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

FROM: The Chairman, CTSAMM

DATE: 19 January 2018

**SUBJECT: CTSAMM REPORT 2018/06– ALLEGED FIGHTING AND VIOLATIONS  
IN LEER AND RUBKUAY**

Your Excellencies,

Please find attached a CTSAMM report on violations of the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (21 December 2017) which have taken place in LEER and RUBKUAY, Unity State.

  
  
Major General Ibrahim Abdullellil  
Chairman

**Ceasefire and Transitional Security Arrangements Monitoring Mechanism**

**CTSAMM REPORT NUMBER 2018/06**  
**REPORT ON ALLEGED FIGHTING IN LEER and RUBKUAY**

**Executive Summary**

An allegation was made by the Government authorities in LEER that on 27 December 2017 SPLA-IO (RM) forces from THONYOR attacked LEER. They also claimed that on 29 December SPLA-IO (RM) forces attacked and took RUBKUAY, capturing the Deputy County Commissioner. They emphasised that these incidents took place after the signing of the ACOH.

CTSAMM established that whilst SPLA-IO (RM) forces attacked LEER and took RUBKUAY, this was during fighting which took place in November 2017, and that there have been no significant military advances or attacks since the ACOH was signed. However, SPLA-IO (RM) forces remain in violation of the ACOH because they have failed to release the Deputy County Commissioner, and also because they maintain roadblocks in place throughout the area of what is known as Southern Liech State.

There has been a long history of fighting between the Parties in what is known as Southern Liech State throughout the current conflict with attacks by both sides on the other's positions. Further conflict must stop. The ACOH must be implemented.

Both Parties are failing to comply with the ACOH by not disengaging forces in close proximity, and CTSAMM is concerned that the drivers for conflict still exist what is known as Southern Liech State. This needs to be addresses at both the political and local level as a matter of urgency if further fighting is to be avoided.



## ALLEGED FIGHTING IN LEER and RUBKUAY

### 1.0 Introduction

#### 1.1 Background:

- LEER is the headquarters of what is known as Southern Liech State. It has been held by the Government throughout the current conflict, although it has been the focus of much fighting.
- SPLA forces in LEER and those of the SPLA-IO (RM) whose headquarters are in THONYOR are in close proximity.
- There was heavy fighting around LEER in November 2017. Early in the month the SPLA-IO (RM) imposed a blockade on the town which led to significant tension and an attack by Government Forces on the SPLA-IO (RM) roadblock.
- Attacks on LEER by SPLA-IO (RM) forces followed on 22 and 30 November. The first attacks led to the evacuation of the town by all international NGOs. The fighting led to a significant number of casualties, particularly amongst SPLA-IO (RM) forces, and was the subject of an investigation by CTSAMM in December 2017.
- Prior to the fighting in LEER the SPLA-IO (RM) took RUBKUAY town. This happened on 20 November 2017 after a warning to humanitarian actors in the area the previous day. RUBKUAY had been held by SPLA-IO (TD) forces.

- 1.2 Incidents: The incidents which are the focus of this report concern alleged attacks by SPLA-IO (RM) forces against LEER on 27 December 2017 and against RUBKUAY on 29 December 2017 after the start date of the ACOH. The allegations were made by Government Authorities in LEER. The Government

Authorities also claimed that during the attack at RUBKUAY they captured the Deputy County Commissioner.

1.2 Aim: The purpose of this report is to summarise the findings of the CTSAMM investigation into the allegations, apportion responsibility where possible and make recommendations.

1.3 Methodology:

- On 9 January 2018 an MVT deployed from Juba to LEER, visiting KOCH on the way.
- On 11 January the MVT spoke with a wide range of people in LEER including civil and military authorities and on 12 January they visited the SPLA-IO (RM) HQ in THONYOR and subsequently spoke with the SPLA-IO (RM) Commissioner in RUBKUAY.
- The MVT also interviewed a number of witnesses and liaised with the UNMISS unit based in LEER.

