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**TO:** Maj. Gen. Rabi Mujung Emmanuel (SSPDF)  
Maj. Gen. Martin Gama Abucha (SPLM/A-IO)  
Maj. Gen. David Nyang Kueth (SSOA)  
Maj. Gen. Bior Leek Kuareng (Former Detainees)

**FROM:** The Deputy Chairperson, CTSAMVM

**DATE:** 03 July 2020

**SUBJECT: CTSAMVM REPORT 2020/05 –VIOLATIONS AGAINST  
CIVILIANS IN CENTRAL EQUATORIA STATE**

Dear Senior Party Representatives to CTSAMVM Technical Committee,

Please find attached a report on violations of the R-ARCSS which took place in the Mukaya area, Central Equatoria State, in April 2020.

Please accept the assurances of my highest consideration.

**Maj. Gen. Dafaala Hamid Mohamed**  
**Deputy Chairperson, CTSAMVM**



**Ceasefire and Transitional Security Arrangements Monitoring and  
Verification Mechanism  
CTSAMM REPORT 2020/04  
VIOLATIONS AGAINST CIVILIANS IN CENTRAL EQUATORIA STATE  
APRIL 2020**

**EXECUTIVE SUMMARY**

This report concerns alleged harassment and intimidation, looting, physical abuse, and forced displacement perpetrated upon civilian non-combatants in the Mukaya payam community by SSPDF soldiers commencing on 18 April 2020.

In April 2020 there were reports of extensive displacement of civilians from settlements near MUKAYA in CENTRAL EQUATORIA. Large numbers of civilians moved from MUKAYA area to an IDP camp at JEZIRA near to YEI.

CTSAMVM undertook an investigation from 27 April until 11 May into the circumstances of the displacement. During the investigation 8 civilian witnesses, 1 government official and 1 SSPDF officer were interviewed.

The displacement took place after a brigade-size SSPDF unit that had been deployed to the Lainya County area in January 2019 reinforced its platoon in Mukaya payam in mid-April 2020 with a second APC-heavy (Armored Personnel Carrier) platoon. This reinforcement was ordered in response to a perceived threat of NAS (TC) activity in the area.

The investigation confirmed that the SSPDF forcibly displaced civilian non-combatants from their homes in MUKAYA payam in mid- to late- April 2020. The investigation determined the displacement was accompanied by threats, intimidation, physical beatings, interrogation by torture, and looting perpetrated by SSPDF soldiers upon civilian non-combatants.

In forcibly displacing civilians and subjecting them to torture, beating and looting, SSPDF reinforcements based in Mukaya failed to discharge their obligation to protect civilians and violated provisions of the R-ARCSS prohibiting intimidation, hostility, and violence against the civilian population.





## VIOLATIONS AGAINST CIVILIANS IN MUKAYA AREA CENTRAL EQUATORIA STATE

### 1. Background

- 1.1. Mukaya payam is approximately 22 km northeast of Yei and 35 km west of Lainya. It is an area that has been caught up in the rivalry between the SSPDF, SPLM/A-IO, and NAS (TC). NAS (TC) took control of the area in January 2018 following an internal split within the SPLM/A-IO and remained in control until January 2019.
- 1.2. In January 2019, the SSPDF moved into the area, took control of the whole of Mukaya payam, and established a barracks in Mukaya town. There were clashes between SSPDF and NAS (TC); these events are described in the outcomes of CTSAMVM Technical Committee (CTC) meeting No. 9 of 22-23 February 2019.
- 1.3. From about March 2019 the security situation around Mukaya improved and many of those displaced returned to their homes, although NAS (TC) continued to be active. These activities included an attack by NAS (TC) against the SSPDF barracks on 5 September 2019 and abduction of civilians in Mukaya on 27 September 2019. Both incidents were declared a violation of the ACOH (Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access of 21 December 2017) in the outcomes of CTC meeting No. 17 on 3 and 4 December 2019.
- 1.4. According to information given to CTSAMVM by an SSPDF Counter-Intelligence officer, the SSPDF ground forces in Mukaya were commanded by the Brigade Commander (Brig Gen Lazarus Angongo) based at Limbe boma, with a platoon based in Mukaya payam. Brig Gen Lazarus Angongo received intelligence that suggested an imminent attack by NAS (TC) on Mukaya and in response he deployed extra troops – a platoon with APCs – to Mukaya at the beginning of the third week in April 2020, before any alleged violations took place.

