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Date: 2 Dec 2022

TO: Lt. Gen. Rabi Mujung Emmanuel (ITGoNU)
Maj. Gen. Martin Gama Abucha (SPLM/A-IO)
Maj. Gen. Jany Kaway Yoakhor (SSOA)
Maj. Gen. Bior Leek Kuareng (Former Detainees)

FROM: The Chairperson, CTSAMVM

**SUBJECT: CTSAMVM REPORT 2022/24 –DENIAL OF ACCESS, INFORMATION
AND HARASSMENT OF CTSAMVM PERSONNEL**

Esteemed Senior Party Representatives,

Please find attached a report on violations of the ACOH and the R-ARCSS, specifically concerning incidents that took place at WUNALIET Cantonment Site in Central Equatoria State on 11 October 2022.

Please accept the assurances of my highest consideration.

Lieutenant General Asrat Denero Amad
Chairperson-CTSAMVM



**Ceasefire and Transitional Security Arrangements Monitoring and Verification
Mechanism (CTSAMVM) REPORT 2022/24**

**DENIAL OF ACCESS, INFORMATION AND HARASSMENT OF CTSAMVM
PERSONNEL**

EXECUTIVE SUMMARY

During a planned patrol on 11 October 2022 to verify the status of Wunaliet Cantonment Site, a CTSAMVM MVT Juba was subjected to harassment, threats and denied access to complete its verification task.

During the incident the CTSAMVM MVT was threatened that future access to the Cantonment Site will not be provided.

The incident was notified to SPLM/A-IO senior leadership and the CTSAMVM Board with an expectation that SPLM/A-IO would provide a guarantee of access.

There has been no response from SPLM/A-IO leadership concerning a guarantee of access.

SPLM/A-IO are found to be in violation of the ACOH and the R-ARCSS.



DENIAL OF ACCESS, INFORMATION AND HARASSMENT OF CTSAMVM PERSONNEL

Introduction

1. Background:

- a. To fulfil its mandate, CTSAMVM is required to monitor the implementation of the R-ARCSS and where required to visit multiple locations in South Sudan to make assessment and observations. This includes visits to the formations and units of all Parties to the Agreement, including Cantonment Sites and Training Centres.
 - b. The Peace Agreements (ACOH of 21 December 2017 and R-ARCSS of 12 September 2018) provide that CTSAMVM and its MVTs have unhindered and unconditional access to any area within the control of any Party to enable CTSAMVM to conduct its monitoring and investigatory activities.
2. Aim: The aim of this report is to describe incidents which took place on 11 October 2022 at Wunaliet and to attribute responsibility for violations of the ACOH and R-ARCSS where appropriate.
3. Methodology: This report draws upon an incident report submitted by MVT Juba. The report was signed by the team who were present and harassed during the incident. The team included National Monitors and International Observers.

Incident

1. On 11 October 2022, a CTSAMVM Monitoring and Verification Team (MVT) embarked on a patrol to Wunaliet Cantonment Site (CS). The site had last been visited by CTSAMVM on 09 February 2021. Wunaliet CS is assigned to the SPLM/A-IO and is commanded by Lt Gen Benjamin Goro.



2. Upon arrival at Wunaliet CS the MVT was made to wait for a very long time before meeting the Commander. While waiting the team were twice subjected to humiliating body searches. The teams' notebooks were opened and read through during the searches.
3. The team were taken to a large hall and seated where they introduced themselves, they were directed to state their nationalities. The team comprised of International Observers from Sudan, China and Kenya and National Monitors from South Sudan.
4. Lt Gen Benjamin Goro addressed the MVT and stated the following:
 - a. That he is not willing to share any information with the enemies, considered to be CTSAMVM and the Republic of Sudan.
 - b. That CTSAMVM and Sudan facilitated the detention of 'their Vice President' to the enemy in Juba.
 - c. That there is nothing like a peace process in South Sudan, everything is going in the direction of the enemy and not as envisaged.
 - d. That the enemy took their soldiers for Training and Unification but after graduation, the VIP protection force soldiers have been posted to Abyei outside the SPLM/A-IO, SPLM/A-IO has not benefitted from the unification exercise.
 - e. That this was the last time he would allow CTSAMVM to step into the Cantonment Site. That CTSAMVM should never in future dare to come to Wunaliet Cantonment Site.



