

**CTSAMVM CONFIDENTIAL**  
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**TO:** Lt. Gen. Rabi Mujung Emmanuel (ITGoNU)  
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**FROM:** The Chairperson, CTSAMVM

**DATE:** 22 November 2021

**SUBJECT: CTSAMVM REPORT 2021/14 – ARREST AND DETENTION IN  
EASTERN EQUATORIA**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on violations of the R-ARCSS which took place in Eastern Equatoria State in September 2021.

Please accept the assurances of my highest consideration.



Major General Teshome Gemechu Aderie

Chairperson

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

## CTSAMVM REPORT 2021/14

### EXECUTIVE SUMMARY

On 10 September 2021 the body of a man – reportedly killed by an elephant - was found at Robijo, which is about 5 Km from Loa in Eastern Equatoria State. The Boma Chief at Loa was informed, and he went to visit the site together with another civilian and Col Julius Ojja Erneo Ali SPLM/A-IO (known as Col Ojja) who was with the Boma Chief at the time. Col Ojja was based at Ashwa Cantonment Site.

When Col Ojja, the Boma Chief and the other civilian arrived at the scene they found a Joint Patrol Team (JPT) at the site. JPTs are composed of SSPDF, NSS and SSNPS and have the task of protecting civilians using the highway. There was also a CID officer from Nimule in attendance, who had been called to the scene by the JPT. The JPT personnel suggested that Col Ojja and his companions should report the incident to the Wildlife Office in Nimule, and to that end, they offered them a lift to their base at Gelle. However, on arrival at Gelle Col Ojja and the two civilians were arrested. The two civilians later reported they were accused of being “rebels”, beaten and detained; they also said Col Ojja attempted to escape but was shot and wounded. The two civilians were released on 11 September 2021, but Col Ojja remained in custody and has not been seen nor heard from since.

The commander of the JPT, Lt Col Atem Mading, SSPDF, has denied any knowledge of the incident and the whereabouts of Col Ojja. However, CTSAMVM has evidence that Col Ojja and his two civilian companions were taken by the JPT to Gelle on 10 September 2021, and that Col Ojja was not released with the two civilians on 11 September 2021.

By beating Col Ojja and the two civilians and then failing to release Col Ojja, the JPT under the command of Lt Col Atem Mading acted in violation of the R-ARCSS



## ARREST AND DETENTION EASTERN EQUATORIA

### Introduction

1. Background: On 10 September 2021 CTSAMVM received a report from the Ashwa Cantonment Site Commander, Brig Gen George Okeny, that an SPLM/A-IO officer, a Boma chief and a civilian were arrested by a Joint Team of NSS and SSNPS at the scene of a fatal accident at Robijo, Eastern Equatoria.
2. Allegations: It is alleged that:
  - a. On 10 September Col Julius Ojja Erneo Ali SPLM/A-IO (known as Col Ojja), Chief Taban James Vuga and Mr. Acika Joseph were taken by the Joint NSS/SSNPS Patrol Team from Robijo to a security force base at Gelle.
  - b. At Gelle Base the three personnel arrested were beaten and questioned. The two civilians alleged that they were detained overnight and they alone were released on 11 September.
  - c. Chief Taban James Vuga and Mr Acika Joseph alleged Col Ojja attempted to escape, and in so doing he was shot and wounded. They also stated he was not released with them on 11 September 2021.
3. Aim: The aim of this report is to verify compliance with the requirements of the ACOH and R-ARCSS by detailing the findings of CTSAMVM investigations into the allegations, attributing responsibility for breaches of the agreements where applicable, and make recommendations with to compliance actions that will help foster peace and reconciliation.

4. Methodology:

a. CTSAMVM visited:

- i. Loa and Gelle on 15 and 16 September 2021.
- ii. Nimule Police Station on 16 September 2021.
- iii. Aswa Bridge on 16 September 2021
- iv. Ashwa Cantonment Site on 27 September.
- v. Giyada Military Hospital in Juba on 10 November 2021.

b. Interviews were conducted with the following:

- Lt Col Atem Mading, SSPDF Military Intelligence, Commander Joint Patrol Team (JPT)
- Major David Kasmiro, Inspector SSNPS Nimule
- 2 Lt Bul Malith, SSNPS CID (Criminal Investigation Department) Nimule
- Rose Alia, Ashwa Boma Chief
- James Taban Vuga, Loa Boma Chief
- Acika Joseph
- Youth Leader from Pageri, Kunda Kacho
- Brig Gen George Okeny, SPLM/A-IO, Commander Ashwa Cantonment Site.
- Medical Staff, Giyada Hospital, Juba

c. The standard of proof used by CTSAMVM to determine whether there is sufficient evidence to verify that a Party 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.

d. National Monitors were involved throughout the investigation.



