts of torture as offences under domestic law (art. 4), to exercise jurisdiction over said offences (art. 5), to receive complaints and examine them promptly and impartially (art. 13), and to investigate those allegations promptly and impartially (art. 12).

Defendants cannot rely on orders of a superior or public authority, or states of emergency, to exonerate their actions (art. 2 (3) and 2(2)), while any legal mechanisms which interfere with that obligation, such as statutes of limitations, immunities or amnesties, are considered contrary to the non-derogable nature of the prohibition (art. 2(2)). Amnesties provided at domestic law do not remove criminal liability pursuant to international tribunals or universal jurisdiction. Prosecutors and courts have a duty to refuse evidence obtained, or suspected of having been obtained, through torture or other illicit means (art. 15).

Victims are to be protected from reprisals or intimidation during said investigations (art. 13) and they have an enforceable right to fair and adequate compensation including the means for as full rehabilitation as possible (art. 14).

States parties to Convention against Torture have overarching obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment via effective legislative, administrative, judicial and other measures (articles 2 and 16), to educate and train relevant personnel including military officials on the prohibition (article 10) and to keep all rules, instructions, methods and practices relating to interrogation, custody and treatment under systematic review (article 11).

Under international humanitarian law, torture and other inhumane acts are likewise absolutely prohibited.

Prohibition of enforced disappearances

We are further drawing your Excellency's Government's attention to the absolute and non-derogable prohibition of enforced disappearances (articles 2 and 7) which has attained the status of jus cogens. We refer to the International Convention for the Protection of All Persons from Enforced Disappearance, in particular rule 1, 2, 3, 12, 17 – 21 and 24 and the United Nations Declaration on the Protection of All Persons from Enforced Disappearances, which establishes that no State shall practice, permit or tolerate enforced disappearances, in particular articles 7, 9-13 and 19.

⁴ For full explanation of the obligations to criminalize, investigate and prosecute the crimes of torture and related ill-treatment, see Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/77/502): <https://documentsddsny.un.org/doc/UNDOC/GEN/N22/610/77/PDF/N2261077.pdf?OpenElement>

Prohibition of sexual and gender violence, sexual torture and other violence against women

Sexual torture – like all other forms of torture – is strictly prohibited under international law (A/77/502, para. 29; A/79/181). Sexual assaults committed by warring parties are almost always torture.⁵ The Trial Chamber of the International Criminal Tribunal for Rwanda found “Like torture, rape is used for such purposes as intimidation, degradation, humiliation, discrimination, punishment, control or destruction of the person. Like torture, rape is a violation of personal dignity”.⁶ The International Criminal Tribunal for the former Yugoslavia held that forcing male prisoners to commit sexual acts against each other⁷, and forcing people to watch other people being raped⁸, constitute torture or cruel and inhuman treatment. The International Criminal Court has found that rape and sexual violence against abducted women constitutes torture as a crime against humanity and a war crime.⁹

Moreover, the sexual abuse and rape of women, contravenes the absolute and non-derogable prohibition against torture and other cruel, inhuman or degrading treatment or punishment, according to international human rights law and jus cogens norms. Article 7 of the ICCPR states that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. Article 2(2) of the Convention against Torture provides that the prohibition against torture is absolute and non-derogable, and that no exceptional circumstances, such as a state of war or threat thereof, internal political instability or any other public emergency, may be invoked by a State Party to justify acts of torture in any territory under its jurisdiction. The Committee Against Torture, in its general comment No. 2 (2007) on the implementation of article 2, clarifies that States Parties bear international responsibility for the acts and omissions of their officials and others, including agents, and others acting in official capacity or acting on behalf of the State, in conjunction with the State, under its direction or control; and that accordingly, States are obliged to prohibit, prevent and redress torture and ill-treatment in all contexts of custody or control. Furthermore, the Committee Against Torture explains that in cases of State authorities’ failure to prevent and protect victims of gender-based violence, such as rape, from non-State actors, the State bears responsibility and its officials should be considered as authors, complicit or otherwise responsible for consenting to or acquiescing in such impermissible acts (CAT/C/GC/2, para. 18).

Regarding the acts of rape and sexual and gender-based violence against women in conflict affected areas, we would like to stress that these acts of gender-based violence are strictly prohibited by international humanitarian law and constitute a grave breach of the Geneva Conventions.

⁵ Ibid., para. 21

⁶ International Criminal Tribunal for Rwanda, *Prosecutor v. Akayesu*, ICTR-96-4-T, Judgment of 2 September 1998, para. 687.

