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TO: The Chairman, IGAD Council of Ministers
The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 26 July 2018

SUBJECT: CTSAMM REPORT 2018/29 – VIOLATIONS IN WESTERN
EQUATORIA STATE

Your Excellencies,

Please find attached a report submitted for remedial action and accountability in accordance with Article 14 (1) of the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (21 December 2017) concerning violations in the western part of Western Equatoria State.

CTSAMM would appreciate feedback on the actions taken as the result of this report, in order that it can be relayed to the investigating team and stakeholders on the ground.

Major General Ibrahim Abduljellil
Chairman



Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT 2018/29
VIOLATIONS IN WESTERN EQUATORIA
EXECUTIVE SUMMARY

Over the period from the end of April to the end of June 2018 there has been an increase in conflict in the western part of Western Equatoria State, with attacks, ambushes and abductions attributed to the SPLA-IO (RM).

It is apparent that there is an SPLA-IO (RM) under the command of Major General [REDACTED] which has been responsible for these violations. Assurances from SPLA-IO (RM) commanders in Western equatorial that this issue would be addressed have so far failed to have any visible effect.

The SPLA has undertaken reprisal operations following attacks by this force which have included attacks against the civilian population. Both the SPLA and SPLA-IO (RM) have been responsible for committing violations against the civilian population, including rape. The SPLA-IO (RM) had abducted many people, especially young people (boys and girls) and also international aid workers.

The SPLA-IO (RM) unit commanded by Major General [REDACTED] has acted with complete disregard to the ACOH. By failing to exert control over this UNIT the SPLA-IO (RM) has failed in its obligations under the ACOH. By committing violations against the civilian population whilst conducting operations against the SPLA-IO (RM) the SPLA acted in violation of the ACOH.

The issue of the SPLA-IO (RM) unit under the command of Major General [REDACTED] must be addressed if further escalation is to be avoided. The SPLA-IO (RM) must take responsibility for this, take the appropriate action and hold Major General [REDACTED] accountable for his actions.



VIOLATIONS IN WESTERN EQUATORIA

1.0 Introduction

1.1 Background:

- The situation in the western part of Western Equatoria State is complex. Over the past few years a number of armed opposition groups have emerged, and it is not always easy to understand their objectives and track their movements.
- In the early part of 2018 information was received by CTSAMM about a "new" group claiming to be part of the SPLA-IO (RM). This group was allegedly operating in and around the areas of SAURA, LIRANGU and SAKURE. Further Information was received to suggest that an SPLA-IO (RM) group under command of Major General [REDACTED] had moved from the NAMUTINA in TAMBURA were operating in these areas.
- On 29 April 2018 there was an attack at SAURA. This was the first of several incidents apparently attributable to the SPLA-IO (RM) group commanded by [REDACTED]. Operations by this group have resulted in the displacement of many civilians and elicited significant reprisals from the SPLA.

1.2 Incidents: The incidents covered by this report are:

- An alleged ambush by SPLA-IO (RM) and fighting at SAURA, on the YAMBIO-NZARA road on 29 April 2018.
- Alleged ambush, abduction and looting by SPLA-IO (RM) at YANGIRI, on the YAMBIO-TAMBURA road on 14 May 2018.
- Alleged attack by SPLA-IO (RM) at NAGERO, in what is known as Tambura State 17 May 2018.
- Operations by the SPLA to re-take NAGERO on 18 May 2018.



- Alleged attack by the SPLA-IO (RM) at BAZUNGUA on 10 June 2018.
- Alleged attacks by the SPLA-IO (RM) against SPLA units at SAURA on 17 June and MANGONDI on 24 June 2018
- Alleged abduction by the SPLA-IO (RM) of IDPs at RIMENZE on 24 June 2018

1.3 Aim: The aim of this report is to describe the findings of investigations into the above reported incidents, attribute responsibility for violations of the ACOH where appropriate and to make recommendations.

