

Brief on COVID 19-related human rights and protection issues



Update 2 (11-17 April 2020)

Secretary-General's Appeal for a Global Ceasefire

- On 23 March 2020, the Secretary General launched an appeal for an immediate global ceasefire urging all warring parties to pull back from hostilities as a means to help create conditions for the delivery of aid, to open up space for diplomacy, and bring hope to places among the most vulnerable to COVID-19. Despite this appeal, during the week under review, at least 102 civilians have been killed, wounded or abducted (including five women and 14 children). Abduction of civilians in Central Equatoria (Yei area) and intercommunal violence in Lakes and Warrap remain of particular concern. This violence exacerbates the already extremely limited access enjoyed by the population to health services and denies them adequate access to protection and assistance.

Decongestion of detention facilities

- During the reporting period, at least 197 detainees and prison inmates, including 14 women and 4 male juveniles, in four states (Lakes, Unity, Upper Nile, and Western Bahr el Ghazal) were reportedly released, in some cases on bail or with a commuted sentence, as part of the national COVID-19 response, in accordance with the circular issued on 17 March by the National Prison Service of South Sudan (NPSSS). This number is likely to be an underestimate, as data on those released was not always made available to the UNMISS Human Rights Division (HRD). HRD has also encountered instances where local prison and legal administration authorities were either unaware of the NPSSS circular, or had yet to receive instructions from Juba concerning its implementation. Other inmates and detainees are still undergoing screening for possible release.

Human rights violations arising from excessive use of force to enforce preventive measures

HRD documented nine separate incidents, involving 25 victims, including arbitrary arrest and detention, ill-treatment, and extortion by defense and security forces implementing COVID-19 preventive measures. This week, in Torit (Eastern Equatoria), defense forces reportedly shot and injured two civilians (including a 15-year-old girl) whom they accused of violating curfew. No incidents related to COVID-19 preventive measures have been reported this week in or around the POC sites.

Hate speech and incitement to violence

- This week, the Government's High-Level Task Force (HLTF) on the COVID-19 pandemic reported the unauthorized departure of a UN staff member from the country, prior to completion of quarantine. In a communique dated 18 April, the HLTF accused the UN of complicity in the staff member's departure, claiming erroneously that the individual had left aboard a UN flight. The statement "*condemn[ed] this act in the strongest terms possible*" and vowed to "*hold the UN system in South Sudan responsible for any unseemly events that may ensue.*" UNMISS subsequently clarified that the staff member had left the Mission area without prior authorization and vowed to take disciplinary action in response. Nonetheless, the HLTF's announcement triggered a fresh round of expressions of anti-UN sentiment on social media platforms. This includes a xenophobic comment posted by the Undersecretary of the Ministry of Environment and Forestry.

Limitations on freedom of movement imposed on IDPs at POC sites

- The impact of restrictions on movement in and out of POC sites remained of concern. In Malakal, the UN continued to engage with leaders at the POC site to enable residents to engage in livelihood activities while still respecting COVID-19 preventive measures. Approximately 100 residents have since been allowed to leave the site every day to pursue work outside of the POC premises. In Bor, the POC COVID-19 Taskforce implemented a mandatory 14-day quarantine for any residents with a recent travel history. In Wau, a church administration hosting four IDP collective sites instructed all residents to leave by 12 April. Despite negotiations by humanitarian actors to allow IDPs to remain at these sites, the church was adamant about its decision to vacate its property. Humanitarian partners assisted vulnerable IDPs with assistance in moving out of the sites and reunifying with family members. There are unconfirmed reports that a similar initiative may be planned at the Masna collective site as well.

Vulnerable groups

- HRD interactions with civil society group representatives raised concerns that restrictions imposed as part of the COVID-19 response measures were disproportionately affecting vulnerable groups, including residents in protection of civilian (POC) sites. In Malakal POC alone, an estimated number of 1,318 residents qualified as “elderly” out of 27,900 IDPs, who continue to suffer from food insecurity. Vulnerable groups were also reportedly affected by the substantial increase in the cost of public transportation as a result of the implementation of social distancing measures which mandate the reduction in the number of passengers that can be carried at any given time.

Migrants

- During the reporting period, individuals entering from neighboring countries evaded mandatory quarantine, posing a great risk to public health and generating fear of a COVID-19 outbreak among communities in border areas. Among the explanatory factors are the lack of dignified and adequate health and quarantine facilities at most border crossings and the fear of use of force by Government forces to enforce COVID-19 related measures.

Right to education

- The closure of schools has restricted the right to education of children in South Sudan, and exposed them to the risk of further harm and of developing negative coping mechanisms. This week, the Ministry of General Education launched a distance-learning programme through radio and TV to enable students to access education despite the closure of schools and has also called for children to study using existing textbooks.