

CTSAMVM CONFIDENTIAL
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To: Lt. Gen. Rabi Mujung Emmanuel (TGoNU)
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

Date: 10 May 2023

**SUBJECT: CTSAMVM REPORT 2023/06 – ARREST AND DETENTION OF AN
SPLM/A-IO OFFICER AND A CIVILAIN IN EASTERN EQUATORIA STATE**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report concerning ongoing violations of the R-ARCSS and the ACoH in Eastern and Central Equatoria States.

Please accept the assurances of my highest consideration.

Lt Gen Asrat Denero Amad
Chairperson CTSAMVM



CTSAMVM REPORT 2023/06

EXECUTIVE SUMMARY

On 25 September 2022, CTSAMVM submitted a report No. 2022/21 about killing, looting and arrests in Eastern Equatoria State. Amongst other issues, the report found the SSPDF to be in violation of the R-ARCSS for the 31 July 2022 arrest and detention of the SPLM/A-IO Ikotos County Secretary, Mr Philip Omuoi Valen. It also recorded the arrest of SPLM/A-IO Brigadier Jimmy Adonge and his three bodyguards by the SSPDF on 05 September 2022.

CTSAMVM has evidence that Brigadier Jimmy Adonge and the SPLM/A-IO County Secretary in Ikotos were initially held by SSPDF 7 Division before being transferred to Giyada military prison in Juba.

CTSAMVM has made repeated attempts to gain access to Giyada military prison in order to meet Brigadier Jimmy Adonge and to confirm the status of Mr Philip Valen. The SSPDF has failed to facilitate access to the prison, or to give any information about Mr Philip Valen, and/or Brigadier Jimmy Adonge and his bodyguards who have by now been detained for over 9 months and 8 months respectively.

Mr Philip Valen and Brigadier Jimmy Adonge remain in military custody in Giyada military prison. Mr Valen is a civilian whose arrest by the military was in violation of the R-ARCSS, and his continued detention remains a violation. Brig Jimmy Adonge and his 3 bodyguards have been held for 8 months without a charge or court martial.

By continuing to hold Mr Philip Omuoi Valen, the SPLM/A-IO Ikotos County Secretary, the SSPDF continues to be in violation of the R-ARCSS.

CTSAMVM recommends that the SSPDF facilitate CTSAMVM investigations by complying with the R-ARCSS and allowing CTSAMVM the access it requires to complete its investigations into the arrest and detention of Brigadier Jimmy Adonge and Mr Philip Valen.



ARREST AND DETENTION OF SPLM/A-IO OFFICER AND A CIVILIAN

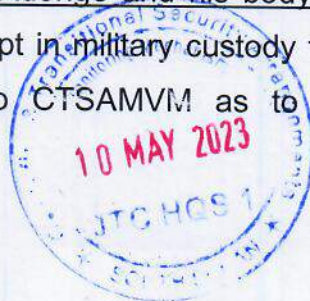
Introduction

1. Background:

- a. On 25 September 2022 CTSAMVM submitted a report No. 2022/21 about killing, looting and arrests in Eastern Equatoria State. Amongst other issues, the report found the SSPDF to be in violation of the R-ARCSS for the 31 July 2022 arrest and detention of the SPLM/A-IO County Secretary of Ikotos, Mr Philip Omuoi Valen. It also recorded the arrest of SPLM/A-IO Brigadier Jimmy Adonge and his bodyguards by the SSPDF on 05 September 2022.
- b. CTSAMVM has evidence that Brigadier Adonge and the SPLM/A-IO County Secretary in Ikotos were initially held by SSPDF 7 Division before being transferred to Giyada military prison in Juba.
- c. CTSAMVM has made repeated attempts to gain access to Giyada military prison in order to meet Brigadier Jimmy Adonge and to confirm the status of Mr Philip Valen. The SSPDF has failed to facilitate access to the prison, or to give any information about Mr Philip Valen, and/or Brigadier Jimmy Adonge and his bodyguards who have by now been detained for over 9 months and 8 months respectively

2. Issues: The issues highlighted in this report are:

- a. Arrest and detention of a civilian: Having arrested a civilian (Mr Philip Omuoi Valen) in clear violation of the R-ARCSS (as confirmed in CTSAMVM report 2022/21) the SSPDF have allegedly kept him in military custody for over 9 months, and failed to give CTSAMVM any information about his status.
- b. Arrest and detention of Brigadier Jimmy Adonge and his bodyguards: This officer and his bodyguards have been kept in military custody for 8 months, without any information being given to CTSAMVM as to their status.

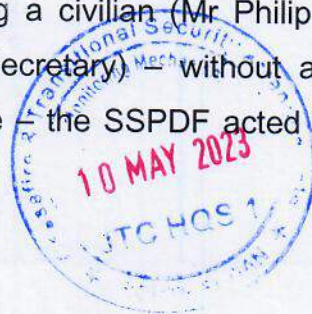


According to information given to CTSAMVM by relatives of Brigadier Jimmy Adonge, one of the three personnel arrested with him was Brigadier Santino Lowereng.

- c. Facilitation by SSPDF: The SSPDF has failed to allow access and/or facilitate CTSAMVM in its investigations into these arrests.
3. Aim: The aim of this report is to describe non-compliance with the requirements of the R-ARCSS, by detailing the findings of CTSAMVM investigations into the allegations, attributing responsibility for breaches of the agreements where applicable, and make recommendations to compliance actions.
4. Standard of proof: 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.

