



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

FROM: The Chairman, CTSAMM

DATE: 23 March 2018

SUBJECT: CTSAMM REPORT 2018/01 – VIOLATIONS OF THE ACOH IN THE MOROBO AREA

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 took place in the MOROBO area of southern Central Equatoria State on and around 3 January 2018.



Major General Ibrahim Abduljellil
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 2018/01
CLASHES IN THE MOROBO AREA

Executive Summary

On 3 January 2018 CTSAMM received information from the SPLA claiming there had been an attack against their position at MOROBO in what is known as Yei River State. CTSAMM deployed the Yei MVT to MOROBO by helicopter that afternoon in order to undertake an initial investigation. CTSAMM later received counter-claims from the SPLA-IO (RM) alleging SPLA military movement from YEI to KAYA, and that their forces had been attacked by SPLA forces from MOROBO and KAYA.

CTSAMM confirms that clashes did take place in the areas of MOROBO and KAYA towns on 3 January. It has also been confirmed that there was an SPLA military convoy that left YEI on 2 January and travelled to KAYA, about which CTSAMM had not been given advance notification as required under the ACOH. SPLA-IO (RM) forces responded to this by moving troops towards the YEI-KAYA road from their military camp in Morobo County, such movement being in clear breach of the ACOH.

CTSAMM has been unable to confirm which of the Parties "fired the first shot" as no independent witnesses have been identified and both sides gave conflicting accounts of what happened.

CTSAMM concludes that the clashes took place because both Parties involved blatantly failed to abide by the fundamental provisions of the ACOH, and as such both Parties are deemed to have acted in violation of the ACOH.

Urgent action should be taken at the political level to hold the Parties to account for their failure to comply with the ACOH, and at the local level to reduce tension and therefore the chances of further conflict in what is known as Yei River State

CLASHES IN THE MOROBO AREA

1.0 Introduction

1.1 Background:

- MOROBO is a town and county in what is known as Yei River State. Although it has over the past few months been relatively peaceful there were reports of fighting in the area in the middle of last year and many civilians left to take refuge in Uganda or the Democratic Republic of Congo (DRC). Apart from a very few original inhabitants, the population of MOROBO town is almost exclusively made up of SPLA soldiers and their families.
- The town and immediate area are under the control of the SPLA, although much of the surrounding area is controlled by SPLA-IO (RM) forces.
- During a patrol to Yei in December 2017 the MVT was told by officials that it planned to 'clear' the roads towards the Ugandan border. Sources later told the MVT of SPLA movements towards KAYA in early January.
- On 3 January 2018 CTSAMM HQ was contacted by the SPLA who claimed that their positions in MOROBO, BAZI and POKI had been attacked in the early hours of that morning. CTSAMM deployed an MVT to MOROBO that day and an initial investigation took place, which concluded that there had been fighting most probably with the SPLA-IO (RM) but until it was possible to speak with SPLA-IO (RM) commanders and try to gather other evidence it would not be possible to submit a final report.
- On 18 Jan 2017 CTSAMM received TGONU Report 18/01/2018 which listed the fighting on 3 Jan 2018 as an allegation against SPLA-IO (RM).

- On 20 January, after extensive coordination, the YEI MVT visited the SPLA-IO (RM) camp in PANYUME and met military officers and civilian authorities who claimed the fighting on 3 January was initiated by the SPLA-IG.

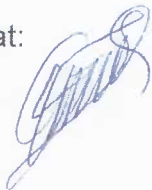
1.2 Aim: The purpose of this report is to summarise the findings of the CTSAMM investigation into the incident, apportion responsibility where possible and make recommendations.

1.3 Methodology:

- The Yei MVT deployed by helicopter from JUBA to MOROBO as soon as possible on 3 January, arriving at about 15.55 Hrs. On the way they stopped in YEI and collected the SPLA commander of what is known as Yei River State, Brigadier Daniel Deng Dau. At MOROBO the MVT interviewed the local SPLA commander and County Commissioner. They were shown the dead bodies of three alleged attackers killed in the fighting. The MVT also spoke with other witnesses including a traditional leader and a teacher. Despite numerous attempts, The MVT was unable to contact the SPLA-IO (RM) commander at the time.
- The MVT obtained information from a variety of sources in YEI and elsewhere about SPLA movements on 2 and 3 January 2018.
- On 12 January the MVT carried out a follow-on patrol to MOROBO.
- On 16 January the MVT deployed to KAYA and interviewed SPLA and NSS officials there.
- On 20 January, after several weeks of coordination, the MVT visited the SPLA-IO (RM) - held area in the vicinity of MOROBO at PANUME (about 27 Km from MOROBO) and met with Major General John Mibeyi, commanding Division 2b, Sector 8 of the SPLA-IO (RM) and spoke to a wide range of officers and civilians.