1.4 Methodology: CTSAMM employed reasonable grounds to believe standard of proof in making factual determinations on violations and incidents and patterns of conduct by perpetrators. The MVT based in YAMBIO undertook a series of patrols as follows:

- Between 30 April and 10 May 2018 visits to SAURA and interviews with local people, the SPLA commander and two SPLA-IO (RM) POW's; also a visit to meet with the SPLA-IO (RM) Commander, Major General Sabaderi in NAMBIA. The MVT also contacted SPLA-IO (RM) General WESLEY WALABE.
- Between 15 and 20 May 2018 visits to what are known as Tambura and Ezo states. The MVT was able to interview witnesses who had escaped having been abducted, local tribal and civil leaders and contact with 'Major General' [REDACTED] SPLA-IO (RM).
- On 4-8 June 2018 patrols to what is known as TAMBURA state concerning the NAGERO incidents. The MVT was unable to access the locations where the fighting took place (NAGERO, NAMUTINA and BANDALA) because they were denied access by the SPLA for "security reasons". On 28-29 June 2018 the MVT conducted a patrol to RIMENZE, MAKPANDU and BAZUNGUA.




- On 18 July 2018 the MVT undertook a patrol to NZARA and SAKURA. The MVT was denied access by the SPLA to MANGONDI – the objective of the patrol – for “security reasons”.

2.0 Findings

2.1 Ambush as SAURA 29 April 2018: On the morning of 29 April 2018 a Catholic Priest was ambushed near SAURA by SPLA-IO (RM) elements under the command of Major General [REDACTED]. SAURA is situated about 12 Km from YAMBIO on the TAMBURA road. Key details are as follows:

- The soldiers who carried out the ambush apologised to the priest (whose driver had been wounded) saying their intention was to attack Government vehicles. The SPLA reacted and mobilised forces in YAMBIO and NZARA to clear the SPLA-IO (RM) forces from the SAURA area.
- The SPLA lost one soldier killed in the fighting and captured two SPLA-IO (RM) soldiers, both of whom were interviewed by CTSAMM. The SPLA-IO (RM) returned to LIRANGU from where they had come. The POWs confirmed that the force they were part of was under the command of Major General [REDACTED] and the objective of attacking SAURA was to capture vehicles, food and other essential supplies.
- The MVT interviewed SPLA-IO (RM) Major General SABADARI in NAMBIA, who explained that the unit under the command of Major General [REDACTED] had come into Western Equatoria from Western Bahr el Ghazal (specifically the RAJA area) and that his activities were not coordinated. He apologised for the actions of Major General [REDACTED]. The MVT also contacted SPLA-IO (RM) JOHN BARIANA and General WESLEY WELABE, both of whom promised to address the matter of the unit under command of [REDACTED].

2.2 Ambush and abduction at YANGIRI 14 May 2018:

- On 14 May 2018 members of the SPLA-IO (RM) unit commanded by Major General [REDACTED] ambushed and abducted about 50 people travelling in convoy at YANGIRI on the TAMBURA road. Among those



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abducted were national and international members of an international NGO and a young child. One young woman was reportedly raped, although CTSAMM was unable to confirm this. The MVT was able to interview several witnesses who had managed to escape the ambush and reported the attackers were about 20-30 in number and were in uniform. About 6 of them were women, and one was in an SSPS uniform. The abductees were forced to carry looted items to NADIANGERE. The attackers also took 3 vehicles either belonging to or hired by the international NGO, and two other vehicles – one a truck – belonging to a timber company.

- Following negotiations with Major General [REDACTED] the abductees were released about a week later.

2.3 Attack at NAGERO 17 May 2018:

- In the early morning of 17 May 2018 the SPLA-IO (RM) under the command of Major General [REDACTED] attacked NAGERO, a town about 100 Km north of TAMBURA in what is known as Tambura State. The SPLA repulsed the attack after about 8 hours fighting and the SPLA-IO (RM) withdrew to NADIANGERE. The following day – 18 May 2018 – the SPLA retaliated and ravaged NAGERO and other villages in the area. Both the SPLA –IO (RM) and the SPLA committed violations against the civilian population, and the fighting resulted in the displacement of over 10,000 people who gathered in TAMBURA.
- The CTSAMM MVT was denied access to the NAGERO area by National Security and also by the Governor of what is known as Tambura State. However, team members were able to identify and interview survivors of the attack one of whom had been raped. It was apparent that soldiers from both sides had raped both women and men and that a number of civilians had been killed. The MVT interviewed two witnesses whose husbands had been shot dead by the SPLA, and it was reported that the SPLA burnt houses and destroyed others with their support weapons. Several people were abducted by the SPLA-IO (RM) including county and state officials, one of whom later escaped.