## Findings

5. On 10 September 2021, Col Ojja was in the house of the Loa Boma Chief, Taban James Vuga. He was dressed in civilian clothes and was carrying a pistol. While at the house, information was given to the Boma Chief that a corpse had been found at Robijo, which is 5 kms from Loa. Both Col Ojja and the Boma Chief went to Robijo, accompanied by a civilian called Acikia Joseph, to visit the scene of the incident. At the scene of the incident was an SSPNS Criminal Investigation Department (CID) officer and members of a Joint Patrol Team. A body had been found and was that of a relative of the Loa Boma Chief. The original report received by the Boma Chief suggested that the victim had been killed by an elephant, but this is not confirmed; however, the body was badly damaged and had started to decay.
6. The Juba-Nimule road is patrolled by a security unit which is known as the Joint Patrol Team (JPT). This is composed of SSPDF, NSS and SSNPS and is commanded by Lt Col Atem Mading, SSPDF Military Intelligence. The JPT was operating in the area of Robijo at the time of the incident, and called the CID officer – 2Lt Bul Malith - to the scene when they were alerted to the presence of a body by the smell. Arrangements were made to have the deceased buried at Loa.
7. The JPT advised the three men from Loa (Col Ojja, Chief James Taban Vuga and Acikia Joseph) to report the case to the Nimule Wildlife Office, and offered them a lift to Gelle so that they could arrange onward movement to Nimule. Upon reaching Gelle, the JPT base, the 3 men were taken into the camp where they were detained against their will and beaten by members of the JPT. The two civilians stated that they were beaten about the waist and back of their body. The civilians, Taban James Vuga and Joseph Acikia indicated that they were questioned and accused of being “rebels” by the JPT. They stated that Col Ojja was accused of being an “enemy” because he carried a pistol. When the MVT interviewed them on 15 September, the MVT saw the wounds that resulted from the beatings which occurred on 10 September.

8. According to Taban James Vuga and Acika Joseph on 10 September Col Ojja attempted to escape from detention and was shot in the hand and wounded. Following the escape attempt the civilians never saw Col Ojja again. On 11 September at about 1300 hours the civilians were released. They did not see Col Ojja, and were provided with no information about whether or not he had been released.
9. The Ashwa Cantonment Site Commander, Brig Gen George Okeny SPLM/A-IO, stated that on 10 September he received information from civilians who were at the scene of the dead body that Col Ojja, Taban James Vuga and Acika Joseph were seen boarding vehicles of the JPT. Brig Gen George Okeny contacted Lt Col Atim Mading by telephone to confirm the whereabouts of the men. He was informed that the three men were with Lt Col Atim Mading "in the same vehicle", and that they would be released later, and that Brig Gen George Okeny would be updated. However, Brig Gen George Okeny never received any updates or information about the location of the three men from Lt Col Atim Mading. On 11 September 2021 Brig Gen George Okeny again called Lt Col Atim Mading to confirm the status of the three men. Lt Col Atim Mading indicated that the three men were not in his custody and that he did not know them, but he would check and call back. He did not call back. Shortly afterwards information reached Ashwa cantonment site that the two civilians had been released, but not Col Ojja.
10. On 15 September CTSAMVM visited the JPT camp at Gelle to interview the JPT commander. The CTSAMVM team was informed that the commander was not in the camp; consequently, the team arranged to revisit the camp on 16 September.
11. On 16 September at Gelle, the commander of the JPT, Lt Col Atim Mading SSPDF was interviewed by CTSAMVM. Lt Col Atim Mading explained that his role was to protect civilians using the Juba-Nimule road. He stated that if any military or civilians misbehave that they are handed over to SSNPS at Nimule. When asked about the detention and mistreatment of the three men at Gelle, he stated that he



had not heard about it and that he did not attend the scene of the incident where a body was found.

