

**CTSAMM CONFIDENTIAL**  
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TO: The Chairman, IGAD Council of Ministers  
The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 17 August 2018

**SUBJECT: CTSAMM REPORT 2018/30 – VIOLATIONS AGAINST CIVILIANS IN  
THE GANDOR AREA, UNITY 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 against civilians in the GANDOR area, Unity State, between late May and early July 2018.

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 Abduljeil  
Chairman



**Ceasefire and Transitional Security Arrangements Monitoring Mechanism**

## CTSAMM REPORT 2018/30

### VIOLATIONS AGAINST CIVILIANS IN THE GANDOR AREA, UNITY STATE EXECUTIVE SUMMARY

In July 2018 UNMISS and the Office of the UN High Commissioner for Human Rights released a report “Indiscriminate attacks against civilians in Southern Unity April-May 2018”. CTSAMM has also submitted several recent reports concerning violations in southern Unity State. The UNHCHR report and those of CTSAMM refer to the activities of SPLA-aligned armed youth mainly from the KOCH area and under command of the former Commissioner of Gany County

Between 29 May and 3 July 2018 there were four attacks reported in the GANDOR area involving armed youth under command of the former Gany County Commissioner. People were killed, women were abducted and raped, houses burned, property looted and livestock stolen. The GANDOR area is aligned with the SPLA-IO (RM).

CTSAMM obtained first-hand witness statements confirming the personal involvement of the former Gany County Commissioner, who is responsible for multiple violations of the ACOH. He is no longer the Commissioner of Gany County, but remains an official employed at the state headquarters in Bentiu. By failing to control the former Gany County Commissioner the SPLA has failed in its obligations under the ACOH.



## **VIOLATIONS AGAINST CIVILIANS IN THE GANDOR AREA, UNITY STATE**

### **1.0 Introduction**

#### **1.1 Background:**

- On 7 July 2018, CTSAMM submitted Report 2018/22 "Violations against civilians, including SGBV, in southern Unity State April-May 2018". The report concluded that the SPLA and affiliated armed youth were responsible for multiple violations against civilians. Similarly Reports 2018/25 "Fighting at Thonyor, Unity State, 19 June 2018" and 2018/28 "Fighting at Thakar, near Leer, 30 June 2018" attributed responsibility to the SPLA and allied armed groups for violations of the ceasefire, including those against civilians.
- In July 2018 UNMISS and the Office of the UN High Commissioner for Human Rights released a report "Indiscriminate attacks against civilians in Southern Unity April-May 2018". This report described in detail the suffering of the people in southern Unity State at the hands of SPLA-affiliated armed youth supported by the SPLA.
- CTSAMM had received a series of allegation reports about serious violations in the GANDOR area, and was able in July to visit the area three times in order to investigate these allegations. GANDOR is a community about 9 Km north east of LEER in an area aligned with the SPLA-IO (RM), and with an SPLA-IO (RM) administration.

#### **1.2 Incidents: the incidents and allegations covered by this report are as follows:**

- On 29 May 2018 the MVT based in LEER received information through UNMISS of an alleged attack by SPLA and allied armed youth at GANDOR, killing 2 civilians and wounding 3. Some women were allegedly abducted but returned later.



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- On 6 June 2018 over 300 IDP's arrived at LEER. The IDPs alleged that armed youth from KOCH attacked villages close to GANDOR in the early morning hours of 06 June 2018. Some of the IDPs, mostly women, reported that the former Gany County Commissioner had camped in GAP village with an intention of attacking GANDOR in the early morning.
- On 24 June 2018 the MVT based in LEER received information that armed youth from KOCH had attacked the areas of PADEAH and GANDOR. This created another influx of IDPs to the TPA.
- On 3 July 2018 at 0730 hrs the MVT based in LEER received reports of clashes in GANDOR, KUI and DINDIN. These reports came from civilians displaced by the fighting, who reported cases of abduction, rape and cattle-theft. The MVT met with the Governor of what is known as Southern Liech State, who confirmed the attacks, and also confirmed the involvement of the former Gany County Commissioner.

1.3 Aim: The aim of this report is to describe the findings of investigations into violations allegedly perpetrated against civilians in the GANDOR area by the former Gany County Commissioner, between 29 May and 3 July 2018, to 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 LEER met with civilians who had fled from GANDOR.
- The MVT based in LEER met with the commander of 137 Battalion SPLA in LEER, and the Governor of what is known as Southern Liech State.



- On 14 and 15 July 2018 the MVT based in LEER patrolled to GANDOR and met with SPLA-IO (RM) officials and interviewed survivors of rape, looting and theft.
- On 20 July 2018 the MVT based in BENTIU visited HQ 4 Division SPLA and asked about the status of the former Gany County Commissioner and Major General [REDACTED].
- On 24 July 2018 the MVT based in LEER returned to GANDOR in order to obtain further information by interviewing more witnesses.
- During the course of the investigation the MVT based in LEER interviewed a large number of civilian witnesses and victims, including 12 rape survivors.

## 2.0 Findings

2.1 The MVT were told of four attacks at GANDOR, on 29 May, 6 June, 24 June and 3 July 2018. Tukuls were burnt, women raped and food, livestock, money and household possessions stolen.

### 2.2 Involvement of the former Gany County Commissioner:

- Many witnesses identified the former Gany County Commissioner as the perpetrator of attacks by armed youth at GANDOR and the surrounding area.
- Women in the GANDOR area were subject to sexual violence by armed youth under the command of the former Gany County Commissioner. CTSAMM has a duty to protect the identity of survivors, but can report as an example that during the attack of 29 May 2018 women were gang raped and taken to a holding camp at DAR. The husband of one was shot before she was raped. One woman was pregnant, and whilst at DAR she was repeatedly raped and this caused her to miscarry. Survivors identified the



former Gany County Commissioner as the leader in the camp, and described how he sometimes beat the abducted women.

