



Protection Advocacy Note to HCT: Cattle Related Violence

Introduction:

- Pastoralism is integral to the people and economy of South Sudan, with livestock accounting for an estimated 15 percent of the GDP and the primary livelihood for 78 percent of the population. In addition to the monetary value of cattle, their significance to the social, emotional, economic, and political life of communities need to be recognised. Cattle contribute to the social support networks that provide protection for the most vulnerable members of communities in crisis and allow for traditional dispute resolution mechanisms.¹ Livestock have been identified as the primary choice for livelihoods (31 percent of respondents) because their mobility allow people to move with them.²
- Cattle raiding in South Sudan has been an endemic cultural issue that has changed dramatically as a result of increased politicization, militarization, commercialization, and changes in social, cultural, and economic dynamics.
- Current cattle related violence cannot be delinked from conflict in South Sudan, during which the theft of cattle reached unprecedented levels. The current hotspots for cattle raiding incidences are centred around Unity, Western Bahr el Ghazal, Warrap, Lakes, Jonglei and Eastern and Central Equatoria.
- Historic patterns of seasonal decline in cattle related violence during the rainy season, as herds are moved to upland areas, have altered in part because of stronger drivers, such as food insecurity, anticipated changes to the demarcation of administrative boundaries as well as return patterns, if returning populations are unable to restore livelihoods and meet basic subsistence needs and/or new boundaries disenfranchise agriculturalists.
- This note details key concerns and recommendations related to: Political, commercial and armed actor influence, cattle theft during the conflict and impact on returns, humanitarian needs as a result of cattle raiding.

Political, commercial and armed actor influence:

- The current cattle related violence cannot be seen as uniform but rather is shaped by different levels of political and commercial interest as well as different levels of support and/or involvement from different armed groups. This is evidenced in the level of engagement of the Government to suppress cattle raids in Warrap and Lakes, whereas there has been little state involvement in response to incidents in Northern Jonglei.
- While the dynamics differ from area to area, there is also a level on inter-relatedness with cyclical patterns of attacks and revenge attacks, particularly in the region of Warrap, Lakes, Western Bahr el Ghazal, and Unity States. Cattle raids in Tonj (Warrap) were attributed to youth coming from Mayendit (Unity) in early 2019. There were subsequent revenge attacks reported in Mayendit and additional cattle related violence reported in Jur River (WbeG) with the reported attackers in both areas originating from Tonj in March. Each location has had different real or perceived

¹ For example, if someone is killed, either accidentally or intentionally, payment of cattle in the form of a fine prevents escalation to retribution.

² Ibid.

political alignment, resulting in different levels of condonation from authorities and engagement of security forces.