⁷ International Criminal Tribunal for the Former Yugoslavia, *Prosecutor v. Tadić*, IT-94-1-T, Judgment of 7 May 1997, paras. 206, 726, and 730.

⁸ International Criminal Tribunal for the Former Yugoslavia, *Prosecutor v. Furundžija*, IT-95-17/I-T, Judgment of 10 December 1998, paras. 266–269.

⁹ International Criminal Court, *Prosecutor v. Ongwen*, ICC-02/04-01/15, Judgment of 4 February 2021, paras. 3072–3077

Furthermore, regarding addressing the acts of violence against women and girls in Sudan, we recall that the Declaration on the Elimination of Violence against Women adopted by the General Assembly resolution 48/104 of 20 December 1993, which defines violence against women in article 2 as encompassing, but not limited to, physical, sexual and psychological violence. The Declaration states that women are entitled to equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other fields.

We would like to bring to your attention article 4(c and d) of the Declaration, which calls for due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.

Moreover, article 4(g) notes the importance of ensuring that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation.

In this context, we also like to recall that the Committee on the Elimination of Discrimination against Women (CEDAW) in its general recommendation No. 19 (1992), updated by general recommendation No. 35 (2017), defines gender-based violence against women as impairing or nullifying the enjoyment by women of human rights and fundamental freedoms, and constitutes discrimination within the meaning of article 1 of the Convention on the Elimination of All forms of Discrimination Against Women, ratified by South Sudan on 16 May 2015, whether perpetrated by a State official or a private citizen, in public or private life. South Sudan also ratified the Convention on the Rights of the Child (CRC) on 2 May 2015, which requires the State to protect children from all forms of violence, sexual abuse, and exploitation (articles 19 and 34), and to respect the rights of children affected by armed conflict (article 38).

The CEDAW Committee considers that parties are under an obligation to act with due diligence to investigate all crimes perpetrated against women and girls, to prosecute and punish perpetrators, and to provide effective reparations without delay. In general recommendation No. 35, the Committee clarifies that parties are responsible for acts or omissions of its organs and agents that constitute gender-based violence against women.

This includes the acts or omissions of officials in its executive, legislative and judicial branches. Furthermore, parties are responsible for investigating, prosecuting and applying appropriate legal or disciplinary sanctions, as well as providing reparation, in all cases of gender-based violence against women, including those constituting international crimes, and in cases of failure, negligence or omission on the part of public authorities. The Committee also indicates that gender-based violence against women, including rape, can amount to torture or cruel, inhuman or degrading treatment in certain cases, and that some forms of gender-based violence may constitute international crimes (see also general recommendation No. 30 on this).

The Committee recommended that sexual assault, including rape, should be characterized as a crime against the right to personal security and physical, sexual and

psychological integrity and time limitations, where they exist, should prioritize the interests of the victims/survivors and give consideration to circumstances hindering their capacity to report the violence suffered to the competent services or authorities. It also recommended to provide effective reparations to victims/survivors of gender based violence against women, which should include different measures, such as monetary compensation, the provision of legal, social and health services, including sexual, reproductive and mental health services for a complete recovery, and satisfaction and guarantees of non-repetition, in line with previous recommendations (i.e., Nos. 28, 30 and 33).

Additionally, the Working Group on discrimination against women, in its report on women deprived of liberty (A/HRC/41/33), found that non-State armed groups have often subjected women and girls to various forms of gender-based violence, including abductions and detentions, forced marriage or sexual slavery, and forced recruitment for combatant or support roles in conflicts (para. 72). The Working Group explained that such violations are motivated in part by the desire to impose a social order based on a strict division of gender roles and the subjugation of women. The Working Group has recommended that States effectively protect women and girls from non-State armed groups or criminal gangs, guarantee the non-recurrence of violations, and provide comprehensive and appropriate services and reparation to survivors (para. 82).