## **2.0 Findings**

2.1 There was no attack by the SPLA-IO (RM) against LEER on 27 December. The authorities eventually admitted that this was the case. There have been no significant operations by the SLA-IO (RM) against LEER since 30 November 2017.

2.2 The SPLA-IO (RM) did take RUBKUAY, but this was on 20 November, not 29 December 2018. The SPLA-IO (RM) still hold the Deputy County Commissioner who (so far as the MVT could ascertain) is in custody in RUBKUAY. The SPLA-IO (RM) Commissioner told the MVT he was 'in hospital' in RUBKUAY.

2.3 The situation in the area remains tense. The Government Authorities in LEER stated that they would mount offensive operations to re-take RUBKUAY unless



CTSAMM and other actors forced the SPLA-IO (RM) to vacate it. The SPLA-IO (RM) are adamant that they hold all of what is known as Southern Liech State apart from LEER itself, and that they will react with force if the SPLA or SPLA-IO (TD) try to take RUBKUAY or any other area. The Government Authorities asserted that SPLA-IO (RM) claims about how much territory they hold in what is known as Southern Liech State are exaggerated.

- 2.4 There has been no significant military movement since the signing of the ACOH, and no territory has changed hands since the November fighting and capture of RUBKUAY.
- 2.5 SPLA-IO (RM) maintain roadblocks and checkpoints throughout the area which hinder the free movement of people and goods.
- 2.6 The SPLA-IO (RM) accused Government Forces from LEER of attacking PULJATH on 29 December, killing two people and raping two women, but the MVT has yet to find any witnesses to this.

### **3.0 Assessment:**

- 3.1 The SPLA-IO (RM) took RUBKUAY on 20 November. This was a clear violation under the PCTSA, but it happened before the signing of the ACOH on 21 December when all Parties were to freeze in place. It appears probable that the Government authorities claimed the attack happened after the ACOH to indicate they still have a claim on it.
- 3.3 The SPLA-IO (RM) have kept the captured Government Deputy Commissioner since they took RUBKUAY. He has not been released following the signing of the ACOH.
- 3.4 Both Parties are claiming as much territory as they can. This is probably a move designed to give them as much leverage as possible in future discussions.

3.5 The claim by Government Authorities that LEER had been attacked on 27 December were easily disproved by the MVT. The authorities subsequently withdrew the claim.

3.6 The situation in what is known in Southern Liech State remains tense. There could easily be further conflict unless measures are taken to stop it.

3.7 Conclusions:

- By attacking RUBKUAY on 20 November and LEER on 22 and 30 November 2017 the SPLA-IO were in clear violation of the PCTSA whatever provocation they had been subjected to by the Government.
- However, the SPLA-IO (RM) have taken no military action in violation of the ACOH since it has been signed.
- By failing to release the captured Deputy Commissioner in RUBKUAY, the SPLA-IO (RM) remain in violation of the ACOH Article Nine, paragraph 2.a.
- By failing to disengage forces in close proximity both Parties are in violation of Article One paragraph 3 of the ACOH.
- By maintaining road blocks and checkpoints, SPLA-IO (RM) forces are in violation of Article Three, Paragraph 3 and Article Eight, Paragraph 4 of the ACOH.

4.0 Observations and Recommendations:

4.1 The area around LEER has been a trouble spot throughout the current conflict, with numerous instances provocation, attack and counter attack. In the past the SPLA failed to clear SPLA-IO (RM) from ADOK and other towns they control, and SPLA-IO (RM) forces failed to take LEER. The drivers for conflict have yet to be resolved, and CTSAMM recommends that action be taken at the political

level to ensure that both Parties maintain their forces in place and take no provocative action.

- 4.2 CTSAMM further recommends that as a matter of urgency JMCC or a Joint Commission appointed from representatives of both Parties at the local level facilitates the disengagement of all forces in close contact in the area, and their withdrawal back to base locations, leaving only civil authorities in contested areas.
- 4.3 CTSAMM calls on the SPLA-IO (RM) to release the (Government) Deputy County Commissioner in RUBKUAY immediately and allow him to return to his family.