

CTSAMVM CONFIDENTIAL
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FROM: The Chairperson, CTSAMVM

DATE: 23 May 2022

**CTSAMVM REPORT 2022/13 – SEXUAL AND GENDER BASED VIOLENCE
AGAINST ONE WOMAN AND ONE FEMALE MINOR BY TWO SSPDF SOLDIERS
IN LAINYA COUNTY, CENTRAL EQUATORIA STATE ON 22 JANUARY 2022**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on violations of the R-ARCSS which took place in Mundu Boma of Kupera Payam Lainya County in Central Equatoria State on 22 January 2022.

Please accept the assurances of my highest consideration.

Lt Gen Asrat Dennero Amad
Chairperson CTSAMVM



CTSAMVM REPORT 2022/13 – SGBV IN CENTRAL EQUATORIA STATE

EXECUTIVE SUMMARY

Lainya County has faced challenges of insecurity as a result of activities of NAS in the area. Consequently, allegations of Sexual and Gender Based Violence (SGBV) involving the Parties to the R-ARCSS and ACoH are common due to the presence of Parties' forces conducting operations against the NAS forces.

CTSAMVM received an allegation that on the evening of 22 January 2022, at around 2000hrs, two soldiers suspected to belong to SSPDF Kupera Barracks entered into the 55 years old woman and started beating up her husband on the head with a gun butt and then they kicked the victim knocking her to the ground. After the beating, the two soldiers dragged the victim into the nearby bush and started raping her. Thereafter, the perpetrators robbed her a sum of SSP 50,000 (South Sudanese Pounds Fifty Thousand) and burnt her house with all her belongings inside, after which one of the suspects moved to the next house where he raped a 14 years minor girl at about 2200 hrs that same night.

CTSAMVM established that the two rape incidents were reported to the Mundu Boma Chief Mr Luka Lasu who in turn informed the Commander of SSPDF Kupera Barracks about the rape cases. The Commander identified the two perpetrators as **Cpl Dominic Ohisa Londu Chiko** and **L/Cpl Angilo Akuie**. CTSAMVM further established that when the perpetrators returned to the SSPDF Kupera Barracks at about 0500 hrs on 23 Jan 22 after the rape incidents, they were arrested and put into custody at SSPDF 3 Bde HQs in Limbe from where they were later transferred to SSPDF 1 Bde HQs in Yei where they are now being detained.


CTSAMVM has reasonable grounds to believe that SSPDF soldiers Cpl Dominic Ohisa Londu and L/Cpl Angilo Akuie raped a 55 years old woman and a 14 years minor girl, which constitutes a clear violation of the R-ARCSS, specifically Articles 2.1.10.2, 2.1.10.5, 2.1.10.7.1, 2.1.10.7.4, 2.1.10.7.5 and ACoH Articles 3.2 (g), Art 6 (b).



SEXUAL AND GENDER BASED VIOLENCE IN KUPERA PAYAM OF LAINYA COUNTY, CENTRAL EQUATORIA STATE

Introduction

1. Background:

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- a. Lainya County has faced challenges of insecurity as a result of activities of NAS in the area. Consequently, allegations of Sexual and Gender Based Violence (SGBV) involving the Parties to the R-ARCSS and ACoH are common due to the presence of Parties' forces conducting operations against the NAS forces.
 - b. On 17 February 2022, CTSAMVM received allegations about two rape cases in Mundu Boma of Kupera Payam in Lainya County by suspected two SSPDF soldiers. CTSAMVM MVT Yei was reportedly informed that a 14 years minor girl and a 55 years old woman were raped separately by two (2) Soldiers suspected to be from SSPDF Kupera Barracks, at their homes at Mundu Boma of Kupera Payam Lainya County on 22 January 2022.

