

CTSAMVM CONFIDENTIAL
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TO: Maj. Gen. Rabi Mujung Emmanuel (ITGoNU)
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Maj. Gen. David Nyang Kueth (SSOA)
Maj. Gen. Bior Leek Kuareng (Former Detainees)

FROM: The Chairperson, CTSAMVM

DATE: 17 March 2021

SUBJECT: CTSAMVM REPORT 2021/03 – DENIAL OF ACCESS TO CTSAMVM

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on two denial of access incidents which took place on 10 and 11 March 2021, one in Warrap State and the other in Eastern Equatoria state.

Please accept the assurances of my highest consideration.




Major General Tehsome Gemechu Aderie

Chairperson

**Ceasefire and Transitional Security Arrangements Monitoring and Verification
Mechanism**

CTSAMVM REPORT 2021/03

DENIAL OF ACCESS TO CTSAMVM IN WARRAP AND EASTERN EQUATORIA STATES ON 10 and 11 MARCH 2021

Incidents

1. Warrap State:

- a. On 10 March 2021 CTSAMVM Sector 3 based in Wau made arrangements to visit 11 Division SSPDF in Warrap on 11 March 2021. The aim of the visit was to establish the facts about this division, which according to information given to CTSAMVM had only recently been formed. This task had been given to CTSAMVM Sector III following discussions at a CTSAMVM Joint Monitoring and Coordination Office (JMCO) meeting on 4 March 2021.
- b. CTSAMVM Sector III personnel did all the usual coordination, however when they contacted the commander of 11 Division, Major General Zacharia Akoli, on 10 March, he refused to meet them stating that he would only do so if authorised by the SSPDF Chief of Defence Forces (CDF). This authorisation was not forthcoming despite the efforts of the CTSAMVM SSPDF Senior National Liaison Officer (SNLO), and CTSAMVM was therefore denied access to 11 Division SSPDF and prevented from discharging its monitoring and verification functions.
- c. CTSAMVM visited Kuajok on 11 March 2021 in order to discuss the matter with the Governor of Warrap State, but he was away from his office at the time.

2. Eastern Equatoria State:

- a. The CTSAMVM MVT based in Torit undertook a Long Duration Patrol (LDP) to Magwi and Obama Kit from 8 – 12 March 2021. The aim of the patrol was to investigate allegations of recruitment and training in these areas. The patrol had been planned in February 2021 and out of courtesy the Commander of 7 Division SSPDF had been informed. On 8 March 2021 the MVT met with the commander of 2 Brigade SSPDF based in Magwi, Brigadier Kulang, who was

fully cooperative and suggested the MVT visit River Kimarou which was one of the areas in Magwi where it had been alleged SSPDF recruitment and training had been taking place.

- b. On 11 March 2021 the MVT was in Magwi town waiting to leave for River Kimarou when Captain Edward Mzee from 2 Brigade SSPDF said that the team needed to see “the chief” before travelling to River Kimarou. He escorted the MVT to a compound on the edge of the town, and at about 10.30 Hrs Colonel Thomas Odour, the Chief Intelligence Officer at 7 Div SSPDF arrived. He was very aggressive and shouted at the MVT, asking them what they were doing. When they tried to explain, Colonel Odour interrupted them and told them to go back to Torit and “follow procedures like UNMISS and JVMM do”. The CTSAMVM SSPDF National Monitor tried to explain the situation to Colonel Odour but to no avail.

Assessment

3. CTSAMVM Sector III followed all the usual procedures before calling Major General Zacharia Akoli. CTSAMVM does not need authorisation from CDF to visit a divisional headquarters, and indeed CTSAMVM teams visit divisional headquarters throughout the country as a matter of routine on a regular basis. There is no reason that 11 Division SSPDF should be any different.
4. The commander of 11 Division SSPDF, Major General Zacharia Akoli, must have either been ignorant of the provisions of the ACOH and R-ARCSS, or he deliberately denied access to CTSAMVM.
5. Colonel Odour, the Chief of Military Intelligence at 7 Division SSPDF who denied CTSAMVM access to River Kimarou had been a National Monitor with CTSAMVM. He must, therefore, be fully conversant with all the articles of the ACOH and R-ARCSS that guarantee CTSAMVM freedom of movement and access, and it can therefore be concluded that this was a deliberate denial of access.

6. CTSAMVM does not know why the SSPDF thought it necessary to deny access on these two occasions, but in both instances routine CTSAMVM operations were prevented from taking place.

Conclusion

7. By deliberately denying CTSAMVM access to 11 Division SSPDF on 10 March 2021 and to River Kimarou on 11 March 2021, the SSPDF acted in clear violation of:

- a. Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access 21st December 2017, specifically:

- Article 11. 7: The Parties shall fully cooperate with CTSAMM in the discharge of its functions under this Agreement and **shall unconditionally allow and grant unhindered access to CTSAMM to verify and monitor** in all areas under its control.
- Article 11.10: “The Parties shall **unconditionally allow CTSAMM to monitor and verify** the adherence of their forces and affiliates with the provisions of this Agreement.”

- b. Revitalised Agreement on the Resolution of the Conflict in The Republic of South Sudan (R-ARCSS) of 12 September 2018, specifically:

- Article 2.1.10.6. which prohibits the Parties from imposing movement and access restrictions on the CTSAMVM.

Observations and Recommendations

8. The Agreement on Cessation of Hostilities and R-ARCSS have been in force for a long time. There is no reason for the SSPDF to be in any doubt as to what freedom of movement and unhindered access mean. These two instances were

blatant violations of the Agreements and constituted direct interference in legitimate CTSAMVM activities.

9. CTSAMVM will again make arrangements to visit both locations in order to complete the planned tasks.
10. CTSAMVM recommends that IGAD and R-JMEC address this issue at the political level.