- With the number of states across South Sudan yet to be decided, new administrative boundaries have the potential to affect the ethnic division of critical resources such as land. The new administrative units in South Sudan made through presidential decree in 2015 increased allocation in favour of the Dinka tribe, providing more leverage for the definition of community land for pastoral purposes. The movements of over one million cattle into Greater Bahr el Ghazal from Greater Upper Nile during the conflict increased the estimated cattle population significantly, resulting in greater pressure on pasture and water, increasing disease susceptibility, and disrupting local migration routes and had a knock on effect on agro-pastoral conflict.
- After attacks in Bor in 2015, approximately 250,000 people were moved after the attacks in Bor, which provoked agro-pastoralist conflict and led to increasing alignment in the equatorial to the SPLA-IO. Multiple Government decrees to move the cattle from the Equatorias to Jonglei have only been partially implemented and have failed to address the risks of cattle related violence in the region. The failure of the relocation in April 2015 contributed to the escalation of the intensity of the violence, particularly in Western Equatoria, and solidified alliance of armed groups in the Equatorias with the opposition in 2016. Cattle movements into Fertit and Jur Chol areas of WBeG in 2016 similarly contributed to local conflict and alliance with the opposition.
- Allegedly, in some areas political leaders continue to be strategically manipulating these local conflicts in order to mobilize armed herders for their political movements. With the transitional government yet to form and positions not assigned, instigation of intercommunal violence is rumoured to be used to destabilize potential appointees in the favour of others. Political leaders' systematic exploitation of cultural norms and practices gravely inflames current cattle raiding, yet the role of inter-communal and cattle related violence has not been part of the mainstream dialogue around political solutions.
- Further, the conflict has resulted in a greater proportion of cattle that are owned remotely by political and military elite, which has contributed to the increase of the value of cattle while decreasing household wealth measurements.³ This has increased competition for cattle, while limiting local ownership and undermining local potential for mediation. The potential for local mediation is also compromised by widespread displacement, as a result of the conflict, which has fractured community structures and disrupted traditional patterns of trade.
- The militarization of cattle raiding both tactically and in the types of weapons is a contributing factor to the increased violence and lethality of attacks. This dates back to the Sudan civil war when the SPLA armed cattle keepers for self-defence. Lack of rule of law, continued conflict and flow of small arms into South Sudan perpetuated this problem. Armed forces and armed groups have also tactically used the defence, acquisition and recovery of cattle as a means to mobilize youth throughout the conflict. After decades of on-and-off integration into armed forces and groups, most cattle keepers have small arms and some are equipped with heavier weapons as well as more advanced tactics and level of coordination.
- The proliferation of small arms increased fatalities in inter-communal violence and raids and motivated disarmament campaigns in Lakes and Warrap in 2018. These campaigns have not occurred without problems—incidents of taxation, extortion of food, forceful entry and assault of persons in possession of weapons were reported with the disarmament in Tonj, and incidents of violence, including sexual violence against women and girls, associated with disarmament included an attack on civilians north of Rumbek, on 21 March 2018, which destroyed houses and civilian property and resulted in the estimated displacement of 8,000 people. Cattle keepers expressed concerns that the campaign would not be comprehensive, resulting in small arms remaining in the areas and leaving those who surrendered their arms more vulnerable to attacks,

³ The average price for a bull increased from 10,000SSP to 50,000SSP between 2013 and 2018—though some of this increase can be attributed to hyperinflation and is not standard throughout the markets in South Sudan.

expressing a lack of confidence in the Government to provide sufficient security.⁴ Disarmament efforts in South Sudan have been largely unsuccessful due to the lack of rule of law and social norms that normalize the use of weapons and violence to resolve disputes.⁵

Recommendation:

- With the anticipated outcome of the Independent Boundary Commission (IBC) resulting in potential changes to the administrative boundaries, the **agro-pastoral dynamics should be monitored for potential increases in levels of violence**. Priority communities to monitor are minority groups such as the Fertit and Jur Chol (WBeG), Zande (Western Equatoria), Acholi (Eastern Equatoria) and Kuku (Central Equatoria) who are farmers by trade affected by this increased state dispensation for pastoral communities and potential for intercommunal conflict.
- **Establish or strengthen conflict mediation, resolution, reconciliation and peacebuilding mechanisms, inclusive of women:** this should be done at state and local government levels, and also within rural communities particularly in areas that have been most affected. However, to effectively support South Sudanese communities inclusive of the needs and aspirations of women, men, girls and boys - in either restoring or modifying traditional checks or developing improved approaches on cattle raiding, stakeholders must have a rigorously **accurate understanding** of the role of these practices in mitigating violence, the **gendered impacts** of such traditional practices and if they reinforced gender and age discriminations, the impact of conflict and displacement on traditional structures as well as community perspectives on what structures they desire in future, and **what features of the customary institutions might be leveraged for peace and how to appropriately support the development of community structures in a way that is aligned with international human rights norms**.
- **Strengthen security arrangements for cattle herders and their communities**, especially for women and children in the most affected zones: this will require that the government and local authorities sustain campaigns against cattle rustling and rural banditry; improve gender- and age sensitive early-warning systems; maintain operational readiness of rural-based security agencies; encourage communication and collaboration with local authorities; and **tighten control of circulation and possession of illicit firearms and ammunition**, especially automatic rifles, including by strengthening cross-border cooperation with neighbouring countries' security forces.
- The proliferation of small arms has resulted in the significant increase of casualties as a result of cattle raids. Efforts to reduce the number of small arms could contribute to a reduction in the intensity of cattle raids; however, in order to not create further harm **disarmament needs to be part of a larger strategy** and accompanied by increased capability of the state to provide security for communities and changes in social norms to address the acceptability of the use of weapons to resolve disputes.
- Youth including children engagement with armed forces and armed groups are largely opportunistic to increase their herd size or because of forced association and not politically or ideologically motivated. Interventions should **target youth –both female and male - for diversified educational and livelihood opportunities** as well as address herd health to reduce susceptibility to recruitment.