### 2. Allegations

On 22 April 2020 the CTSAMVM Monitoring and Verification Team (MVT) based in Yei received information from a number of sources that a large group of Mukaya payam residents had arrived at the Jezera IDP camp in Yei after being forcibly displaced from their homes in Mukaya payam by SSPDF soldiers.





3. **Aim.** The aim of this report is to:

- a) describe the violations that SSPDF soldiers perpetrated upon civilian residents of Mukaya payam in April 2020, including forcibly displacing them from their homes;
- b) attribute responsibility for non-compliance with the provisions of the ACOH and R-ARCSS where deemed appropriate to do so; and
- c) make recommendations for corrective action if and where deemed necessary and/or prudent to do so.

4. **Methodology.** MVT Yei conducted this investigation by interviewing: victims of the alleged misconduct, the Secretary General of the former Yei River State, and the Director of SSPDF Military Counter-Intelligence. All interviews were conducted in the Yei area.

4.1. Investigation Team. MVT Yei conducted the investigation of the allegations with the following members:

- a) Team Leader
- b) International Observer
- c) National Monitor (SSOA)
- d) National Monitor (SPLM/A-IO)
- e) National Monitor (SSPDF)

4.2. Participation of Other Agencies. The MVT worked closely with officials from the UNMISS Human Rights Division (HRD) and the UNMISS Civil Affairs Division (CAD) during the conduct of this investigative effort and visited with and collected information from other UNMISS departments and diverse UN humanitarian agencies.

4.3. Locations Visited

- a) Jezera IDP Camp
- b) Office of the Secretary General of the former Yei River State
- c) SSPDF Military Intelligence Officer (Unit TBC) located in YEI town

4.4. Witnesses and Officials Interviewed. All civilian witnesses other than Government officials or former Government officials were interviewed within the Jezera IDP Camp.

- a) 52-year-old male with leadership position in Lorega boma
- b) 60-year-old male with leadership position in Lorega boma
- c) Woman from Lorega boma





- d) 75-year-old elder male from Dimu 1 boma
- e) 32-year-old male
- f) 31-year-old male
- g) 35-year-old male from Lorega boma
- h) 50-year-old Elder from Lorega boma
- i) Secretary General of Former Yei River State, Mr. Felix Amule
- j) SSPDF Director of Military Counter-Intelligence, Lt Col Kawaja

**4.5. Interviews with Civilian Witnesses.** MVT Yei visited the Jezera IDP camp near Yei town on 24 and 28 April 2020 and interviewed eight witnesses from the Lorega and Dimo 1 bomas, all of whom provided information concerning abuses perpetrated upon civilian residents of the area by SSPDF soldiers and most of whom were themselves victimized by those soldiers. The eight witnesses included elders and community leaders and one woman. Several of the witnesses were subjected to beatings, interrogation by torture (at least two witnesses), and verbal abuse at the hands of SSPDF soldiers. All of the witnesses were subjected to the order issued by SSPDF soldiers to abandon their homes in Mukaya payam and to move to an area near the SSPDF military enclave in Mukaya.

**4.6. Interview with Civil Authorities:** On 27 May 2020 CTSAMVM met with the former Secretary General (SG) of the now defunct Yei River State, Mr. Felix Amule. The SG indicated that civilian residents of Mukaya payam started coming to the Jezera IDP Camp on 21 April 2020, following an order issued by SSPDF that required them to leave their homes within 3 days. By 15 May 2020 1,398 households consisting of 7,226 persons had been registered in the Jezera IDP Camp. The SG related that SSPDF soldiers looted the vacated properties of the forcibly-displaced civilians. The SG expressed displeasure with this movement of a large number of civilians without prior consultation with members of the defunct State Administration and without consideration of danger from the COVID-19 pandemic resulting from congestion at the IDP Camp caused by such a large and sudden influx of displaced persons. Finally, the SG noted it would be difficult to request the civilians to return to their homes because of their fear of reprisal from the SSPDF.

**4.7. Interviews with SSPDF Officials**

**4.7.1.** MVT Yei attempted to meet with SSPDF Commander Brigadier General Lazarus Angongo, but these repeated efforts were not accommodated. At one point – on around 27 April – the MVT was told that BG Lazarus was in Juba. Arrangements were made for CTSAMVM officials to interview the Brigadier in Juba, but information from the CTSAMVM-HQ Senior Liaison Officer for the SSPDF revealed that as of

  
  
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18 May Brigadier Lazarus still had not arrived there. CTSAMVM was never provided an opportunity to meet with him.

