

CTSAMM/JMEC CONFIDENTIAL
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TO: The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 3 November 2017

SUBJECT: CTSAMM REPORT 053 – VIOLATIONS IN WESTERN EQUATORIA

Your Excellency,

Please find attached a CTSAMM report on violations of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan 7 26 August 2015) that took place in Western Equatoria on and around 13 August 2017. This report was discussed at the 14th CTSAMM member's meeting of 24 October 2017 and again at a follow-up CTSAMM member's meeting on 30 October 2017.

A written response dated 2 November 2017 by the Government members of CTSAMM is attached.


Major General Molla Hailemariam
Chairman



Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 053
VIOLATIONS OF THE PCTSA IN WESTERN EQUATORIA

Executive Summary

It is alleged that in August 2017 the SPLA in the areas of KASIA and RIMENZE conducted attacks on civilians, looted food and caused displacement of families.

On 13 August 2017 an SPLA detachment from MAKPANDU conducted an operation in the village of KPANGARIOKPO. The SPLA accused the civilians of being criminals and supporting the SPLA-IO (RM).

The operations in KPANGARIOKPO resulted in the displacement of 162 families totaling 833 individuals.

In carrying out the operation at KPANGARIOKPO on 13 August the SPLA violated the provisions of Chapter II of the ARCSS.

VIOLATIONS IN WESTERN EQUATORIA

1.0 Introduction

- 1.1 Background: There have been frequent clashes since January this year between SPLA and SPLA-IO (RM) in the Greater Yambio area. The overall security situation is tense. CTSAMM Report number 034 included reference to widespread evidence of violations in the RIMENZE area. The impact of violent clashes has mainly fallen upon the civilian population and the cumulative effect of multiple incidents of violence has been the widespread displacement of civilians.
- 1.2 Allegations: It is alleged that in August 2017 the SPLA in the areas of KASIA and RIMENZE conducted attacks on civilians, looted food and caused displacement of families.
- 1.3 Aim: The purpose of this report is to describe the incidents, provide an assessment of the circumstances, and make recommendations.
- 1.4 Methodology: On receiving information about potential violations MVT YAMBIO conducted a patrol to RIMENZE, KASIA and MAKPANDU from 23-25 August 2017. The MVT also monitored the situation in the area through routine monitoring patrols, and through a network of CSO contacts and the MVT's own Community Liaison Officers. During the patrol, conducted jointly with UNMISS, the MVT Observers met a wide range of stakeholders and conducted interviews.

2.0 Findings and Assessment:

- 2.1 The MVT visited the IDP camp at RIMENZE and interviewed families who had been displaced from KPANGARIOKPO. Multiple sources indicated that on 13 August 2017 an SPLA –IG detachment from MAKPANDU conducted an operation in the village. The SPLA accused the civilians of being criminals and

supporting the SPLA-IO. Three men were arrested during the operation and mistreated before being released. The observers noted that one of the men still displayed bruising to his face and arms said to have been inflicted during his detention. Reports were also received that children were threatened and intimidated in order for them to admit that they had seen their fathers carrying weapons.

- 2.2 The operations in KPANGARIOKPO resulted in the displacement of 162 families totaling 833 individuals, some of which have been registered in RIMENZE. The fact that displacement occurred was verified by the Mayor of KASIA. He had tried to persuade the locals to return to their villages but was unsuccessful and informed monitors that he had raised the targeting of innocent civilians with local SPLA commanders but to no avail.
- 2.3. On discussing the incident with the SSNPS commander at MAKPANDU police station it was confirmed that a joint police and military operation took place at KPANGARIOKPO on the dates which matched the allegation. He denied that any violations took place and claimed no knowledge of any displacement. He was unable to provide a report on the operation because the officers involved in the operation had not submitted such. The monitors attempted to interview the SPLA commander involved in the operation but were only able to meet a Junior NCO who provided no information of value. The observer noted that the platoon had limited resources and would be challenged to enforce security in the area and along roads.
- 2.4 The MVT received reports that the SPLA repeatedly attacked an education centre in RIMENZE. The attacks took place on 24 June, 2 July and 9 July and involved three men in SPLA uniform. They beat the gatekeeper at the centre and stole money and livestock, allegedly to compensate for not receiving a salary from the Government.