Furthermore, the Working Group, in its report on sexual and reproductive rights in crisis (A/HRC/47/38), also stressed that crisis responses must be gendered and require a combination of emergency and long-term measures. They must be developed and implemented with the active participation of women and girls, taking into account their urgent medical needs and the pervasive structural discrimination against them, while protecting individual autonomy and freedoms, through a coordinated and holistic approach. The Working Group stressed that sexual and reproductive health matters are intrinsic to every woman and girl and tied to their ability to live with dignity and exercise their agency. It expressed deep concern about the widespread impunity for violations of the sexual and reproductive health rights of women and girls. The experts emphasized that women and girls are entitled to receive adequate reparations, including restitution, compensation, satisfaction, rehabilitation and guarantees of non-repetition, for violations of their sexual and reproductive health rights, and States have a core obligation to ensure access to effective and transparent reparations. The Working Group recommended expanding the availability of sexual and reproductive health services, including through telemedicine and mobile clinics, to reach diverse populations. The Working Group also recommended ensuring access to a full range of contraceptive information and services for women and girls, including emergency contraceptives. It recommended expanding access to safe abortion services, including medical abortion and post abortion care, and removing legal barriers to abortion, in particular in situations of crisis.

Regarding the acts of conflict-related sexual and gender-based violence against women and girls in conflict affected areas, we would like to stress that these acts of gender-based violence and sexual torture are strictly prohibited by international humanitarian law and constitute a grave breach of the Geneva Conventions. When committed in the context of internal armed conflict, such acts are prohibited through common article 3 of four Geneva Conventions ratified by Sudan, which prohibits violence to life and person, cruel treatment and torture, and outrages upon personal

dignity; and other provisions, such as article 4(2) of additional protocol II, which explicitly prohibit attacks against women, including rape, enforced prostitution and any form of indecent assault, which is a part of customary law.

Furthermore, every international and regional human rights body (courts and committees) has recognized rape and other sexual assaults of comparable gravity as torture or cruel, inhuman or degrading treatment or punishment, and has placed a priority on victims of war violence (see further A/79/181).

Right to freedom of assembly and association

Article 21 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to freedom of peaceful assembly. It states that “[t]he right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law, and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others”. Article 22 of the ICCPR protects the right to freedom of association with others. As stated in a report by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards [A/HRC/17/27, para. 66; and A/HRC/29/25/Add.1]. This means ensuring that the rights to freedom of peaceful assembly and of association are enjoyed by everyone, without discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (article 2 (1) of the International Covenant on Civil and Political Rights).

Right to freedom of expression

Article 19 of the ICCPR guarantees the right to hold opinions without interference and the right to freedom of expression, which encompasses “to seek, receive and impart information and ideas of all kinds” including political discourse, commentary on public affairs, discussion of human rights and journalism, among others. (CCPR/C/GC/34, para. 11). There is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. All attacks against journalists and persons who engage in the gathering and analysis of information on the human rights situation must be vigorously investigated in a timely fashion, and the perpetrators prosecuted (para. 23). The penalization of a media outlet or journalist solely for being critical of the Government or the political social system espoused by the Government can never be considered to be a necessary restriction of freedom of expression (para. 42). Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (ordre public), or of public health or morals; and (iii) be necessary and proportionate for those objectives.

Right to an adequate standard of living, including food and housing

We wish to further draw your attention to the International Covenant on Economic, Social and Cultural Rights (ICESCR), acceded to by South Sudan on 5 February 2024, whose article 11 established the right to an adequate standard of living, recognize the right of everyone to an adequate standard of living, including adequate food and housing. As clarified by the Committee on Economic, Social and Cultural Rights in its general comment No 4, housing should not be interpreted as the shelter provided by merely having a roof over one's head but rather it should be seen as the right to live somewhere in security, peace and dignity. We wish to bring to your Excellency's Government attention the 2022 report (A/77/190) of the Special Rapporteur on the right to adequate housing which delves into the concept of "domicide" defined as "the deliberate destruction of homes, the rendering of homes uninhabitable or any other systematic denial of housing when such acts are carried out in violation of international law and committed as part of a widespread or systematic attack against any civilian population". While stressing that the systematic and widespread destruction of housing and civilian infrastructure in conflict may already be prosecuted as a crime against humanity under the Rome Statute (art. 7), the Special Rapporteur on the right to adequate housing called for the recognition of domicile as a distinct crime under international law.

Right to health

We also wish to recall article 12 of the ICESCR, which guarantees the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Article 12(1), coupled with article 2.2 (non-discrimination) establishes States parties' obligation to respect the rights of everyone to the enjoyment of the highest attainable standard of physical and mental health without discrimination. In this general comment 14 of the Committee on Economic, Social and Cultural Rights (CESCR), states that the right to health contains the following interrelated and essential elements: "*Availability*. Functioning public health and health-care facilities, goods and services, as well as programmes, have to be available in sufficient quantity within the State party [...]; *Accessibility*. Health facilities, goods and services have to be accessible to everyone without discrimination, within the jurisdiction of the State party; [...] and] *Quality*. As well as being culturally acceptable, health facilities, goods and services must also be scientifically and medically appropriate and of good quality," among others (general comment 14, para. 12).