- It was the opinion of the MVT that the reason it and accompanying UNMISS Force Protection and representatives from UN agencies were denied access to the NAGERA area was to prevent them from seeing what had happened there.
- The MVT interviewed the Commanding Officer of 160 Battalion SPLA, Lieutenant Colonel JOHN MAKULA who reported he had lost 4 men killed in the attack by the SPLA-IO (RM).
- On 28 May 2018 the SPLA reportedly attacked the SPLA-IO (RM) forces under Major General [REDACTED] at NADIANGERE and captured a large quantity of military supplies. CTSAMM has not yet been able to investigate this but received corroboratory information from a number of sources.

2.4 Attack at BAZUNGUA 10 June 2018: On 10 June 2018 a group of uniformed armed men attacked the market at BAZUNGUA. They fired into the air and stole goods from the market and bicycles. There were no casualties. Witnesses interviewed by CTSAMM described the attackers as being from the SPLA-IO (RM) under Major General [REDACTED], and they left in the direction of LIRANGU where he was known to be based. The MVT also learned from witnesses that on 19 June 2018 the same attackers returned and abducted 23 people – mainly youths – including 5 women who were taken to the SPLA-IO (RM) camp at LIRANGU from which most subsequently escaped.

2.5 Attacks at MANGONDI and SAURA: At about 0700 Hrs on 24 June 2018 SPLA-IO (RM) forces attacked an SPLA detachment guarding a teak company at MANGONDI. One SPLA soldier was killed. MANGONDI is near LIRANGU, and all the evidence suggest that the unit which carried out the attack was that under command of Major General [REDACTED]. The MVT also obtained information about another attack at SAURA against an SPLA vehicle. The attackers – again assumed to be SPLAIO (RM) under the command of Major General [REDACTED] - raped several women during the incident, one of whom was interviewed by the MVT.



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- 2.6 Abduction of IDPs at RIMENZE. At about 19.00 Hrs on 23 June 2018 (not 24 June 2018 as originally claimed) 27 people were abducted by armed SPLA-IO (RM) soldiers from the IDP camp at RIMENZE Catholic Church. Most of those abducted were young people and 6 were girls. They were taken to the SPLA-IO (RM) camp of the force under the command of Major General [REDACTED] at LIRANGU. 4 managed to escape and return to RIMENZE and the MVT was able to interview one of them. He clearly stated that he and the others had been taken to LIRANGU and they saw about 30 other abductees who were being kept there.
- 2.7 Other incidents: The MVT based in YAMBIO received information about other alleged incidents of ambush and abduction, including the alleged abduction on 26 June 2018 by the SPLA-IO (RM) of 68 people from BAZUMBURU IDP camp, which was attacked, looted and girls allegedly raped. The soldiers who carried out the attack apparently said they were abducting youth to increase their fighting manpower. There was another incident at MAKPANDU on 25 June 2018 which involved an alleged attack by the SPLA-IO (RM) which was beaten off by SPLA forces in the area.
- 3.0 **Assessment:**
- 3.1 The civilian population in the western part of Western Equatoria state is suffering because of the continued actions of an SPLA-IO (RM) commander – Major General [REDACTED] – who appears to be following his own agenda in what is already a deeply troubled area.
- 3.2 The leadership of the SPLA-IO (RM) are accountable for the actions of all those groups under their command or allied to them. The SPLA-IO (RM) group under command of Major General [REDACTED] have acted in clear violation of many articles of the ACOH. By failing to exercise control over this group the leadership of the SPLA-IO (RM) have failed in their obligations under the ACOH.
- 3.3 The actions of the SPLA in the NAGERO area following the fighting of 17 May 2018 can in no way be justified by the initial attack by the SLA-IO (RM). It is apparent from all the evidence collected by the MVT that violation were



committed by those SPLA troops who had been engaging the SPLA-IO (RM) attackers, and that they ravaged the local area causing significant displacement

