

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

FROM: The Chairman, CTSAMM

DATE: 9 May 2018

SUBJECT: **CTSAMM REPORT 2018/19 – ATTACK AT NHIALDIU, UNITY
STATE, ON 16 APRIL 2018**

Your Excellencies,

Please find attached a report on violations of the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (21 December 2017), specifically incidents that took place at NHIALDIU, Unity State on 16 April 2018.

Major General Ibrahim Abduljellil
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT 2018/19


ATTACK AT NHIALDIU

EXECUTIVE SUMMARY

Tensions have been increasing in Unity State over the past few months. In late March 2018 CTSAMM was made aware of several unsubstantiated allegations concerning SPLA-IO (RM) activities in the NHIALDIU area.

On 16 April 2018 the CTSAMM MVT based in BENTIU received a letter from 4 Division SPLA alleging that the SPLA position at NHIALDIU had been attacked by SPLA-IO (RM) forces. The SPLA-IO (RM) issued a press statement later that day accusing the SPLA forces from NHIALDIU of attacking their positions, but that they had then pursued them "leading to the capture and destruction of NHIALDIU". The MVT was able to deploy to NHIALDIU on the same day (16 April 2018) before visiting again ten days later.

CTSAMM concluded that SPLA-IO (RM) forces had indeed attacked NHIALDIU on the morning of 16 April 2018 in violation of the ACOH.



ATTACK AT NHIALDIU

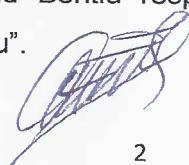
1.0 Introduction

1.1 Background:

- NHIALDIU is a town about 45 Km to the south west of BENTIU. It has been under control of the government throughout the current conflict, although much of the surrounding area is under the control of the SPLA-IO (RM). NHIALDIU has in the past been the site of fighting between the SPLA and SPLA-IO (RM).
- In late March and early April 2018 CTSAMM identified increasing tensions in the area. Reports received from local sources and also from the SPLA suggested SPLA-IO (RM) forces were preparing to attack NHIALDIU. There followed a series of unsubstantiated allegations that on 25 and 26 April 2018 SPLA-IO (RM) forces attacked a police post close to NHIALDIU and indeed entered NHIALDIU itself. The SPLA alleged that on 12 April one of their patrols was ambushed by the SPLA-IO (RM) near to NHIALDIU.

1.2 Allegations:

- Allegation from the SPLA: A letter dated 16 April 2018 from 4 Division SPLA in Bentiu to CTSAMM alleged that on 16 April 2018 at 04:10 am the SPLA-IO (RM) attacked the SPLA position in Nhialdiu, and that: "the IG forces repulsed the attackers including Bri.Gen [REDACTED] the attackers retreated toward Chor and Toch loka. During the attack, 1 soldier KIA (Killed in Action) and 3 wounded from the IG side".
- Allegation from the SPLA-IO (RM): In a Press Statement released on 16 April 2018 the SPLA-IO (RM) claimed that: "On 16 April 2018 at about 7:00am, the IG forces under the command of Gen. Deng Wol came out of their trenches and attacked IO defensive positions in and around Nhialdiu and Chotchara. The SPLA IO forces repulsed the attackers and pursued them to Nhialdiu and Bentiu respectively leading to the capture and destruction of Nhialdiu".

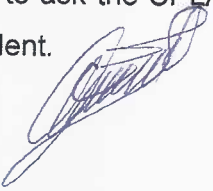


1.3 Aim: The aim of this report is to describe the findings of a CTSAMM investigation into incidents which took place at NHIALDIU on 16 April 2018, and to attribute responsibility for violations of the ACOH where appropriate.

1.4 Methodology:

- The MVT based in Bentiu deployed to NHIALDIU on 16 April 2018 and again on 26 April 2018. During these visits the MVT was able to talk with SPLA commanders and civil leaders in NHIALDIU. They were also able to engage with the local civilian population.
- During a visit to the SLA-IO (RM) leadership in THONYOR on 20 April 2018 the MVT was able to ask SPLA-IO (RM) leadership about the incident.
- The MVT observed bodies of the alleged attackers when they visited NHIALDIU on 16 April 2018.

2.0 Findings

- 2.1 There was an attack against the SPLA position at NHIALDIU in the early hours of 16 April 2018. The attack reportedly lasted for about 30 minutes. The SPLA commander in NHIALDIU claimed that the attack was by "a battalion" of SPLA-IO (RM) and hit NHIALDIU on 3 sides.
- 2.2 Seven of the attackers were killed. The CTSAMM MVT saw the bodies that the SPLA claimed were those killed in the attack.
- 2.3 The SPLA reported that one of their soldiers was killed and three injured; the MVT was shown a fresh grave they were told was that of the dead soldier, and they saw the wounded.
- 2.4 Contact with the SPLA- IO (RM): The MVT had difficulty contacting the SPLA-IO (RM) to get their version of events. However, whilst in THONYOR on 20 April the MVT was able to ask the SPLA-IO (RM) leadership who declined to comment about the incident.
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3.0 Assessment

- 3.1 There was an attack against NHIALDIU on the early morning of 16 April 2018, and this attack was carried out by the SPLA-IO (RM), who claimed in a press release they had attacked and taken NHIALDIU following earlier aggression by the SPLA.
- 3.2 CTSAMM could find no evidence that the SPLA had initiated the engagement by attacking SPLA-IO (RM) positions first. The position of the bodies seen by the MVT indicated an attack against the SPLA position; there was no sign of any prior manoeuvre by the SPLA.
- 3.3 Even had there been provocation by the SPLA, this would not have justified an attack by the SPLA-IO (RM) against an established SPLA position.

