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**From:** The Chairperson, CTSAMVM

**Date:** 26 July 2022

**SUBJECT: CTSAMVM REPORT 2022/18 – TORTURE AND KILLING OF THREE CIVILIANS IN KIRI BOMA OF KAJO KEJI COUNTY, CENTRAL EQUATORIA STATE BY SSPDF SOLDIERS OF MUNDARI BARRACKS ON 26 MAY 22**

Please find attached a report on violations of the R-ARCSS and the ACoH which took place in Kiri Boma, Kongapo 1 Payam of Kajo Keji County in Central Equatoria State on 26 May 2022.

Please accept the assurances of my highest consideration.

**Lt Gen Asrat Denero Amad**  
**Chairperson CTSAMVM**



**CTSAMVM REPORT 2022/18**  
**EXECUTIVE SUMMARY**

The NAS activities in Central Equatoria State created tension and fear causing most civilians to flee to neighbouring countries and others to IDP Camps. While conducting operations against NAS, the SSPDF blames most civilians in Central Equatoria State especially the returnees to be either NAS forces or NAS supporters. This has created mistrust between the SSPDF forces operating in Central Equatoria State and the civilians.

On 19 May 22, an SSPDF soldier known as Cpl Keat Gatkuoth Keat based at Abaya Barracks left his unit on foot heading to SSPDF 2 Bde Mundari Barracks which is about 27 kms away from his Barracks, but he did not reach his destination and therefore went missing for 7 days. He was later discovered dead and his decomposing dead body was found tied to a tree on 26 May 22, in Itorege village, Kiri Boma.

The community informed the police officer in-charge of Leikor Police post who in turn informed the SSPDF Mundari Barracks Commander, Col Kamilo, who subsequently sent SSPDF soldiers to the scene.

Police and SSPDF soldiers arrested four suspects namely Mr. Justine Leju, Mr. Saviour Yamba, Ms. Jesca Kabang and Mr. Tahah Yiiga an immediate neighbour to the three persons. When SSPDF soldiers from Mundari Barracks arrived at the scene, their commander Maj Deng Makwuach told the soldiers who were interrogating the suspects that, "there was no need to speak to rebels who had killed their fellow soldier, that they were also looking for the Community Chief who according to them was harbouring rebels who are killing soldiers". Maj Deng Makwuach instructed the five soldiers to shoot the three male suspects, which they did, killing them instantly.

The actions of the SSPDF soldiers were unlawful and further severed the already strained relations between the residents of Kajo Keji and the SSPDF in Mundari Barracks. The killing of the civilians contravenes article 6 (a) of ACoH 2017 and articles 2.1.10.7.1 and 2.1.10.7.4 of R-ARCSS 2018, among others.





## **TORTURE AND KILLING OF THREE CIVILIANS IN KIRI BOMA OF KAJO KEJI COUNTY BY SSPDF SOLDIERS**

### **1. Background**

- a. The increased NAS activities in Central Equatoria State has created tension and fear causing most civilians to flee to neighbouring countries and others to IDPS. While conducting operations against NAS, the SSPDF blames most civilians in Central Equatoria State especially the returnees to be either NAS or NAS supporters. This has created mistrust between the SSPDF forces operating in Central Equatoria and the civilians.
- b. On 29 May 2022, the CTSAMVM MVT Yei received information from the Kajo Keji County Commissioner indicating that three civilians namely Saviour Yamba 18 years, Tahah Yiiga 38 years and Justine Leju 16 years had been killed at Kiri Boma, Kongapo1 Payam in Kajo Keji County on 26 May 2022. The killing was triggered by discovery of a dead body of an SSPDF soldier in the bushes in the Boma. He further informed the MVT that during the incident three people namely Ms Jesca Kabang and two males Shadrack Taban and Yogo were arrested by the SSPDF soldiers and taken to the SSPDF Mundari Barracks located in Wudu Boma in Kongapo 2 Payam.