4.0 Civilian impact

4.1 Displacement: Thousands of civilians have been displaced as a result of the actions of the SPLA-IO (RM) under the command of Major General [REDACTED] and by the retaliatory actions of the SPLA in Western Equatoria State. Communities have been dispersed, with all that this means in terms of hardship and the loss of self-reliance.

4.2 SGBV: Both the SPLA-IO (RM) and the SPLA have committed rape during the incidents described in this report. The MVT was able to get first-hand evidence in a number of cases, and reported the trauma the victims had suffered.

4.3 Abduction: During the period covered by this report the SPLA-IO (RM) forces under the command of Major General [REDACTED] abducted a large number of people, both men and women, girls and boys. They have also abducted international NGO aid workers, which had a negative impact on that operations of that and other NGO's. It is of particular concern that young men are reportedly being abducted to augment the fighting power of the SPLA-IO (RM) (see paragraph 2.7 above), and that girls have also been taken and kept. The effect on these young people can only be imagined.

5.0 Conclusion

5.1 It is the conclusion of CTSAMM that between the end of April 2018 and the end of June 2018 the SPLA-IO (RM) the continued and deliberate actions of the forces under the command of Major General [REDACTED] violated numerous articles of the ACOH on many occasions, particularly:

- Article One (2) & 11 (6) Failing to freeze its forces and moving without notification or authority of CTSAMM.
- Article Three (2) Carrying out hostile military actions prohibited under this Article.
- Article Six (a), (b) & (e) in respect to those violations committed against civilians.



- 5.2 In addition by failing to exercise control over those forces commanded by Major General [REDACTED] the leadership of the SPLA-IO (RM) have failed in their obligations under the ACOH, particularly:
- Article Two (1) and Article Seven (1).
- 5.3 By their actions against the civilian population following the fighting at NAGERO on 17 May 2018, the SPLA acted in clear violation of the ACOH, particularly:
- Article Six (a), (b) & (e) in respect to those violations committed against civilians.
- 5.4 By denying access to the CTSAMM MVT the SPLA was in clear violation of the ACOH, specifically:
- Article 11 (7).
- 6.0 Observations and Recommendations:**
- 6.1 CTSAMM spoke with the SPLA-IO (RM) higher command in Western Equatoria - General WESLEY WALABE – following the 29 April 2018 incident and he committed to address the issue of Major General [REDACTED]. Since then CTSAMM understands that General WESLEY WALABE has more recently been approached by other stakeholders and that he has made similar commitments. By his actions [REDACTED] poses a serious threat to the implementation of the ceasefire in the western part of Western Equatoria State, and CTSAMM urges the SPLA-IO (RM) to take all measures necessary to bring him and his forces under control and hold him to account for his actions.
- 6.2 Although CTSAMM was denied access by the SPLA to the NAGERO area, the MVT was able to gather a considerable body of evidence about violations committed by the SPLA against the civilian population. Such actions can only fuel hatred and drive conflict. The SPLA should take the appropriate action against those responsible. By denying access to CTSAMM to the area following the incidents the SPLA indicated it did not want the MVT to see what had happened there; this is a further violation of the ACOH.



- 6.3 CTSAMM calls on JMEC and the IGAD Council of Ministers to work at the political level with the Parties to address the issues in Western Equatoria State in order to prevent further escalation.



Abbreviations:

- ACOH: Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access signed 21 December 2017.
- MVT: CTSAMM Monitoring and Verification Team
- SPLA: Sudan People's Liberation Army. Military forces under the command and control of the Transitional Government of National Unity, including those opposition forces under the First Vice President Taban Deng Gai now with the Government.
- SPLA-IO (RM): Sudan People's Liberation Army In Opposition and under the command and control of Dr Riek Machar.

