

## Protection Situation Update

### Violence in the Malakal POC Site, 17-18 February 2016

#### 1. Overview

At around 22h30 on the evening of 17 February 2016, violence erupted in the Malakal Protection of Civilians (POC) Site. The incident came after weeks of growing tensions between the Dinka and Shilluk communities. Over a period of 24 hours on 17 and 18 February, an estimated 1,251 official shelters were burned,<sup>1</sup> 29 people were killed,<sup>2</sup> and over 140 were injured.<sup>3</sup> The incident was the third attack on internally-displaced people (IDPs) in UNMISS bases since the conflict began in December 2013. It led an estimated 45,000 IDPs to flee the POC Site into the UNMISS Log Base and into Malakal Town for protection. Three humanitarian clinics and two schools were also destroyed during the incident.

#### 2. Timeline of Events: 17-18 February 2016

The following timeline has been consolidated using a variety of sources, including eyewitness accounts from IDPs living in the POC Site, radio transmissions during the incident, and key informant interviews with humanitarian and UNMISS staff. A map is presented on page 4.

##### 17 February

- **18h30:** Shilluk and Dinka IDPs from Sectors 1 and 2 begin throwing rocks at each other.
- **22h30:** Shots are heard from within the POC Site, from the direction of the boundary between Sector 1 and Sector 2. Soldiers and vehicles from the Sudan People's Liberation Army (SPLA) are observed along the eastern perimeter of the POC Site.
- **23h30:** Fighting between Shilluk and Dinka IDPs inside the POC Site escalates, with sounds of automatic weapons and hand grenades. Humanitarians receive reports that SPLA soldiers outside the perimeter berm are firing into the POC Site.

##### 18 February

- **01h00:** Shilluk and Nuer civilians flee from Sector 1 and Sector 4 towards Charlie Gate, the entry point into the UNMISS Log Base. Reports of casualties begin to arrive, including four deaths, four people in critical condition, and 30 people with lighter injuries. UNMISS deploys a tank to reinforce Charlie Gate, preventing further access into the Log Base.
- **02h30:** Fires break out in Sector 2 and quickly spread. UNMISS deploys and is largely able to contain the fires, even though its firefighters reportedly come under attack. In Sector 1, approximately 600 IDPs move into the compound of Médecins sans Frontières (MSF) next to Charlie Gate for protection.
- **05h00:** The POC Site is largely calm. Dinka IDPs begin leaving through a hole in the eastern perimeter fence, and are seen loading their belongings into trucks.
- **11h00:** Shooting resumes in the POC Site, and SPLA soldiers begin entering the Site through the hole in the eastern perimeter fence. Later reports estimate that 50-100 soldiers entered the Site, although this remains unconfirmed. The number of IDPs at Charlie Gate continues to grow, but it remains closed and blocked by the UNMISS tank.
- **12h00:** The UNMISS tank is moved from Charlie Gate, and IDPs begin rushing into the UNMISS Log Base. In Sectors 1, 2, and 3, fires break out and quickly spread across the blocks.

<sup>1</sup> Shelter NFI Cluster, *Shelter Strategy for Malakal POC Site*, 16 March 2016.

<sup>2</sup> Malakal Dead Body Management Database

<sup>3</sup> Consolidated figures from medical providers

UNMISS is unable to contain the fire. At the Malakal airport, SPLA soldiers request UNMISS to withdraw its peacekeepers, who subsequently return to the UNMISS base.

- **13h00:** UNMISS tries to restore calm to the POC Site as fighting between IDPs and between IDPs and SPLA soldiers continues. Humanitarians are unable to enter the POC Site, but heavy fighting is heard for approximately three hours.
- **17h00:** UNMISS succeeds in pushing SPLA soldiers out of the POC Site. Charlie Gate is open and unmanned.

### 3. Early Warning

Although violence did not fully break out until 17 February, warning signs began appearing weeks beforehand. On 8 February, the Protection Cluster Coordinator and Co-Coordinator in Malakal held a meeting with UNMISS to discuss the growing inter-communal tensions in the POC Site, *inter alia*. The Coordinators raised their concern that the pattern of incidents and violence suggested that an escalation was imminent, and requested that UNMISS and humanitarians work jointly to develop a mitigation plan. UNMISS did not share this assessment of the dynamics in the POC Site, and the plan was not developed.