5. CTSAMVM was unable to conduct a verification exercise or activities in Wunaliet Cantonment Site because of the intimidation and hostility demonstrated and the unwillingness of the Cantonment Site Commander to cooperate.
6. On 21 October 2022, the Chairperson CTSAMVM wrote to Lt Gen Gabriel Duop, Deputy Chief of Defence Forces requesting his intervention to ensure that CTSAMVM will be able to visit Wunaliet CS. SPLM/A-IO leadership were informed of the denial of access, information and harassment at the CTSAMVM Board on 8 November 2022. The Board condemned the denial of access at Wunaliet and expressed concern that a senior officer remains ignorant of CTSAMVM Freedom of Movement and Access guarantees. The board urged all parties to remind their officers that the denial of movement and access is a clear violation of the R-ARCSS.
7. At a meeting of the Joint Monitoring Coordination Office (JMCO) on 25 November 2022, the SPLM/A-IO Senior National Liaison Officer (SNLO) was asked what action had been taken by the SPLM/A-IO to guarantee CTSAMVM access to Wunaliet. The SNLO was neither able to answer the question nor provide a workable solution and stated that 'it is above my level'.
8. To date CTSAMVM has received no written or verbal response to the letter sent by Chairperson CTSAMVM on 21 October 2021. CTSAMVM has seen no response to the CTSAMVM Board resolution of 8 November 2022.

Assessment

1. On 11 October 2022 at Wunaliet Cantonment Site, CTSAMVM personnel were subjected to acts of hostility and intimidation by SPLM/A-IO. The CS Commander stated that CTSAMVM should not dare to come to Wunaliet in the future. This statement amounts to a direct threat against CTSAMVM personnel.



2. Because of the harassment and intimidation which occurred at Wunaliet CS CTSAMVM were unable to conduct any verification activity. Therefore, CTSAMVM personnel were denied access to properly assess the situation and the Cantonment Site commander clearly stated that he would not share information with CTSAMVM. Denial of information is a form of failure to cooperate.
3. Despite the escalation of the incident to DCDF and the CTSAMVM Board the lack of response from SPLM/A-IO is still preventing CTSAMVM from completing the verification activity planned for 11 October 2022.

Conclusions

1. CTSAMVM concludes that the SPLM/A-IO violated the following provisions of the R-ARCSS: Articles 2.1.10.5 and Article 2.1.10.6.
 2. CTSAMVM concludes that the SPLM/A-IO violated the following provisions of the ACOH: Article 12.
 3. CTSAMVM concludes that the SPLM/A-IO failed to cooperate with CTSAMVM in the discharge of its (CTSAMVM's) functions under the agreements and therefore failed to comply with ACOH Articles 11.5 and 11.7.
 4. CTSAMVM concludes that the violations were committed by SPLM/A-IO and Lt Gen Benjamin Goro SPLM/A-IO, Commander Wunaliet CS.
5. CTSAMVM concludes that SPLM/A-IO have not sufficiently disseminated the obligations contained in the ACOH and R-ARCSS.



Observations and Recommendations

1. It is recommended that SPLM/A-IO take urgent action to fully assure the safety of CTSAMVM personnel going about their duties.
2. It is recommended that the SPLM/A-IO takes all necessary actions to facilitate the visit of CTSAMVM to Wunaliet CS.
3. It is recommended that the SPLM/A-IO holds Lt Gen Benjamin Goro accountable for the actions on 11 October 2022 and subject him to pertinent administrative disciplinary processes, as required pursuant to ACOH Articles 3.5 ("The Parties shall prevent and ensure accountability for breaches of this Agreement.") and 13 ("Parties shall prevent, investigate and ensure accountability for breaches of this Agreement.") AND as required by R-ARCSS Article 2.1.10.7.3 (Party-signatories are reminded they are obligated for "ensuring accountability for breaches of this Agreement.").
4. It is recommended that the SPLM/A-IO operationalise its obligations under Article 2.1 of the ACOH (ensuring all forces "at all times observe the Agreement) AND under Article 2.1.3 of the R-ARCSS (ensuring compliance with the provisions of the Agreement by all of its forces, allies and affiliates) by establishing training programmes on the provisions of the ACOH and R-ARCSS for its forces. It is further recommended that all Parties to the Agreements, make use of any available support to ensure all their personnel receive sufficient training in this respect.