4.7.2. On 11 May, MVT Yei met with the SSPDF's Director of Military Counter-Intelligence, Lieutenant Colonel Kawaja. Lt Col Kawaja related that on about 17 April a source informed one of the SSPDF platoon commanders of an impending attack by NAS (TC) forces. Acting upon this information, the SSPDF Brigade Commander reinforced the platoon in that area with another platoon that contained armoured personnel carriers. Lt Col Kawaja informed that after that date – 17 April – the SSPDF platoon commander told civilians to move from their homes and to come live near the Mukaya barracks where the SSPDF soldiers could offer them protection. Lt Col Kawaja refuted the notion that SSPDF soldiers looted or beat civilians. Similarly, when told by the MVT that it had been informed that some SSPDF soldiers tortured some civilian residents, Lt Col Kawaja denied the accusation.

4.8. MVT Yei Report. The evidence in this report is extracted from a report submitted by MVT YEI following its investigation into the above allegations. The investigation report was signed by International Observers and National Monitors and discussed with Senior National Liaison Officers.

4.9. Standard of Proof. The standard of proof used by the CTSAMVM to determine whether there is sufficient evidence to verify that a Party-Signatory is not in compliance with the provisions of the Agreements is "reasonable grounds to believe that the incident that is the subject of the investigation occurred." This is in accordance with accepted practice for monitoring mechanisms and humanitarian entities and signifies that sufficient facts and evidence have been collected to conclude that an event has occurred.

## 5. Summary of Statements of Persons Interviewed

5.1. The civilian witnesses interviewed by MVT Yei stated that on 18 and 19 April 2020 SSPDF soldiers deployed to the area of Lorega and Dimo 1 and started questioning local people about the "rebels," which is a term commonly used by SSPDF to describe forces aligned to NAS (TC). According to one witness the soldiers spoke in "a mixture of Arabic and Dinka languages." The soldiers wanted to be shown where the "rebels" were, but the local residents said they did not know. Civilian residents informed the SSPDF that the "rebels" did sometimes come to their villages and demand food, and the civilians accommodated those demands because the NAS soldiers were "angry and had guns."





- 5.2. Community leaders were called to a meeting by the SSPDF commander in Mukaya on 18 April. According to civilian witnesses who attended the meeting, they were told by the commander that "the reason for the meeting was that civilians don't want to tell them where the rebels are and that is why the soldiers are not happy." He said that the people were at peace, but Mukaya was not at peace but "under insurgents." The civilian witnesses stated that the civilians were ordered to move from their homes to an area near the SSPDF barracks in Mukaya. Furthermore, according to one witness, an elder, the SSPDF commander gave community leaders 2 days to move the people out of their homes, or their homes would be set on fire.
- 5.3. Village elders and community leaders decided to move to Yei, although one witness said some people went to areas reportedly controlled by NAS (TC) at "the Keddi river."
- 5.4. Civilian witnesses claimed that SSPDF soldiers looted their property (no cases of rape or killing were reported). Reports of looting by SSPDF soldiers were corroborated by the Secretary General of the now defunct Yei River State, who blamed ill-disciplined soldiers for the looting.
- 5.5. An elder from Lorega boma stated that he was with his two brothers working in a field when a group of SSPDF soldiers he estimated to be 30 strong came upon them and asked for directions to the Keddi River. The elder stated to the soldiers that he did not know the direction. At that point the elder and his brothers were forcibly taken to a village called Girim. Along the way the soldiers and the elder saw a male youth run into the bush as the soldiers approached. The soldiers fired shots in the direction of the youth. Immediately after they came upon two men working on a farm. The soldiers asked the men to identify the youth who had fled. The men stated that they did not know and were then apprehended by the soldiers and beaten in the presence of the village elder. The elder, his two brothers and the two men from Girim who had been beaten were taken to Mukaya barracks. At the barracks, the elder and his brothers were detained and interrogated as to the whereabouts of the "rebels." Being unable to provide the information required by the soldiers, the elder and his two brothers were released. On return to their home, one of the elder's brothers found that his mobile phone had been taken which was believed to have been carried out by soldiers. The two men from Girim remained in the barracks after the elder and his brothers were released.
- 5.6. The two men from Girim who were apprehended and beaten near their field for being unable to identify the youth who fled from the soldiers were taken to Mukaya barracks. The interrogation of the men continued in Mukaya where soldiers put a knife blade into a fire and then placed the hot blade on the skin



of the detainees whilst asking questions. CTSAMVM were shown their wounds which were consistent with such treatment. They were released in the evening and told to bring a goat to the barracks. They did not have a goat but returned to Mukaya and gave some chickens instead. When they returned to their houses, they found they had been looted.