### 4. Protection Response after the Incident

By the evening of 18 February, all IDPs had left Sectors 1 through 4 of the POC Site. Approximately 40,448 Shilluk and Nuer IDPs sought refuge in the UNMISS Log Base, and an estimated 4,671 Dinka IDPs fled to Malakal Town, which is controlled by the SPLA. In the subsequent days, Protection and Camp Management actors conducted a rapid intentions survey to better understand the views of the newly-displaced population. Overwhelmingly, the IDPs in the UNMISS Log Base indicated their desire to move back to the main sectors of the POC Site, provided that adequate security be put in place. By contrast, the population in Malakal Town preferred to stay outside the POC Site. Based on these preferences, humanitarians developed a response plan that aimed to provide regular support to the IDPs in Malakal Town, and fully relocate the population in the UNMISS Log Base to the POC site by mid-May 2016 – the earliest feasible target given the level of destruction in the Site.

Protection response services began as soon as IDPs began arriving to the UNMISS Log Base. Child protection actors set up a help desk to identify separated families and reunite lost children. They assisted 90 children in the four days that followed the incident. On the morning of 19 February, humanitarians searched the POC Site for elderly persons or individuals with reduced mobility that may have been unable to escape during the violence, and located eight elderly women. At the time of writing, the full range of protection services, including psychosocial support, case management, and sexual violence prevention and response activities, were ongoing in the POC Site.

### 5. Subsequent Events

In the first week of March, UN leadership engaged with local authorities in Malakal Town to discuss the Dinka areas of the POC Site, which had been vacated. An agreement was reached that UNMISS would provide temporary additional security in the Dinka areas of the POC Site to allow the Dinka to return to collect their belongings during the first week of March, after which time humanitarian actors planned to use these blocks to decongest the other sectors and facilitate returns from the UNMISS Log Base. However, many IDP community leaders were reluctant to move, as they feared the blocks had been booby-trapped by the Dinka prior to their departure.

On 13 March, Shilluk and possibly Nuer youth entered the vacated Dinka blocks to loot the remaining belongings. Despite the presence of UNMISS Formed Police Units (FPU), the looters spread quickly throughout the blocks and began setting fire to the shelters. Approximately 50 structures were burned before UNMISS was able to contain the fire.