Furthermore, the CESCR Committee stresses that the right to health is "an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information" general comment n° 14, para. 11).

We also wish to emphasize that medical personnel are civilians and have special protections under international humanitarian law (IHL), rules 26 and 28 to 30. An intentional attack on a healthcare facility or medical personnel will constitute a war crime unless and until it can be shown that they committed or were used for the commission of specific acts of hostility and, in such circumstances that cardinal IHL

principles were applied - necessity, distinction and proportionality. There are minimum standards of medical care during armed conflicts, healthcare workers must be able to provide this medical care and the wounded and sick under their care remain protected. In addition, during armed conflict the targeting of healthcare workers, hospitals, and healthcare facilities, including ambulances, contravenes the fundamental right to health (CESCR general comment No. 14, para. 34).

Furthermore, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health emphasized that “[h]ealthcare systems in conflict affected areas are being overwhelmed by violence, infrastructure destruction, health worker shortages and large-scale displacement.” (A/80/184, para. 31). She reminded that “[d]espite the fact that international humanitarian law sets out a number of obligations for both State and non-State actors, in situations of conflict hospitals continue to be evacuated, closed or destroyed, further straining the availability of healthcare and sometimes depriving individuals of access for several hundreds of kilometres [...]. The accessibility and acceptability of health facilities, goods and services are critical and in times of conflict [...].” (A/80/184, para. 33). She further recommended that “[i]n crisis, conflict, war and genocide, States must apply both international humanitarian law and human rights law, as they share the aim of protecting all persons and are grounded in the principle of respect for the life, well-being and human dignity of the person”. She further recommended that “[s]takeholders should ensure the effective monitoring of violations of the right to health. Independent investigations, access to justice and accountability mechanisms should place the prevention power of early warning and human rights at the forefront” (A/80/184, paras. 87 (g) and (h)).

Right to education

We also wish to recall that the fundamental right to education has been consistently reaffirmed and reinforced in international human rights law, both as a right in itself and as an enabling right indispensable for the realization of all other human rights. It is enshrined in key international human rights instruments, including article 26 of the Universal Declaration of Human Rights, which has come to be regarded as an authoritative articulation of customary international law; article 13 of the International Covenant on Economic, Social and Cultural Rights; articles 28 and 29 of the Convention on the Rights of the Child; article 24 of the Convention on the Rights of Persons with Disabilities; and article 10 of the Convention on the Elimination of All Forms of Discrimination against Women. Article 38 (4) of the Convention on the Rights of the Child reinforces provides for special protection for children in armed conflict.

Under international human rights law, States have obligations to respect, protect and fulfil the right to education. States must ensure that education remains available, accessible, acceptable and adaptable and must guarantee non-discrimination and equal treatment in access and quality for all learners. They are required to provide free and compulsory primary education as an immediate obligation while progressively realizing universal access to secondary and higher education and refraining from measures that undermine or degrade educational access and quality.

These obligations remain in force during armed conflict, as consistently confirmed by international human rights mechanisms. The Committee on Economic, Social and Cultural Rights has clarified in its general comment No. 3 (1990) on the nature of States parties' obligations that minimum core obligations, including the provision of "the most basic forms of education", must be fulfilled without delay. The Committee has linked the destruction of schools with violations of economic, social and cultural rights in the context of armed hostilities (E/C.12/AZE/CO/4, para. 6). The Committee on the Rights of the Child has recommended that States prioritize the rehabilitation of school buildings and facilities and ensure that school infrastructure damaged as a result of military occupation is promptly and fully restored (CRC/C/OPAC/IRQ/CO/1).

Neither the International Covenant on Economic, Social and Cultural Rights nor the Convention on the Rights of the Child have a derogation clause allowing States Parties to temporarily suspend some of their obligations during a crisis. In addition, existing declarations and reservations to the two treaties do not refer to education in armed conflict.

Rights of older persons

We would like to draw your attention to the fact as reported by the Independent expert (A/80/203) that older persons face unique vulnerabilities and, in some cases, heightened risks related to their age. In many conflicts, they suffer from unlawful attacks, arbitrary arrests, torture, all sorts of violence and abuse, including sexual violence, and the destruction of their property. They may suffer from chronic illnesses or disabilities, have difficulty accessing emergency food and medical services, and be at high risk of abandonment or violence if family and social structures collapse.

