

CTSAMM Headquarters

CEASEFIRE AND TRANSITIONAL SECURITY ARRANGEMENTS MONITORING MECHANISM



TO: The Chairman, JMEC
FROM: The Chairman, CTSAMM
DATE: 7 February 2017

SUBJECT: CTSAMM Report 024 - Violations of the PCTSA in Unity State

Excellency,

Please find attached a CTSAMM report on a violation 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 of August 2015) that took place in Rubkwai Barracks, Unity State on 26 June 2016.

This was discussed at a CTSAMM meeting on 25 January 2017.

Major General Molla Hailemariam
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 024
VIOLATIONS IN UNITY STATE

Executive Summary

It was alleged by the Government that IO forces attacked Rubkwai Barracks and headquarters of the County Commissioner in Mayendit County, Unity State on 26 June 2016, resulting in three Government Forces soldiers killed and two others wounded. However, the SPLM/A-IO alleged that some Government Forces soldiers defected and were followed and it was this that led to the clash which resulted one SPLM/A-IO soldier killed and nine seriously wounded.

Following a thorough investigation it is the opinion of CTSAMM that in this instance it was the SPLA-IO who violated the PCTSA by attacking the Government Forces position.

VIOLATION IN UPPER NILE STATE

1.0 Introduction

1.1 Background:

- The general security situation in central Unity State was relatively calm during April and May, apart from some cattle raiding and attacks on the Bentiu-Leer road
- Rubkwai Barracks are under the control of Government Forces. It is where the HQ of the Government Commissioner is located.
- It is worth noting that in general both Government Forces and the SPLM/A-IO have managed to stay within their own territory.

1.2 Allegation: The Deputy Governor in Leer alleged that on 26 June 2016, the SPLM/A-IO attacked Rubkwai Barracks killing three soldiers and wounding two others.

1.3 Aim: The aim of this report is to outline the details of the incident and investigations for JMEC, with assessments and recommendations.

1.4 Methodology:

- The MVT shared information about the fighting with UNMISS for the coordination of the investigation and visited Rubkwai where they investigated the incident and met with the Government Commissioner, his staff and other officials.
- The MVT also visited and interviewed the UNIDO NGO located 500 metres from Rubkwai Barracks.
- MVT then visited Thonyor to meet the SPLM/A-IO Commissioner.

2.0 Findings of the Investigation

2.1 On 30 June 2016, the MVT visited Rubkwai area where the alleged fighting took place, and interviewed the Government Commissioner of Mayendit County James Gatkoang and his staff.

- Scattered bullet casings marked the area of the fighting, and the MVT were shown the graves of the Government Forces personnel killed (one policeman and two soldiers).
- The Commissioner alleged that the Youths under the command of the SPLM/A-IO Commissioner attacked the Barracks between 16:00 and 19:30 hrs on 26 June 2016, with the intention to occupy Rubkwai and controlling the main supply road from Bentiu to Leer. He denied that the fighting was anything to do with the defection of Government Forces soldiers.

2.2 The MVT also had an interview with the director of UNIDO NGO, whose compound was 500 meters from the Barracks. He confirmed the time and place of the fighting, and also said that items such as solar panels, computers and food were looted but by people without uniform who he could not identify.

2.3 On the same day, the MVT managed to visit the SPLM/A-IO HQ in Thaker Payam to interview the SPLM/A-IO Commissioner and the area Commander. They claimed that the fighting started when two Government Forces soldiers defected to the SPLM/A-IO. The MVT asked to see these soldiers but was told they had been deployed elsewhere. The SPLM/A-IO claimed that the next day an SPLM/A-IO checkpoint was approached by Government Forces in pickups and an APC but these forces were pushed back 2 Km into Rubkwai Barracks.

The Commander admitted he had been in the Barracks but only to pull his troops back.

3.0 Assessment

3.1 It is the assessment of CTSAMM that the attack on Rubkwai Barracks by the SPLM/A-IO did take place on 26 June 2016.

3.2 The actual reason for the attack cannot be confirmed by the investigation, as both Government and SPLM/A-IO have different versions of what happened.

3.3 However, the fact remains that the SPLM/A-IO did fight in the barracks area, an area which is firmly under the control of Government Forces which means they advanced to and fought in it. There is no evidence to suggest that this was a deliberate attempt to take the barracks, but it was an aggressive action and therefore in violation of the PCTSA.

4.0 Conclusion

4.1 It is the opinion of CTSAMM that the incident happened in Rubkwai Barracks on 26 June 2016 was a violation by the SPLM/A-IO of article 1.7 of the PCTSA, specifically:

- Article 1.1 of the COHA: “The Parties hereby agree to cease all military actions aimed at each other....”

5.0 Recommendations

5.1 Much has happened in the Leer area since this incident, which serves as yet another example of what happens when troops from both sides are too close to

each other, and also too ready to react to provocations.

- 5.2 CTSAMM recommends that when the situation allows troops from all Parties are kept apart. If the cantonment plan is eventually implemented this should have the desired effect, but in the short term CTSAMM, JMCC and other agencies should try to facilitate local arrangements in order to stop these incidents from happening.