4.0 Conclusion

By attacking NHIALDIU on 16 April 2018 the SPLA-IO (RM) were in violation of the ACOH, Particularly:

- Article One, Paragraph 2: "...forces shall immediately freeze in place.."
- Article Three, Paragraph 2: "All hostile military actions....."

5.0 Observations and Recommendations

- 5.1 There has been a deterioration in the security situation in Unity State as a whole over the past few months. Tensions have increased, and rumours of attacks and troop movements are rife.
- 5.2 Although this incident was a violation by the SPLA-IO (RM), none of the Parties present and operating in Unity State appear to be taking any positive measures to implement the basic provisions of the ACOH.
- 5.3 CTSAMM calls on the IGAD Council of Ministers and JMEC to take action at the political level to stop the SPLA-IO (RM) and indeed all Parties operating in Unity State from taking any further aggressive action.

Annex:

A: Photographs taken during the investigation in NHIALDIU



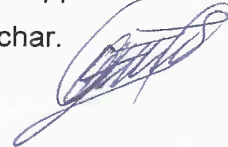
Abbreviations:

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.



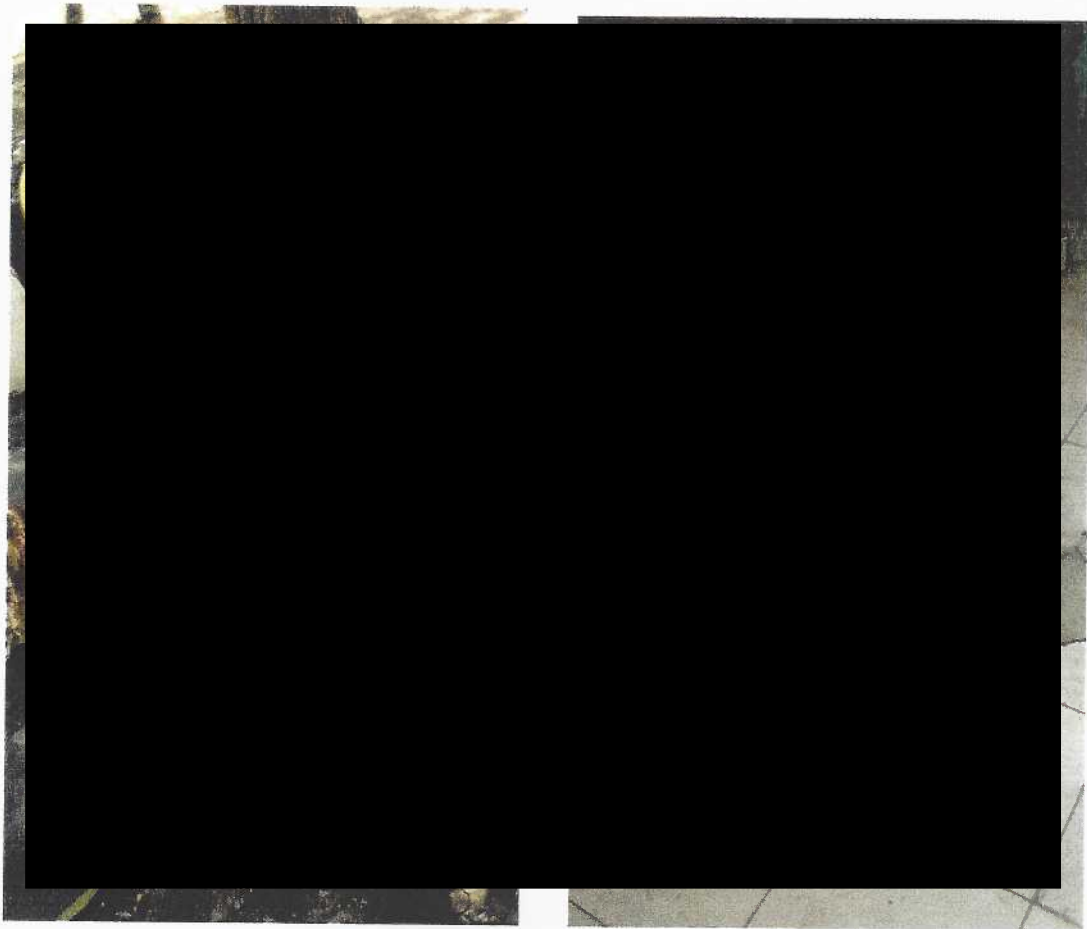
ANNEX A TO
CTSAMM REPORT 2018/19
Dated 7 May 2018

PHOTOGRAPHS FROM NHIALDIU 16 APRIL 2018



Bodies of SPLA-IO (RM) soldiers killed during the engagement at NHIALDIU on 16 April 2018

A handwritten signature in blue ink, located below the caption box.



SPLA soldiers wounded in the fighting at NHIALDIU on 16 April 2018

A handwritten signature in blue ink, located to the right of the caption box. The signature is stylized and appears to be a name, possibly "John Doe" or similar, written in a cursive or semi-cursive script.