Rights of Internally displaced persons

We would like to remind your Excellency's Government that, as provided by the international humanitarian law, in case of displacement, all possible measures must be taken in order that the civilians concerned are received under satisfactory conditions of shelter, hygiene, health, safety and nutrition and that members of the same family are not separated (rule 131 and additional protocol II, article 17). Displaced persons have a right to return and their property rights must be respected (rules 132 and 133). Women and children are entitled to special protection (rules 134 and 135). Each party to the conflict must respect and ensure respect for international humanitarian law by its armed forces (rule 139), and war crimes allegedly committed by nationals or armed forces must be investigated and the suspects prosecuted (rule 158).

We would also like to refer to the 1998 Guiding Principles on Internal Displacement, which establish the need to respect and ensure respect for international human rights law to prevent and avoid conditions that might lead to the displacement of persons (principle 5). We moreover stress that according to the guiding principles, every human being shall have the right to be protected against being arbitrarily displaced from his or her home, including situations of armed conflict and based on policies resulting in altering the ethnic or religious composition of a population (principle 6). It is incumbent upon the authorities undertaking displacement to ensure proper accommodation is provided to displaced persons, under satisfactory conditions

of safety, nutrition, health, and hygiene, and that members of the same family are not displaced (principle 7). Displacement should not be carried out in a manner that violates the right to life, dignity, liberty, and security of the displaced (principle 8). Indigenous peoples and minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands should be particularly protected from displacement (principle 9). Internally displaced persons should be protected against genocide, murder, summary execution, indiscriminate acts of violence, starvation as a method of combat, use as shields, attacks against their camps and settlements, landmines, rape, and arbitrary detention (principles 10-12).

Internally displaced persons should enjoy adequate standard of living, which includes basic shelter and housing, food and water, and access to medical services (principles 18-19). The property rights of internally displaced persons must be respected, and their property and possessions should in all circumstances be protected from pillage, indiscriminate attacks, destruction as a form of collective punishment, and arbitrary and illegal appropriation, occupation, or use (principle 21). All authorities concerned should not impede the passage of humanitarian assistance to internally displaced persons, and humanitarian workers and supplies must be respected (principles 25-26). Internally displaced persons are entitled to a durable solution of their choice, i.e. safe, voluntary and dignified return to their places or origin, settlement elsewhere in the country or local integration (principles 28-30).

Other relevant rules of international humanitarian law

We wish to draw your Excellency's Government attention also to the provisions of international humanitarian law. According to customary international humanitarian law applicable in non-international armed conflict, attacks must not be directed against civilians (see ICRC Study on Customary International Humanitarian Law, rule 1). Civilians only lose their protection against attack when, and for such time as, they take a direct part in hostilities (see rule 6). Every effort should be made to distinguish between civilians and combatants (rule 1). In the conduct of military operations, constant care must be taken to spare the civilian population, civilians and civilian objects. All feasible precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects (rule 15). Indiscriminate attacks are prohibited (see rule 11) as are area bombardment (rule 13), violence aimed at spreading terror among the civilian population (rule 2), and disproportionate attacks where collateral damage to civilians and civilian objects would be excessive in relation to the military advantage anticipated (rule 14).

The following acts, among others, are also prohibited: murder (rule 89, common article 3 to the Geneva Conventions, to which South Sudan is a party, and article 4(2)(a) of additional protocol II), torture and other inhuman acts (common article 3), rape and other forms of sexual violence (rule 93, common article 3 and article 4(2)(e) of additional protocol II), on enforced disappearance (rule 98), arbitrary deprivation of liberty (rule 99), pillage (rule 52 and article 4(2)(g) of additional protocol II), attacks against objects indispensable to the survival of the population such as foodstuff, agricultural areas for the production of foodstuff, crops, livestock, drinking water installations and supplies (rule 54, and article 14 of additional protocol II), the destruction or seizure of private property, except where required by imperative military necessity (rule 51), the use of starvation of the civilian population as a method of

warfare (rule 53), obstructing humanitarian relief for civilians in need (rule 55), limiting the movements of humanitarian personnel except in the case of imperative military necessity (rule 56), the use of chemical weapons (rule 74) and the indiscriminate placement of landmines (rule 81).