## 6. Accountability

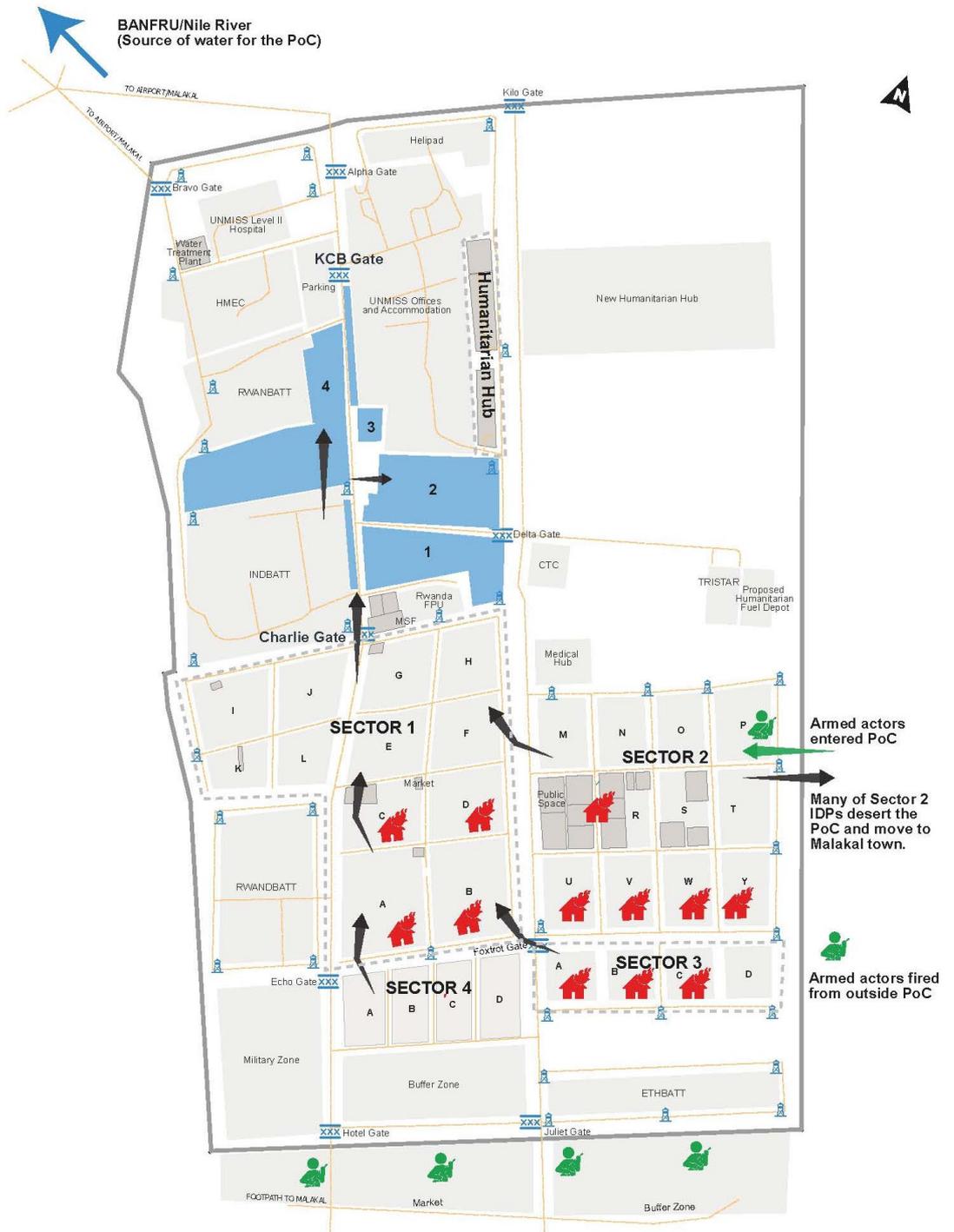
The Protection Cluster strongly condemns the violence that took place in the Malakal POC Site on 17 and 18 February 2016. The POC Sites are places of refuge, not violence. The actions of IDPs and SPLA soldiers demonstrate a flagrant disregard for the sanctity of the Site. In particular, the Protection Cluster emphasizes that the attack by government forces on a UN inviolable territory is wholly unacceptable and constitutes a violation of international law. While recognizing that command and control authority is sometimes weak in South Sudan, the gravity of this incident requires attention at the highest levels. The Protection Cluster also urges community leaders in the POC Site to engage with IDPs to prevent another outbreak of violence.

A number of investigations have been launched into the incident. UNMISS immediately launched its own investigation, which will be followed by a Board of Inquiry mission from UN Headquarters in New York. The latter will focus specifically on the UNMISS response during the incident. Two additional investigations are examining the incident generally: one by the UNMISS Human Rights Division, and the other by the Government of South Sudan. The Protection Cluster welcomes all these initiatives and hopes that the outcome will lead to greater accountability on all sides. The Protection Cluster further welcomes the initiative by UNMISS to review security infrastructure at all the POC Sites, and hopes that the results and recommendations of this review will be shared with humanitarian actors and implemented as a matter of urgency.

## 7. Recommendations

- All individuals responsible for the violence in and the attacks on the Malakal POC Site, including those who could have acted to prevent it, must be held responsible for their role in the incident.
- The international community should consider additional measures that could be taken to increase the pressure on the parties to the conflict to respect the *Agreement on the Resolution of the Conflict in the Republic of South Sudan* (August 2015) and create a protective environment that would be conducive to IDP returns, including by ceasing all attacks on civilians.
- UNMISS should publicly release the findings of the Board of Inquiry, and discuss and share lessons learned with humanitarian actors.
- UNMISS should review security and incident response plans at all POC Sites to ensure that similar incidents are not again replicated elsewhere.
- Robust security measures should continue to be available at POC Sites until conditions allow IDPs to leave and they choose to voluntarily relocate. In the current environment, alternatives such as area security are not yet viable and could put civilians at risk. If resources are lacking, the Protection Cluster urges UNMISS to undertake a Force rationalization exercise.
- UNMISS should undertake a quarterly revision of security and contingency plans for POC Sites in close collaboration with on-site commanders of the Troop Contributing Countries and State Coordinators, and work with humanitarians to develop a common analysis and jointly assess response options.

Map: Malakal POC Site on 17 and 18 February 2016



Source: IOM

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