⁴ UNMISS, "Disarmament process in Greater Lakes hampered by availability of guns and lack of trust," February 2018.

⁵ Historically ad hoc and organized disarmament campaigns in the years following the end of the civil war in 2005 were largely involuntary and heavy handed, resulting in casualties and destruction of civilian property. Saferworld, "South Sudan Civilian Disarmament," February 2012.

Cattle theft during the conflict and impact on returns:

- Whilst there has been an increase in incidents reported as cattle raiding since the signing of the peace agreement, with an estimated 300 persons killed⁶ and numerous reports of sexual violence including rape, abduction of girls and forced marriage, it should be understood as a historical evolution of the conflict in South Sudan, which was also characterized by looting of cattle as a tactic of war. Significant movement of cattle as a result of the conflict—an estimated one million moving from Jonglei to Warrap and Lakes states⁷ alone in addition to movements from Unity State—and insecurity and displacement were hugely disruptive to traditional community structures that governed migration and trading patterns.
- Unity State had the second highest population of livestock in South Sudan and over 1.18 million cattle head in 2014⁸ with approximately 75 percent of households keeping cattle. Cattle provided an essential source of food and cash, and were used as a self-protection mechanism for affected populations in Southern Unity throughout the conflict in 2014.⁹ The Government mobilization of the Bul Neur youth from Mayom and later the Koch youth, whose cattle had been taken, were easily mobilized by promises of cattle as a spoil of war.¹⁰ Between April and September 2015, at least 1,000 civilians were killed, 1,300 women and girls were raped, and 1,600 women and children were abducted in Leer, Mayendit and Koch.¹¹ By November 560,000, or 90 per cent of the state's population were displaced and the population in Bentiu POC rapidly increased to 120,000.¹²
- Attacks deliberately included widespread destruction of housing and property and the theft of cattle thereby eliminating coping mechanisms. An estimated 70,000 to 100,000 cattle were moved from Southern Unity to Bentiu, in July 2015, and more herds moved to other parts of northern Unity,¹³ Warrap and Abyei.¹⁴ Thousands of cattle also crowded Leer Town once the SPLA secured it. Reports estimate that households in Leer lost 75 percent of their herds as a result of the conflict.¹⁵ This led to a significant redistribution of the wealth and resources in Unity, forced people into POC sites as a last resort,¹⁶ and was a contributing factor to rapid deterioration in food security and the declaration of famine in 2017.
- The Protection Cluster noted in 2015 that the theft of cattle would be an impediment to IDPs return and the heightened risk for revenge attacks when youth returned to claim their stolen property. There has been little to no movement forward for the restitution of property, including livestock for populations dispossessed during the conflict. Some traditional justice forms allow for suspension of debt and dowry payments during displacement with the expectation that the balance is paid upon return. This also increases pressure for the use of negative means to restock cattle.¹⁷ The lack of formal recovery or compensation mechanisms increases the likelihood of resorting to revenge attacks as well as contribute to gender-based violence in the form of child and forced marriage, as households seek to restock through dowry payments, or abduction of

⁶ FAO, Presentation to the ICWG, 23 April 2019.