1. Allegations:

- a. It was alleged that on the evening of 22 January 2022, at around 2000hrs, two (2) soldiers suspected to belong to SSPDF Kupera Barracks entered into the 55 years old woman's house and started beating up her husband on the head with a gun butt and then they kicked the victim knocking her to the ground. After the beating, the two (2) soldiers dragged the victim into the nearby bush and started raping her. When she asked them why they were raping someone as old as their mothers, the soldiers responded that she was not their mother and went ahead raping her in turns.
- b. Thereafter, the perpetrators robbed her a sum of SSP 50,000 (South Sudanese Pounds Fifty Thousand) and burnt her house with all her belongings inside, after which one of the suspects moved to the next house where he raped a 14 years minor girl at about 2200 hrs that same night.

- c. CTSAMVM established that the two rape incidents were reported to the Mundu Boma Chief Mr Luka Lasu who in turn informed the Commander of SSPDF Kupera Barracks about the rape cases. The Commander managed to identify the two perpetrators as **Cpl Dominic Ohisa Londu Chiko** and **L/Cpl Angilo Akuie**. CTSAMVM was further informed that when the perpetrators returned to the SSPDF Kupera Barracks at about 0500 hrs on 23 Jan 22 after the rape incident, they were arrested and put into custody at SSPDF 3 Bde HQs in Limbe from where they were later transferred to SSPDF 1 Bde HQs in Yei where they are now being detained.

2. Methodology:

- a. In the process of investigating the allegations, CTSAMVM conducted face to face interviews with persons directly related to, and those relevant to the alleged rape incident. CTSAMVM visited SSPDF 3 Bde HQs in Limbe, SSPDF 1 Bde HQ in Yei town, SSPDF 1 Bn in Kupera Barracks, Kupera Police Post and Kupera Health Facility in Kupera Payam of Lainya County. Engagements were made with SSPDF 3 Bde Acting Commander Col. John Jok, SSPDF Kupera Barracks Commander Maj Yai Aguer; Mundu Boma Chief, Mr. Luka Lasu, SSPDF 1 & 3 Bde Intelligence Officers Major John and Lt Kulang respectively. The team also interviewed Kupera Payam OIC of CID Police Sgt. Kansinyira Mule, In charge of a Health Facility in Kupera and the rape victims.
- b. In the process of investigation, CTSAMVM visited SSPDF 1 Bde HQs in Yei and confirmed that the two SSPDF soldiers; **Cpl Dominic Ohisa Londu Chiko** and **L/Cpl Angilo Akuie** were indeed in Custody of SSPDF 1 Bde HQs in Gimunu Boma of Yei Payam, Yei River County, awaiting to appear before the court-martial. All the National Monitors were present during the meetings, interviews and during all movements made by CTSAMVM in the process of investigations.

- a. 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.

Findings:

3. During engagement with CTSAMVM, the 55 years old victim stated that “.....on the evening of 22 January 2022, at around 2000hrs, two (2) SSPDF soldiers from the nearby SSPDF Barracks in Kupera, dressed in military uniform and armed with guns, entered into her house, and started beating up her husband Mr. WN on the head with a gun butt and then they kicked the victim thereby knocking her to the ground. She went on to state that after the beating, the two (2) soldiers dragged her into the nearby bush with the intension to raping her. When she asked them why they are doing this to someone as old as their Mothers, the soldiers responded to the victim that she was not their Mother and went ahead and raped her in turns. She continued saying that the two (2) perpetrators further demanded money threatening to kill her if she did not give money. Due to her existing medical condition (enlarged Appendix), she had over the time been saving money with the intention of using it for medication. So, at gun point she dashed back to the house and gave the two (2) soldiers her savings amounting to 50,000 SSP. Thereafter, they (offenders) burnt the victim’s house with all her belongings inside.....”

4. CTSAMVM found out that:

- a. The rape of a 14 years old girl and a 55 years old woman indeed occurred according to a Health Facility Examination Report of sexual violence and that both cases were registered at Kupera Payam Police Station vide Occurrence Book/file reference 4/S – 247 SSPC under section 59 of Criminal Code Procedure Act 2008.