- Witnesses described the former Gany County Commissioner physically leading the attack at GANDOR on 6 June 2018, and reported that when he left the area he ordered the water pump at GANDOR destroyed.
- Another witness described how after an attack by armed youth under the command of the former Gany County Commissioner at GANDOR on 3 July 2018 his wife was abducted and forced to carry looted goods to KOCH. She was repeatedly raped, but allowed to leave after she had carried the goods to KOCH.
- The Governor of what is known as Southern Liech State, admitted to the MVT that the raids of 3 July 2018 were commanded by the former Gany County Commissioner.
- The MVT learnt that the former Gany County Commissioner had been removed from his post on 4 July 2018. The MVT based in BENTIU were told by the Chief Administrative officer at 4 Division SPLA that he had not been dismissed but moved a new post in the State Headquarters at BENTIU.

2.3 Major General [REDACTED]: In CTSAMM Report 2018/22 Major General [REDACTED] SPLA-IO (TD) was named as being in overall command of the KOCH armed youth. On their visit to the Headquarters of 4 Division SPLA in BENTIU the MVT asked about his status, and was told that he was in control of armed youth until the integration of the SPLA-IO (TD) and SPLA, and he has since been promoted to Lieutenant General and transferred to a new post elsewhere.

2.4 Involvement of the SPLA based in LEER: The Commander of 137 Battalion SPLA in LEER, denied any involvement with the attacks by the armed youth from KOCH. Several witnesses interviewed by CTSAMM in GANDOR referred





to the SPLA, and some said that looted cattle had been taken to LEER. The MVT asked the SPLA commander about the presence of armed youth and cattle in LEER, and he stated that attacks by armed youth from KOCH were in retaliation for an attack by the SPLA-IO (RM) at KOCH in December 2017. He denied supporting them, and said that he had in fact participated in operations to save civilians during the attacks.

2.5 Statements by the Governor of what is known as Southern Liech State: On the subject of armed youth the Governor emphasised that both parties have armed youth for protecting cattle, and that once the peace agreement is finalised those in Leer will be allowed to go home. He reiterated what the Commander of 137 Battalion SPLA had said: that the attacks in May and June by the Koch armed youth were in retaliation for previous attacks by the SPLA –IO (RM).

2.6 SGBV: CTSAMM interviewed a group of 12 rape survivors. They recounted horrific stories of abduction, rape and murder. The UNMISS report “Indiscriminate attacks against civilians in southern Unity April-May 2018” contains a lot of detail that it is not necessary to repeat in this report. It is sufficient to say that the abuse these women suffered has left them traumatised, and some have suffered life-changing injury. In most cases the armed youth under the command of the former Gany County Commissioner were clearly identified as being responsible.

### 3.0 **Assessment:**

3.1 There is overwhelming evidence from a large number of witnesses that the former Commissioner of Gany County, was in command of armed youth from the KOCH area who committed numerous violations against civilians in the GANDOR area. This was corroborated in a statement by the Governor of what is known as Southern Liech State. The GANDOR area is aligned with of the SPLA-IO (RM).

3.2 The involvement of Major (now Lieutenant) General [REDACTED] cannot be assessed, but information given to CTSAMM by the HQ of 4 Division SPLA confirms that he was in overall control of the armed youth at that time.



3.3 The former Gany County Commissioner is responsible was committing multiple violations of the ACOH. Multiple witnesses reported he personally led raids, and engaged in violent acts against civilians.

3.4 The former Gany County Commissioner was an appointed official at the time he committed these violations. He is still an appointed official.

#### **4.0 Civilian impact**

4.1 The civilian impact of the actions by armed youth in southern Unity State have been outlined in detail in the UNMISS/UNHCHR report and CTSAMM Report 2018/22. In this case hundreds of people were displaced from GANDOR and surrounding villages and took refuge in the UNMISS TPA.

#### **5.0 Conclusion**

5.1 It is the conclusion of CTSAMM that the former commissioner of Gany County, has acted in clear and blatant violation of the ACOH, particularly:

- Article Three, 2 (g) and (i).
- Article Six (a), (b), (c) and (e).

5.2 Furthermore, it is the conclusion of CTSAMM that by failing to control the former Commissioner of Gany County, the SPLA is responsible for failing in its obligations under the ACOH particularly:

- Article Three (2)(d).
- Article Seven (1).

#### **6.0 Observations and Recommendations:**

6.1 Those responsible for the atrocities described in this report must be held to account. South Sudanese citizens have been subject to rape, sexual abuse, humiliation, murder and theft at the hands of an appointed official, the former Gany County Commissioner. CTSAMM was told by 4 Division Headquarters that this official is still employed in a local government post in BENTIU.

6.2 CTSAMM suggests JMEC and the IGAD Council of Ministers ask the SPLA to clarify the responsibility of Major (now Lieutenant) General [REDACTED]





██████████ for the overall command and actions of SPLA-aligned armed youth in Unity State during the period covered by this report.

- 6.3 CTSAMM calls upon the IGAD Council of Ministers and JMEC to pressure the appropriate authorities to hold to account those officers and officials responsible for violations against civilians in the GANDOR area.



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.
SPLA-IO (RM):	Sudan People's Liberation Army In Opposition and under the command and control of Dr Riek Machar.
SPLA-IO (TD)	Forces loyal to the First Vice President Taban Deng Gai. These forces are considered to be under the control and command of the Transitional Government of National Unity, but still sometimes identify themselves separately.