12. When interviewed on 16 September 2021, the Inspector of Police in Nimule said that the JPT does not take those they arrest to Nimule Police Station. He said that when the army arrests people "they know what to do with them". He confirmed that nobody had been placed in custody in the Police Station on 10 September or subsequently.
13. When interviewed on 27 September 2021 the Commander of Ashwa Cantonment Site informed CTSAMVM that Col Ojja had been moved to Juba on 16 September. He stated that he had been seen at a clinic in Juba and that he is being held in a detention facility there. This information was unconfirmed. It was later suggested by the Commander that he had been sent to Giyada Military Hospital in Juba for treatment. On 10 November 2021 CTSAMVM visited the Hospital and reviewed the admissions book. There was no record of indicating that Col Ojja had ever been admitted nor treated.
14. 10 September 2021 was the last time/occasion that Col Ojja was seen. To date, his whereabouts and condition remain unknown. On 09 November 2021 the Commander of Ashwa Cantonment Site told CTSAMVM that Col Ojja was being held by the NSS in Juba, but this is unconfirmed.
15. Brig Gen George Okeny, the commander of Ashwa Cantonment Site said that relations between the SPLM/A-IO and the SSPDF along the Juba-Nimule road had soured in recent months. He referred to two other incidents involving SPLM/A-IO officers (both of which are being investigated by CTSAMVM). When interviewed on 16 September 2021 the Aswa Bridge Boma Chief and Pageri Youth Leader both complained of the harassment of civilians by Government Security Forces. These allegations are also being investigated by CTSAMVM.



## Assessment

16. CTSAMVM has confirmed that on 10 September 2021, the JPT based at Gelle was under the command of Lt Col Atim Mading SSPDF.
17. On 10 September Col Julius Ojja Erneo Ali SPLM/A-IO, Chief Taban James Vuga, and Mr Acika Joseph were taken to the JPT base at Gelle, where they were beaten. According to Chief Taban James Vuga and Mr Acika Joseph, Col Ojja was shot and wounded whilst trying to escape. He was not released with his two civilian companions on 11 September 2021, and there is no information about his whereabouts.
18. The SSNPS in Nimule had no knowledge of the arrest.
19. Lt Col Atim Mading's statement that he was unaware of the arrest and detention of the three men is not credible. His team called the CID to the site of the dead body, and the CID officer and other witnesses saw them getting into the JPT vehicle. Neither of the arrested civilians identified Lt Col Atim Mading when they described their beating and detention at Gelle, however Lt Col Atim Mading clearly told the commander of Ashwa Cantonment Site that Col Ojja and the two civilians were in his custody when called on 10 September 2021.
20. By arresting, detaining and mistreating Col Julius Ojja Erneo Ali SPLM/A-IO and the two civilians, Lt Col Atim Mading SSPDF and the other members of the JPT acted in clear violation of the R-ARCSS.
21. There a number of other allegations being investigated by CTSAMVM involving the detention and mistreatment of SPLM/A-IO officers and soldiers in Eastern and Central Equatoria.





## Conclusions

22. CTSAMVM concludes that:

- a. By arresting, detaining and mistreating Col Julius Ojja Erneo Ali SPLM/A-IO the SSPDF has acted in violation of Article 2.1.9 of the R-ARCSS of 12 September 2018 and has engaged in acts prohibited by Article Six of the Agreement on Cessation of Hostilities of 21 December 2017 (ACOH) as incorporated into Article 2.1.10 of the R-ARCSS.
- b. By arresting, detaining and mistreating Chief Taban James Vuga and Mr Acika Joseph the SSPDF has failed to fulfil its obligations to protect civilians as required by Articles 5 and 6 of the Agreement on Cessation of Hostilities of 21 December 2017, as incorporated into Article 2.1.10.5 of the R-ARCSS. and Article 2.1.10.7.4 of the R-ARCSS.
- c. The incident indicates that SSPDF failed to exercise command and control by properly training soldiers to refrain from acts of hostility, violence against civilians and failure to adhere to the protection of human rights of civilians at all times to ensure safety and dignity of individuals and communities in violation of Article 2.1.10.7.4.

## Observations and Recommendations

23. It is recommended that:

- a. The Government clarifies the location and status of Col Julius Ojja Erneo Ali.
- b. JDB takes the appropriate action to improve relations between the SPLM/A-IO and SSPDF in the Juba-Nimule road area.
- c. Any arrests and detentions carried out by security forces be conducted in accordance with the Transitional Constitution of South Sudan and the Penal Code Act 2008.

- d. Parties are reminded that any arrest or detention of officers from another Party should be communicated to that Party and the reasons provided.