### **2. Allegation**

- a. On 29 May 2022, the Kajo Keji County Commissioner informed CTSAMVM that one SSPDF soldier went missing. After one week he was found dead in Kiri Boma and as the locals gathered to see the body, SSPDF soldiers under the command of Major Deng Makwuach came to the scene and before interacting with the locals on ground he ordered for the shooting of the civilians, which resulted in the death of 03 youths namely; Saviour



Yamba-18 years old, Jackson Isok -16 years old and Taka Yiiga - 38 years old.

- b. The deceased three were all residents of Kiri Boma in Itorege village whereby Saviour Yamba and Jackson Isok are blood brothers.
  - c. That after the burial of the three people the Commissioner went to the village and engaged with the population, he tasked the Commander of the force to arrest the officer who commanded the killing so that he can help in investigations and to reveal the identity of the soldiers who killed the civilians.
3. **Aim:** The aim of this report is to present the findings of CTSAMVM investigations into alleged violations of provisions of R-ARCSS and ACoH, attribute responsibility for breaches where applicable and to make recommendations with regard to compliance and/or non-compliance actions.
4. **Methodology**
- a. To establish the facts about the killings and arrest of civilians, CTSAMVM MVT Yei conducted a Long Duration Patrol to Kajo Keji County between 01-03 June 2022, where the team engaged with different people including the Political leaders, SSPDF Commanders, religious leaders, traditional leaders, women group leaders, youth leaders, Kiri community and the family members of the deceased persons.
  - b. The investigations were undertaken with the full participation of CTSAMVM National Monitors and discussed at the JMCO. The team conducted face to face interviews with persons directly connected to and those relevant to the incident. The team visited Miri Boma Centre, SSPDF Mundari Barracks in Wudu Boma, Leikor Police Post of Kongopo 1 Payam, Kiri Boma Centre, and the scene where the dead body of the soldier had been found and where the 3 civilians were killed, the homesteads of the deceased civilians and their graves.



- c. The team met with the County Commissioner Hon Kanyi Aresto, SSPDF Mundari Barracks Commander Col John Kamilo, NSS County Director Mr. Subek Loki. Also interviewed were the County Women leader Ms. Mary Keji, Officer In-charge of Leikor Police Post 2<sup>nd</sup> Lt Tomba Alipayo, Kiri Boma Church Lay Leader Mr. Christopher Warani, Kiri Boma Chief Mr. Champlain Sokiri Joho, Kongapo1 Payam Chief Mr. Anthony Yuket, Kiri Boma Deputy Youth Leader Mr. Amule Bosco Juma, sister to the two deceased brothers Ms. Kabang Jesca plus other family members at the deceased family's house in Itorege Village, Kiri Boma of Kongapo 1 Payam in Kajokeji County of Central Equatoria State.
- d. 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 human rights and humanitarian entities and signifies that sufficient facts and evidence have been collected to conclude that an event has occurred.

### **Findings**

5. Based on the investigations conducted by the MVT in Yei, CTSAMVM found out that:
  - a. On 19 May 22, an SSPDF soldier known as Cpl Keat Gatkuoth Keat based at Abaya Barracks left his unit on foot heading to SSPDF 2 Bde Mundari Barracks which is about 27 kms away from his Barracks, but he did not reach his destination and therefore went missing for 7 days.
  - b. On 26 May 22, a 16 years old boy Justine Leju from Itorege village in Kiri Boma went to a nearby bush (about 150m) west of his homestead to cut wood for construction of pig's shed where he discovered a decomposing dead body of a man tied to a tree in a sitting position.
  - c. Alarmed, he went back and informed his sister Ms. Kabang Jesca and a neighbor who further informed Kiri Boma youth Advisor Mr. Wuro Chaplain



who in turn informed the Boma Vice youth Leader Mr. Amule Bosco Juma and the Officer in-Charge of Leikor Police Post called 2Lt Tomba Alipayo. The police officer then informed the SSPDF Mundari Barracks Commander Col Kamilo who subsequently instructed a group of 4 SSPDF soldiers from his detachment based in Jalei Barracks which is close to Kiri Boma to go to the scene, where the dead body was found.