⁷ FAO, "The Impact of Conflict on the Livelihood Sector," 2016.

⁸ Ibid.

⁹ Protection Cluster, "Auto-Protection: Unity State" March 2015.

¹⁰ HSBA, "Unity State" 2015.

¹¹ Protection Cluster, "Situation Update: South and Central Unity" April-September 2015.

¹² While prior to 2015 the Bentiu POC had been roughly divided with Neur and Dinka populations totaling around 40,000, in 2015 the demographics changed to nearly all Neur and the population increased to 120,000.

¹³ HSBA, "Unity State" 2015.

¹⁴ FAO, "The Impact of Conflict on the Livelihood Sector" 2016.

¹⁵ FAO 2016 (58)

¹⁶ DRC, "Dynamics of Youth and Violence: Findings from Rubkona County, Unity State," May 2017.

¹⁷ NRC, "Pastoralism, Conflict and Recovery," April 2016.

women and girls and forced elopement, rape especially with view to forced pregnancy or devaluing dowry, when men are unable to provide dowry.

- Not only will insecurity in areas affected by cattle raiding and revenge attacks create environments that are not conducive for durable solutions for the nearly one in three South Sudanese who have been displaced, failure of the Government to institute means of restitution and fair and gender-sensitive compensation of displaced populations will solidify redistributions of wealth and corresponding patriarchal and political power dynamics. This will challenge the restoration and development of livelihoods for the significant proportion of displaced persons whose livelihoods relied on animal husbandry, prolonging dependence on aid and preventing economic independence for women and men, and negatively impacting on future prospects for food security, health and education.

Recommendations:

- Under the international norms outlined in the Guiding Principles on Internal Displacement, and the African Union Convention on the Protection and Assistance of IDPs which South Sudan has acceded to, as well as Chapter Three of R-ARCSS, the Government has the primary responsibility to assist IDPs dispossessed of their property with its recovery, compensation or just reparation. **Advocacy with the Government** is necessary for them to **take measures to provide for the restitution or compensation for cattle stolen during the conflict**, and to ensure that such restitution includes both women and men
- Activities to tag cattle has the potential to reify ownership patterns that are a product of the spoils of the conflict. While cattle tagging will benefit in the tracing of movement patterns, consideration should be given to put in place **proper measures for conflict sensitivity** and to limit further harm to the hundreds of thousands of persons who disposed of the cattle when they were forced to flee. **Intervention that improve livestock health**, such as range management and veterinary services, should be prioritized to avoid risk of reifying ownership patterns and reduce risk of poor livestock health as a driver of cattle raiding.
- **Restocking of livestock will be an enabling factor for community resilience and durable solutions for displaced population.** International actors should look at mechanisms to support non-violent means of restocking while also looking at educational opportunities and livelihood programming for both women and men that provides income diversification and social protection.
- Interventions could also seek to **work with traditional justice systems** to develop non-violent means to resolve cattle related disputes and associated violence including gender-based violence, to mitigate violations, seeking increasing alignment with international human rights norms including gender equality.

Humanitarian Impact of Recent Cattle Raids:

- In the last six months, protection assessments were conducted in 11 counties where populations were displaced as a result of cattle related violence.¹⁸ While the total number of persons displaced by cattle related violence in these counties is difficult to estimate, key informants reported up to 35,000 displaced in a single incident in Akobo.¹⁹ Displacement Tracking Matrix Mobility Tracking indicates that 31 percent of new displacement in 2018 was related to inter-communal violence—though the proportion of which involved cattle related violence is unclear and data was not collected in eleven counties which have been among the most affected by conflict.

¹⁸ Mission reports or information from static partners were received from: Gorgrial East and West, Mayendit, Tonj North and East, Jur River, Cuiebet, Pibor, Akobo, Pigi, and Rumbek North Counties.

¹⁹ Reported Murle attacks on Nuer in Akobo in January 2019. KI include community leaders, local authorities, and humanitarian partners with varying levels of reliability.