- 5.7. The Secretary General of the former Yei River State (Mr. Felix Amule) was interviewed by MVT Yei on 27 May and informed that there was no functioning civil authority in Mukaya payam following the removal of the previous County Commissioner on political grounds. This resulted in a vacuum which was filled by the SSPDF. Brig Gen Lazarus Angongo became responsible for the security of civilians in the area. The Secretary General said that SSPDF soldiers asked the civilians to leave their homes within 3 days and to move to Mukaya barracks. Instead they moved to the Jezera IDP Camp in Yei. He stated that by 15 May 2020 a total of 1,398 households (7,226 people) had been registered at the Jezera IDP Camp.
- 5.8. When asked about looting, the Secretary General said that "when the soldiers were given instructions to ensure civilians left their homes and moved to safer area, they misbehaved, and some looted their properties". He emphasised that the SSPDF troops acted without consulting the civil authorities, and that the large influx of people into Jezera constituted a COVID-19 health threat and logistic challenges. The Secretary General said they wanted the people to go back to their homes but said they are scared to do so for fear of reprisals.
- 5.9. Lt Col Kawaja, the SSPDF Director of Counter-Intelligence in Yei, told CTSAMVM that before 17 April 2020 the SSPDF Platoon Commander stationed in Mukaya received information from a civilian in Lorega that there was to be an imminent attack by NAS (TC). The Platoon Commander relayed this information to Brig Gen Lazarus Angongo, who despatched a platoon of reinforcements with armoured personnel carriers to Mukaya.
- 5.10. According to Lt Col Kawaja, NAS (TC) forces in the area withdrew in the direction of the Keddi River when they heard of the arrival of SSPDF reinforcements. He said that the Platoon Commander told civilians in the area to move to the area of the Mukaya barracks in order that he could offer them protection, but instead they moved to Yei (Jezera IDP camp).
- 5.11. Lt Col Kawaja denied that there had been any looting or that any civilians had been beaten or tortured. He said that an SSPDF soldier had been killed in Mukaya payam by NAS (TC) on 24 April 2020.





## 6. Findings of Fact

- 6.1. After being warned of an attack being planned by NAS (TC) forces, the SSPDF Brigadier General commanding an SSPDF brigade based in Limbe reinforced the SSPDF platoon in Mukaya payam with a platoon equipped with armoured personnel carriers.
- 6.2. SSPDF soldiers moved from their Mukaya Barracks to the bomas of Kinda, Dimu 1, and Lorega on 17, 19 and 20 April 2020.
- 6.3. Civilian non-combatant residents of the Kinda, Dimu 1, and Lorega bomas of Mukaya payam alleged that they were looted, beaten, harassed and intimidated, and forcibly displaced from their homes by SSPDF soldiers. At least two of these residents were subjected to interrogation by torture by SSPDF soldiers.
- 6.4. By 15 May 2020, 1,398 households comprised of 7,226 persons had been registered at the Jezera IDP Camp.
- 6.5. The former Secretary General of the defunct Yei River State confirmed the misconduct of SSPDF soldiers and condemned the harassment, looting, beating, and other violence perpetrated by them upon civilian residents of Mukaya payam.
- 6.6. The violence perpetrated by SSPDF soldiers upon civilian residents of Mukaya payam was accompanied by the former's accusations that these civilians had been providing support to soldiers of the NAS (TC) Opposition faction, as well as by civilian residents' failure to provide information to SSPDF soldiers about the whereabouts of NAS (TC) units and/or soldiers and equipment.

## 7. Assessment

- 7.1. There are reasonable grounds to believe that civilian dwellings were looted by SSPDF personnel around 17-19 April 2020.
- 7.2. There are reasonable grounds to believe that some civilians were illegally detained and interrogated by SSPDF around 17-19 April 2020.
- 7.3. There are reasonable grounds to believe that at least two civilians were beaten by SSPDF soldiers in Mukaya and subsequently detained and burnt





with hot knives whilst accused of being "rebels." The infliction of pain to extract information amounts to torture.