- b. The rape of the two victims occurred on 22 Jan 2022 at different times, at their homes in Mundu Boma, which is approximately 7 km East of Kupera Payam, Lainya County of Central Equatoria State.
- c. CTSAMVM was informed that Kupera Police Criminal Form No 8, which was filled out by a Hospital Officer on 23rd Jan 2022, was not returned to Kupera Police Post and hence, the case was not officially opened. However, to formalize the case, CTSAMVM advised the victims' families of the necessity to return the form No 8 to Yei Police Post and completing the process of formally lodging the case against the accused soldiers.
- d. The two (2) soldiers left their duty stations at the Jamara SSPDF unit without official permission on 22 Jan 2022 for Mundu Boma, and forcefully entered into the first victim's house (55 yrs old) and raped her at about 2000hrs. Subsequently, one of the suspects moved to the next family's house and raped a 14 years old girl at about 2200 hrs.
- e. Before raping the victims, the families of the victims were intimidated, harassed and beaten by the two suspects; and that the two (2) suspects are SSPDF soldiers from the Kupera Barracks within Kupera Payam of Lainya County.
- f. The two rape cases were reported to Mundu Boma Chief, Mr Luka Lasu, who in turn reported the case to SSPDF Unit Commander at Kupera Barracks, Major Yai. The Commander traced and identified the two perpetrators as Cpl Dominic Ohisa Londu and L/Cpl Angilo Akuie.
- g. The two victims were attended to at a Health facility on 23 Jan 2022, where they were treated and offered psycho-social support.

- h. The two suspects robbed the first victim (a 55 years old lady) of a sum of SSP 50,000 (South Sudan Pounds, Fifty Thousands) and burnt her house with all her belongings inside.
- i. After the incident, the 14 years old victim was picked up by her step-father and taken across the border to a place called Busia in Uganda, due to fear of another incident of the same type happening to her again.
- j. The two suspects were arrested and taken to SSPDF 3 Bde HQ in custody where they spent four (4) nights before they were transferred to SSPDF 1 Bde HQs in Yei on 27 Jan 22. By the time of this investigation, they were still in custody awaiting to appear before a Court Martial which is reportedly going to be convened in Yei.

Assessment

- 5. There is sufficient circumstantial evidence to show that crime of rape was committed against the two victims on 22 January 2022 by the two (2) suspected SSPDF soldiers, Cpl Dominic Ohisa Londu and L/Cpl Angilo Akuie.
- 6. The two (2) SSPDF soldiers were in clear violation of the R-ARCSS, Articles 2.1.10.2, 2.1.10.5, 2.1.10.7, 2.1.10.7.1, 2.1.10.7.4, 2.1.10.7.5, and ACoH Articles 3.2) (g), Art 6 (b) among others.

Conclusion

- 7. CTSAMVM has reasonable grounds to believe that SSPDF soldiers Cpl Dominic Ohisa Londu and L/Cpl Angilo Akuie raped a 55 years old woman and a 14 years minor girl, which constitutes a clear violation of the R-ARCSS, specifically Articles 2.1.10.2, 2.1.10.5, 2.1.10.7.1, 2.1.10.7.4, 2.1.10.7.5 and ACoH Articles 3.2 (g), Art 6 (b).

Observations and Recommendations

8. Violations of the R-ARCSS are reported for purposes of remedial action and accountability. SSPDF is commended for the immediate action taken by the Commander to arrest the two soldiers who were involved in the incidents of beating, intimidating, stealing money and raping.
9. That the two (2) suspects face the SSPDF General Court Martial due to be convened at the SSPDF 1 Bde Hqs in Yei for their crimes against the civilians within Kupera Payam of Lainya County.
10. The SSPDF should embark on creating awareness to their soldiers about their obligations and prohibited actions against women and girls according to the R-ACSS, specifically Articles 2.1.10.2, 2.1.10.5, 2.1.10.7.1, 2.1.10.7.5 and ACoH Articles 3.2 (g), Art 6 (b).