- Assessments indicate that cattle raids are characterized by multiple forms of violence against persons, including killing, injury, rape, abduction, and looting and destruction of housing and property. Incidents have occurred in remote areas with little to no access to health services for victims of violence or survivors of sexual assault. Children risk recruitment into local defence groups and other forms of serious child abuses including abduction and possibly trafficking. Child marriage was used as a negative coping mechanisms for households to restock lost cattle.
- Many of the counties most affected by cattle related violence are also in crisis and emergency IPC levels. Cattle are a primary source of food, particularly in areas where insecurity has compromised cultivation. Loss of this coping mechanism increases food insecurity. Food insecurity also drives individuals to raid cattle to replenish lost or diseased cattle. Resulting in a vicious cycle.
- Repeated shocks to the population as a result of over five years of conflict, multiple displacements, and food insecurity have decreased the resilience of populations to cope with incidents of cattle raiding. Traditionally pastoral populations in Warrap indicated intentions to adopt sedentary lifestyles due to continued insecurity.
- During assessments following cattle related violence in Tonj and Cuibet in 2019, protection partners reported that they found the appearance IDP sites to be **artificial and staged**. The majority of IDPs were integrated into host communities. There is a **high potential for manipulation of humanitarian assistance**. The formation of camp like settlements to attract humanitarian aid not only raises the protection risks for individuals and communities but also that aid is misdirected for political purposes.

Recommendations:

- As incidents of cattle related violence increase in frequency, intensity and geographical scope, so does their humanitarian and economic toll; however, **humanitarian funding remains insufficient to meet the needs in South Sudan, especially protection needs**. Prioritization of response to areas affected by cattle related violence will have an impact on the life-saving responses in other areas. Counties where a significant majority of displacement is due to communal clashes²⁰ have been less affected by the conflict and have less partner presence. Conflict remains the most significant cause of displacement. Displaced persons returning to areas with damaged or destroyed housing and infrastructure, food insecurity, and lack of basic life-saving services will also need humanitarian assistance. Serious consideration needs to be given as to how best use humanitarian resources, through a comparative analysis of needs among different population groups. This is likely to not be the same for all clusters.
- Humanitarian assistance must continue to be delivered on needs basis and where the Government is unable or unwilling to provide assistance. Different levels of vulnerability as well as levels of intervention and assistance provided by the Government should be considered as opposed to having thresholds for assessment of and response to cattle related violence. The **Government should assume the responsibility to provide greater assistance to victims** of cattle raiding violence, especially women and children, and those not directly involved in the violence. Working with local and international organisations, they could expand humanitarian aid for displaced persons, especially women and children. In areas where the Government has taken actions to improve security, interventions should seek to foster enabling conditions for solutions.
- Humanitarians should seek to capacitate community based organizations, including women- and youth-lead organisations and institutions to increasing take lead in responding to displacement. The Government, humanitarian actors, and UNMISS should develop or strengthen community based protection structures to improve preparedness, gender and age

²⁰ Defined here as over 70 percent of reported displacement at the county level by DTM Mobility Tracking Round 4, including Maridi, Jur River, Tonj North & East, Gorgrial West, Kapoeta East and South, Bor South, Duk, Aweil South, Cuibet, Rumbek Center, Rumbek North, Wulu, Yirol East, Awerial.

sensitive early warning, and risk reduction. Longer-term projects aimed at changing social acceptability of cattle related violence as well as projects aimed at ending child marriage (which inherently involves dowry practices) should also be considered, particularly in areas of northern Jonglei where violence is more communal than political.

- Interventions should not inadvertently promote the formation of collective or camp like settlements. Humanitarian assistance should be distributed in areas where there is evidence of IDPs and take measure to encourage integration of IDPs into host communities, where appropriate. Targeting of assistance should take into account the gender and age sensitive vulnerability and needs of the host community.

Protection Cluster South Sudan

Developed in May 2019 – Presented to ICWG on 2 July 2019