- 7.4. There has been extensive displacement of civilians from Mukaya payam since 17 April 2020. According to witness statements some have also fled to areas controlled by NAS (TC). The civilians were given 3 days to vacate their homes and were threatened that the dwellings would be destroyed by fire if they did not comply. The population were subject to intimidatory behaviour by SSPDF soldiers, including looting and beating, and were fearful of reprisals for not leaving and being seen to be supporters of "rebels".
- 7.5. There has been NAS (TC) activity in the area, specifically an attack on SSPDF forces on 5 September 2019 and abduction of civilians on 27 September 2019. No displacement of civilians was recorded at the time. In response to a perceived threat identified by the unit in Mukaya before 17 April 2020, reinforcements were sent by SSPDF. The SSPDF ordered civilian residents to move from their homes in Mukaya payam to an area near the SSPDF's Mukaya Barracks, for the stated purpose of the civilians' own protection. The displaced civilians opted to move to the Jezera IDP camp or to locations closer to areas occupied by the NAS (TC) instead.
- 7.6. It is significant that the civilians chose to relocate to the IDP camp at Jezera and not to Mukaya Barracks as offered by SSPDF. One of the reasons given for moving to Jezera was the availability of food at the IDP camp. It is also clear that the relations between the civilian population in Mukaya area and the SSPDF soldiers at Mukaya were poor with the civilians fearing retribution for their perceived alignment with NAS (TC). The displacement of civilians from Mukaya area is assessed as a deliberate harassment of the population in retribution for their perceived support to NAS (TC)-aligned "rebels" and not for the purpose of providing security to the civilian residents by the SSPDF.
- 7.7. The displacement was undertaken without any consultation with the civil authorities and took no account of the serious COVID-19 situation in South Sudan.
- 8. Conclusion**

- 8.1. The SSPDF unit in Mukaya violated provisions of the Agreements when it forcibly displaced non-combatant civilian residents of Mukaya payam by ordering them to vacate their homes and to move to an area near the SSPDF's Mukaya Barracks and then looted those involuntarily abandoned civilian homes.

**The violated provisions were:**

ACOH, Articles 2.4; 3.1; 5.1; 5.2(a); 5.2(c); 6(a); 6(i);





*R-ARCSS, Articles 2.1.10.5; 2.1.10.7.1; 2.1.10.7.4; 2.1.10.8.*

8.2. The SSPDF soldiers of this unit violated provisions of the Agreements when they physically beat non-combatant civilian residents of Mukaya payam, unlawfully detained them, and submitted them to interrogation by torture.

**The violated provisions were:**

*ACOH, Articles 2.4; 3.1; 5.1; 5.2(a); 6(a); 6(c); 6(i)*

*R-ARCSS, Articles 2.1.10.5; 2.1.10.7.1; 2.1.10.7.4;*

8.3. The extreme misconduct perpetrated by these SSPDF soldiers and officers upon non-combatant civilian residents of Mukaya payam reveals that the SSPDF has failed to abide by its obligation to train the commanders, other officers, and soldiers of this unit about the requirements and standards of conduct mandated by the provisions of the Agreements.

**Reference:**

*ACOH, Article 2.1*

*R-ARCSS, Article 2.1.3*

8.4. The SSPDF is failing to hold its officers and soldiers accountable for breaches of the Agreements, as required by the provisions of those Agreements. **Reference:**

*ACOH, Articles 3.5 and 13*

*R-ARCSS, Article 2.1.10.7.3*

## **9. Observations and Recommendations**

9.1. The situation in southern Central Equatoria State is complex. There are security challenges caused by the presence and actions of NAS (TC). Such complexities, however, do not justify taking of reprisals against civilians in violation of both international and South Sudanese law, for activities real or perceived.

9.2. Security threats, real or perceived, do not provide an excuse for the SSPDF to mistreat people. The looting of property and beating/torture of civilians indicates a failure by SSPDF to educate personnel of their obligations under the R-ARCSS to protect civilians. These actions also go against International and National law as well as SSPDF regulations.

9.3. It is recommended that the SSPDF review the behaviour of its troops stationed in Mukaya payam and takes exemplary disciplinary action against those responsible for looting and for committing acts of violence.





9.4. It is recommended that the SSPDF take appropriate steps to initiate and fully execute a Program of Instruction for its commanders, officers, and soldiers in the requirements and obligations of the provisions of the ACOH and R-ARCSS agreements.

9.5. The IGAD Council of Ministers endorsed the signing of the Rome Resolution of 13 February 2020 and the "Rome Declaration Process" on 23 February 2020. CTSAMVM issued a written plan that provides a recommended series of steps to operationalize the incorporation of the South Sudan Opposition Movements Alliance (SSOMA) factions into the Monitoring and Verification Process of the ACOH of 21 December 2017. Implementation of the resolutions and the operationalisation of "The Rome Process" has not yet occurred. CTSAMVM calls upon the IGAD Council of Ministers to help this process move forward in order that the security situation in Yei area can be stabilised and the civilian population is left in peace.

**End of Report**