3.0 Conclusion:

- 3.1 It is concluded that a joint SPLA/SSNPS operation did take place on 13 August 2017 at KPANGARIOKPO and that during the operation the civilian population were threatened and intimidated.
- 3.2 It is concluded that significant displacement of civilians took place on or around the 13 August and that the behaviour and threats made by the SPLA were a major factor in the civilian population's flight to RIMENZE IDP.
- 3.3 It is concluded that SPLA soldiers are likely to have been involved in attacks and theft from the education centre at RIMENZE.
- 3.4 In carrying out the operation at KPANGARIOKPO on 13th August the Government violated the following provisions of Chapter II of the ARCSS: Article 1.7.5 "Acts of hostility, intimidation, violence or attacks against the civilian population...."

4.0 Observations and Recommendations:

- 4.1 Operations conducted whether by SPLA or opposition forces in Western Equatoria amount to a ceasefire violation. No doubt both parties will claim to have acted in response to provocations. Unfortunately the people who suffer from the brunt of these violations are those most vulnerable. Both parties have a moral duty to halt activity which will result in such widespread collateral damage.
- 4.2 There is credible evidence that SPLA soldiers have been preying on civilians in YAMBIO area and that lack of pay may be a contributing factor. This will be investigated further by MVT YAMBIO.

**Sudan People's Liberation Movement
Sudan People's Liberation Army
SPLA GHQ'S – Bilpam
Juba, South Sudan**

Date: 2nd November 2017

Government CTSAMM representatives

To: Maj. Gen. Molla Hailemariam Chairman
Ceasefire and Transitional Security Arrangements Monitoring Mechanism

Subject: Government Response to the CTSAMM Draft Report #053 – 056 alleged violations of the PCTSA

Honorable members of the CTSAMM

The Government response to the CTSAMM Draft Report 053-056 alleged violations of PCTSA are as follows;

1. Report 053 KASIA and RINEZE areas

The SPLA regrets the incident, which occurred in KASIA, RIMENZE, MAKPANDU and KAPANGARIOKPO villages, which resulted into the displacement of 162 families totaling 833 individuals. The SPLA command has taken corrective measure to improving friendly coexistence between the civil population and the military unit deployed in the area. The SPLA force deployed in the area is only one platoon and the area is so big that a platoon cannot be enough to cover it. There is also presence of many rebel groups operating in the area such as LRA and the rebel groups of the Central African Republic and that is the reason for which the area has experienced a lot of criminal activities.

Right now the security situation has improved as the coordination between the civil authority and the local military command are now managing the security issues jointly.

The SPLA forces in the area have been ordered to abide by the agreement on cessation of Hostilities and protection of civilians as well as giving free access to the humanitarian deliveries. Currently, there is a better co-ordination and regular security meetings between the Security forces and civil authorities are being held.

2. Report 054 Flight safety

- a. Flight Safety: With regards to the security clearance the flight safety assurance is always granted when requested by the CTSAMM especially in the areas under the SPLA control, but in the areas controlled by the rebels we always grant permission to go at their own risk.
- b. The SPLA is in full control of Pagak and is abided by COHA. However, the SPLA can only fight on self-defense. There are reasons which compelled the government to go to Pagak and are mainly three; 1) Protection of vital national installation of oil fields that are constantly coming under attacks planned from Pagak; 2) Protection of foreign workers operating in the area from Pagak terrorist group who in one incident took two foreign workers as hostages and asked a ransom for their release and; 3) The government wanted to install a responsible civil administration in Maiwut State to provide services and development in the area.

3. Report 055 Fighting in WAAT, JONGLEI STATE

In Waat area the IO (RM) rebels attacked the positions of our forces and the SPLA has only acted in self-defense.

4. Report # 056 FIGHTING IN ABOROC

The SPLA is not in control of Aboroc. The fighting, which occurred in Aboroc is an internal rivalry of power between the rebel Commander GEN. OLONY and his Late Deputy GEN. YUANIS UKIEC. However, the fragmentation of "IO" leadership brought about a difficulty of control of their forces on the ground and also some of rebel groups do not abide by the ARCISS and COHA.

Regards,

Maj. Gen. Simon Ananias ----- CTSAMM Government Representative

Maj. Gen. Marshal Stephen Babanen ----- CTSAMM member

Maj. Gen Samson Mabior Lual ----- CTSAMM member

CC: JMCC

CC: File