2.0 Findings

- 2.1 None of the senior commanders or civil authorities with either of the Parties involved had copies of the ACOH.
- 2.2 Corroborated information from a number of sources confirm an SPLA convoy travelled from YEI to KAYA leaving on 2 January and passing through MOROBO. It was allegedly ambushed near KAYA on the morning of 3 January.
- 2.3 There was fighting near SPLA positions at MOROBO in the early morning of 3 January 2018. According to the SPLA there was an attack by personnel who were not uniformed, but who all wore identifying yellow ribbons. At least three were killed. It was suggested that a fourth was killed but CTSAMM did not see the body. The MVT was shown rifles and a Motorola radio they were told belonged to the dead soldiers, and observed numerous spent cartridge cases by the bodies. There were no civilian casualties, and no military casualties reported by the SPLA.
- 2.4 The MVT was told by the SPLA Commanding Officer and head of NSS in KAYA they had been attacked at 07.30 Hrs on 3 January by an "unknown armed group" from the north. Two attackers were reportedly killed and an AK47 rifle and Motorola radio recovered from their bodies. The MVT was unable to get any independent witnesses to corroborate this information. The MVT was able to speak with a source in NAS who denied any involvement with the attack.
- 2.5 The SPLA-IG in MOROBO claimed that the attacking forces were from SPLA-IO (RM) units from the LASU area.
- 2.6 The SPLA-IO (RM) gave a very different account of the incidents on 2/3 January 2018. The Military Intelligence officer from Division 2b, Sector 8 told the MVT that:

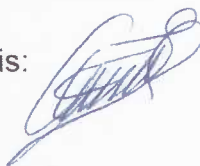


- The SPLA-IO (RM) obtained information of the SPLA-IG convoy moving from YEI to KAYA on 2 January and in response sent soldiers to the road to "find out exactly what is happening". Units at BOROKURONGO and DUDULABE were put on high alert.
- At about 06.00 Hrs on 3 January SPLA forces from MOROBO attacked SPLA-IO (RM) positions at BORUKORONGO and SPLA-IG forces from KAYA attacked SPLA-IO (RM) positions at DUDULABE. The attacks were repulsed and pushed back to MOROBO town and BINDU respectively. BORUKORONGO is located between YONDU and NYORI on Morobo-to-Kajo-Keji road; DUDULABE is 3 miles northeast of POKI, which is itself 3 miles north of KAYA. BINDU is south of POKI, on the way to KAYA.
- The SPLA-IO (RM) claimed they inflicted 5 casualties on the SPLA during these actions, and that two SPLA-IO (RM) soldiers were killed at BORUKORONGO and one at DUDULABE. The SPLA-IO (RM) said they removed all their dead and wounded from the battlefield.
- The SPLA-IO (RM) categorically denied they attacked MOROBO, KAYA or indeed BAZI.
- The SPLA-IO (RM) stated that the Government/SPLA controls only MOROBO town and the road that runs through it. "One kilometre away from the road," they said, "is territory in the IO's control."

3.0 **Assessment and conclusion:**

3.1 In this case both Parties remain adamant they were victims of attacks by the other. Their reports are conflicting, and in the absence of any independent witnesses it is not possible to attribute responsibility for starting the fighting.

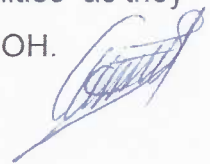
3.2 What CTSAMM can confirm is this:



- An SPLA-IG convoy left YEI for KAYA on 2 January. The SPLA-IG did not inform CTSAMM of this movement as it is required to do under the ACOH. The composition of the convoy has not been verified, but CTSAMM has information to suggest it consisted of a number of Land Cruisers and several lorries carrying military personnel and likely not a logistical or administrative movement.
- There was a clash at MOROBO at about 07.30 on 3 January. At least 3 (probably 4) alleged attackers were killed. CTSAMM saw the bodies. The SPLA-IG claimed they were from the SPLA-IO (RM).
- There was a clash at or near KAYA at about 07.30 on 3 January. The SPLA-IG claimed 2 alleged attackers were killed, although CTSAMM did not verify this. The SPLA-IG described their alleged attackers as being from an "unknown armed group".
- The SPLA-IO (RM) moved forces to the YEI-KAYA road on 2 January when they heard about the SPLA convoy, and SPLA-IO (RM) forces in the area were put on high alert. They did not give CTSAMM advance notification of these troop movements, which in any case were not in any way for administrative or logistic purposes and therefore in violation of the ACOH.

3.3 Conclusion: Force on force fighting did take place in the areas of MOROBO and KAYA on 3 January. In this case CTSAMM is not able to conclude which of the two Parties involved "fired the first shot". However, CTSAMM can conclude that:

- Both Parties involved have blatantly failed to "notify its commanders and affiliates of this Agreement and the obligations to cease all hostilities" as they are committed to do under, Article One, Paragraph 4 of the ACOH.



- 4.3 CTSAMM is doing what it can in what is known as Yei River State to promulgate and explain the ACOH, but the Parties must take responsibility not only ensuring it is distributed, but also for promoting it as they committed to do when they signed the ACOH.
- 4.4 The Parties are obligated under the ACOH to not only freeze their forces in place, but also to disengage where they are in close proximity. This has not happened in what is known as Yei River State; this is clearly evidenced by the SPLA-IO (RM) claim to hold ground within one kilometer of SPLA positions. CTSAMM will soon be undertaking the process of verifying information provided by the Parties about their military dispositions, and this should provide the opportunity to identify trouble spots and take the appropriate action.
- 4.5 CTSAMM calls on the IGAD Council of Ministers and JMEC to raise the issues outlined in this report with the Parties at the political level in order that the appropriate action is taken.
- 4.6 CTSAMM calls on the Parties to explore options for local dialogue in order to develop practical solutions to reduce tensions and the risk of further conflict.