- d. On 26 May 2022 at around 1530hrs, 2Lt Tomba Alipayo, the officer in-charge Leikor police post accompanied by two (2) other policemen namely Taban Moses and Peter Lokeri with four (4) soldiers from SSPDF Jalei Barracks led by Lt Abrahaman an SSPDF Military Intelligence Officer of Jalei Barracks set off to Kiri Boma Centre. They were joined by Kiri Boma Youth Advisor and Vice Youth Leader to the scene in Itorege Village of Kiri Boma. On arrival at the scene, the SSPDF soldiers from Jalei Barracks identified the dead body tied on the tree in the bush as Cpl Keat Gatkouth Keat, an SSPDF soldier who went missing from SSPDF Abaya Barracks on 19 May 22. The soldiers also found a blouse and a bra near the dead body.
- e. The Police and SSPDF soldiers arrested four suspects namely Justine Leju (the one who had discovered the dead body), his brother Saviour Yamba (an 18 years old and a P.5 pupil at Kiri Primary School) Ms. Jesca Kabang who is a 23-year-old girl and a P.5 pupil at Kiri Primary School (She is a sister to Leju and Yamba) and Mr. Tahah Yiiga who is a 38 years old man, an immediate neighbor to the three persons. The police and the soldiers tied the suspects' hands at the back and interrogated them on who killed the soldier and who was the owner of the clothes found at the scene. In the process they beat up the suspects and threatened to shoot them if they did not take responsibility for the death of Cpl Keat Gatkouth Keat or disclose the killers. The arrest and torture of the suspects was on the basis that the SSPDF soldiers considered the four as the main suspects for the murder of their colleague.
- f. The Military Intelligence Officer of Jalei Barracks informed Col Kamilo the commander of SSPDF 2 Bde, that the body had badly decomposed to be



carried with bare hands. The commander then, sent a vehicle with other six (6) SSPDF soldiers and a carpet to wrap the body to be taken to SSPDF Mundari Barracks in Wudu Boma which is about 18 kms from the scene.

- g. At about 1600hrs, while the six (6) SSPDF soldiers with a vehicle were on the way to the scene, they met two (2) other civilians by names of Mr. Shadrack Taban & Tilaing Frances at Ariwa about 7 kms North East of Kiri Boma. The soldiers arrested the two (2) civilians, bundled them into the vehicle and drove with them to Kiri Centre.
- h. Upon reaching Kiri Centre, the SSPDF soldiers informed the community that they had come to carry their colleague's body and therefore asked the civilians to lead them to the scene. While still at Kiri Centre, they released Mr. Tilaing Frances after the police men were able to identify him as a known civilian. However, at the same Centre the SSPDF soldiers identified and recognized among the crowd a man called Yogo, an alleged deserter from SPLM/A-IO. They arrested and detained him together with Mr. Shadrack Taban and locked them in one of the empty shops at Kiri Boma Centre guarded by one soldier, after which the SSPDF vehicle proceeded to scene.
- i. When they arrived at the scene, the Commander of the soldiers Major Deng Makuach vowed that if the suspects did not reveal who killed the soldier, his soldiers would shoot them. He further told the soldiers who were interrogating the suspects that, "there was no need to speak to rebels who had killed their fellow soldier, that they were also looking for the Community Chief who according to them was harboring rebels who are akin to killing soldiers".
- j. The suspects maintained that they did not know who killed the soldier and that they did not know the owner of the clothes that were found near the dead body. At this point Major Deng Makuach ordered the soldiers to shoot the suspects. The five soldiers shot the three male suspects killing them instantly sparing the girl.