Customary international law also calls on parties to respect and protect medical personnel (rule 25), medical facilities (rule 28), and religious personnel (rule 27). Ordering the displacement of the civilian population, in whole or in part, for reasons related to the conflict is prohibited, unless the security of the civilians is involved or imperative military reasons so demand; and the parties to a conflict have the duty to prevent displacement caused by their own acts, such as terrorizing the civilian population or carrying out indiscriminate attacks (rule 129 and article 17 of additional protocol II to the Geneva Conventions). This includes the prohibition of ethnic cleansing, which aims to change the demographic composition of a territory through the displacement of the civilian population and/or other acts such as attacks against civilians, murder and sexual violence.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would also be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide information on the measures taken to protect civilians, homes and other civilian objects, and prevent arbitrary displacement, particularly in Jonglei, Upper Nile, Western Bahr el Ghazal and Eastern Equatoria States. Please clarify what measures have been taken to ensure that evacuation plans are inclusive and accessible, considering the participation and specific needs of older persons, including mobility limitations and health conditions.
3. Please clarify the legal and operational basis for evacuation orders reportedly issued to civilians, UN agencies, and humanitarian organizations, including in Akobo, Nyirol and Uror Counties.
4. Please provide information on measures taken to ensure safe, rapid and unimpeded humanitarian access to all civilians in need.
5. Please indicate what measures have been taken to initiate prompt, impartial, thorough, and effective investigations into allegations of civilian killings, the destruction and looting of homes and other civilian objects, the destruction or contamination of water sources, attacks against humanitarian personnel and assets, and other alleged violations of international humanitarian law and international human rights law. Please also provide information on steps taken to ensure accountability for those responsible, including individuals bearing superior or

command responsibility, as well as measures to hold accountable perpetrators of serious violations, including conflict-related sexual violence.

6. Please provide information on any urgent measures taken to prevent incitement to racial hatred, halt the mobilization of communities along ethnic lines, and ensure accountability for those responsible. Please indicate steps taken to ensure that political and military leaders publicly reject racially motivated violence and uphold their obligations to prevent such acts.
7. Please explain what measures are being taken to prevent and suppress abductions, summary executions, and torture or other ill-treatment including sexual violence, and to provide assistance and remedies to the victims.
8. Please provide information on measures being taken to ensure the protection and assistance of internally displaced persons, including access to shelter, food, healthcare, water, sanitation and protection services, with particular attention to the needs of women, children, older persons and persons with disabilities.
9. Please indicate what steps are being taken to protect and assist internally displaced persons, facilitate durable solutions for them, including by providing alternative adequate housing, water, essential food and medical services, and other humanitarian and/or legal assistance. Please provide information on measures taken or envisaged to prevent further arbitrary displacement and ensure their safe and voluntary return, local integration or relocation.
10. Please provide information on specific measures taken to protect older persons who are disproportionately affected by the destruction of civilian infrastructure and homes and face greater challenges in recovery and reconstruction.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should

be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to Mr. Oyet Nathaniel Pierino, the Acting Chairman of Sudan People's Liberation Movement/Army-In Opposition (SPLM/A-IO).

Please accept, Excellency, the assurances of our highest consideration. Please accept, Excellency, the assurances of our highest consideration.

Heba Hagrass
Special Rapporteur on the rights of persons with disabilities

Farida Shaheed
Special Rapporteur on the right to education

Morris Tidball-Binz
Special Rapporteur on extrajudicial, summary or arbitrary executions

Michael Fakhri
Special Rapporteur on the right to food

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Balakrishnan Rajagopal
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Paula Gaviria
Special Rapporteur on the human rights of internally displaced persons

Nicolas Levrat
Special Rapporteur on minority issues

Claudia Mahler
Independent Expert on the enjoyment of all human rights by older persons

Olivier De Schutter
Special Rapporteur on extreme poverty and human rights

Ashwini K.P.
Special Rapporteur on contemporary forms of racism, racial discrimination,
xenophobia and related intolerance

Nazila Ghanea
Special Rapporteur on freedom of religion or belief

Ben Saul
Special Rapporteur on the promotion and protection of human rights and fundamental
freedoms while countering terrorism

Alice Jill Edwards
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or
punishment

Bernard Duhaime
Special Rapporteur on the promotion of truth, justice, reparation and guarantees of
non-recurrence

Reem Alsalem
Special Rapporteur on violence against women and girls, its causes and consequences

Pedro Arrojo-Agudo
Special Rapporteur on the human rights to safe drinking water and sanitation

Claudia Flores
Chair-Rapporteur of the Working Group on discrimination against women and girls