- k. Leaving the dead bodies of the three civilians on the scene, the soldiers took the body of the dead soldier together with Ms. Jesca Kabang. They drove through Kiri Centre and collected the other two (2) suspects namely Mr. Shadrack Taban and Mr. Yogo and took them along to their Barracks where they buried the dead soldier and detained the three suspects.
- l. The three civilians were buried on 27 May 2022 at around 1600hrs in a ceremony attended by the Commissioner of Kajo Keji County, the SSPDF 2 Bde Commander and NSS County Director among other officials.
- m. Ms. Jesca Kabang and Shadrack Taban were later released on 31 May 22 leaving behind Mr. Yogo who is still in the military custody.

**Actions by the RTGoNU/SSPDF:**

- 6. On 31 May 2022, the SSPDF- Chief of Defence Forces, Gen Santino Deng Wol Chok raised concern to the Governor of Central Equatoria State, Hon Emmanuel Adil Anthony about the persistence of such same incidents in Kajo Keji areas. He proposed to the Hon Governor to form a “fact finding committee” comprised of members from Central Equatoria State, SSPDF-MI, NSS-ISB and South Sudan National Police Service. The findings of the committee into the causes of the incidents would help in making informed decisions.
- 7. The Commissioner of Yei County together with the Commander of the SSPDF 1 Bde based in Yei and other leaders within the County have focused on dialogue between the military and the civilians to restore good relations so that the two can live in harmony.

**Assessment**

- 8. The actions of the SSPDF soldiers were unlawful and further severed the already strained relations between the residents of Kajo Keji and the SSPDF in Mundari Barracks. The actions are detrimental to the efforts of the peace process and erodes the gains already made towards a safer, secure and peaceful County that attracts the return of the refugees and IDPs to their homes.



9. The SSPDF acts of intimidation, the tying and beating of the four (4) suspects namely Justine Leju, Saviour Yamba, Jesca Kabang and Tahah Yiiga amounts to torture, inhuman and degrading treatment to civilians which is contrary to article 6 (c) of ACoH and articles 2.1.9, 2.1.10.5 and 2.1.10.7.4 of the R-ARCSS.
10. Further, Article 7 (1) of ACoH requires the military to protect civilians from any forms of attack from other armed actors. The killing of the suspects namely Justine Leju, Saviour Yamba and Tahah Yiiga contravenes article 6 (a) of ACoH and articles 2.1.10.7.1 and 2.1.10.7.4 of R-ARCSS among others.
11. It is very clear that the three civilians Justine Leju, Saviour Yamba and Tahah Yiiga were killed by the SSPDF soldiers from Mundari Barracks in the presence of their family members and Kiri Community.
12. According to the statements made by Maj Deng Makuach, the killing of the three civilians was in revenge for their dead soldier whom he unjustifiably concluded that he was killed by the deceased civilians, R-ARCSS 2.1.9.
13. The civilians in Kiri Boma of Kongapo<sup>1</sup> in Kajo Keji County are generally living in fear due to the continuous mistreatment by the SSPDF soldiers some of whom walk in villages armed and drunk posing a danger to the residents. This situation has resulted to many of the population to run back to the IDP camps in Uganda which possibly scares away those who were planning to return.

### **Conclusions**

14. It is the conclusion CTSAMVM that Mr. Saviour Yamba, Mr. Justine Leju and Mr. Tahah Yiiga were killed in cold blood by the SSPDF soldiers of Mundari Barracks, after a body of a soldier was found within a distance of about 150 meters from their homesteads. It is apparent that the three civilians were not given an opportunity to be heard and hence the SSPDF soldiers took the law in their hands.

### **Recommendations**

15. Maj Deng Makuach should be held responsible for issuing unlawful orders to shoot and kill the three (3) civilians namely Justine Leju, Saviour Yamba and Tahah Yiiga.
16. The five (5) SSPDF soldiers who shot and killed the three (3) civilians are equally liable for their actions of executing an unlawful order by their Commander.
17. SSPDF High command should ensure that commanders at all levels enforce discipline in the ranks and exercise proper command and control of their soldiers plus the weapons entrusted to them.
18. SSPDF leadership should ensure that the Commanders are properly guided on their roles of command responsibility and the need to adhere and comply to the Peace Agreements particularly the protection of civilians.