Information

5. Sequence of events and CTSAMVM actions and comments:
 - a. The arrest and detention of Mr Philip Omuoi Valen:
 - (1) Mr Philip Valen was arrested in Ikotos on or about 31 July 2022. He was transferred to SSPDF 7 Division in Torit.
 - (2) On 20 October 2022, CTSAMVM confirmed that Mr Philip Valen was still in the custody of 7 Division SSPDF in Torit.
 - (3) On 25 October 2022, CTSAMVM concluded in CTSAMVM report No. 2022/21 that “By arresting and detaining a civilian (Mr Philip Omuoi Valen, the SPLM/A-IO Ikotos County Secretary) – without any due process or involvement of the civil police – the SSPDF acted in clear

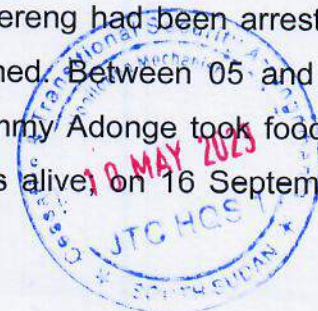


violation of the R-ARCSS, specifically Articles 2.1.10.5 and 2.1.10.7.4.". CTSAMVM has been given no information by the SSPDF about any action taken as a result of this report.

- (4) On 02 May 2023, CTSAMVM again visited SSPDF 7 Division and met with the acting Division Commander, Maj Gen Abraham Ater and Military Intelligence Officer, Lt Col Jonh Mayek. These officers stated categorically that Mr. Philip Omuoi Valen was transferred to Juba and is currently being held in Giyada Prison on suspicion of being a member of NAS.

b. The arrest and detention of Brigadier Jimmy Adonge and his bodyguards:

- (1) On 9 September 2022, the CTSAMVM team in Torit reported that SPLM/A-IO Brigadier Jimmy Adonge from Irube Cantonment Site was arrested by the SSPDF in Torit on 05 September 2022 along with three of his bodyguards and handed over to the Military Intelligence officer at SSPDF 7 Division. He had travelled to Torit to take part in the NUF graduation ceremony which was scheduled for 12 September 2022. CTSAMVM was told that he was arrested on the orders of the Governor of Eastern Equatoria State for alleged involvement in incidents which took place in Ikotos on 01 August 2022.
- (2) On 22 September 2022 relatives of Brigadier Jimmy Adonge visited CTSAMVM offices in Juba. They stated that Brigadier Santino Loyereng was arrested together with Brigadier Jimmy Adonge and two bodyguards. They confirmed the date of arrest and said that they visited Torit shortly after the arrest to determine the safety of their relative and met an unidentified soldier from SSPDF Division 7 who confirmed that Brigadiers Adonge and Loyereng had been arrested. The SSNPS in Torit had not been informed. Between 05 and 16 September 2022 a relative of Brigadier Jimmy Adonge took food to him at SSPDF 7 Division and saw he was alive, on 16 September



2022 he was informed that Brigadier Jimmy Adonge had been transferred to Giyada military prison in Juba on 15 September 2022 at 2100Hrs.

(3) Following the decision of the CTC meeting on 31 October 2022 to find out the status of Brig Jimmy Adonge and his bodyguards, CTSAMVM made several attempts to get access to him unsuccessfully. On 18 January 2023, the CTSAMVM team in Torit visited SSPDF Division 7 HQs with a view to engage the Division Commander or at least fixing a date for engagement but they failed to do so. On 20 January 2023, CTSAMVM team in Torit spoke to SSPDF 7 Division Deputy Commander but was unable to make an appointment.

(4) On 02 May 2023, CTSAMVM again visited SSPDF 7 Division and met with the acting Division Commander, Maj Gen Abraham Ater and Military Intelligence Officer, Lt Col Jonh Mayek. These officers confirmed that Brigadier Jimmy Adonge along with his three bodyguards had been transferred to and were currently still being held in Giyada Prison. They stated that the reason for their arrest was that they were linked to the NAS rebels.

c. Attempts by CTSAMVM to gain access to Giyada Prison and information about Brigadier Jimmy Adonge, his 3 bodyguards and Mr Philip Valen:

(1) According to information given to CTSAMVM by SSPDF 7 Division, they were moved to Giyada Military Prison in Juba on 15 September 2022. CTSAMVM was eventually able to visit the prison on 06 October 2022, but was given no information about Brigadier Jimmy Adonge.

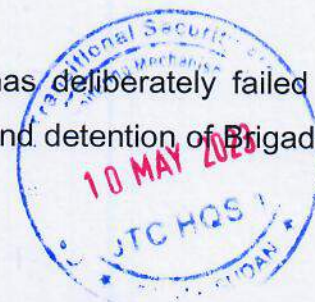
(2) On 06 October 2022, CTSAMVM visited Giyada Military Prison to confirm the presence of Brig Jimmy Adonge and the other three. The Prison leadership sought to know from CTSAMVM whether Brigadier Jimmy Adonge had been integrated into the SSPDF or not. If not

CTSAMVM was referred to the Deputy CDF “who has more information and inventory of all the SPLM/A-IO officers and their stations”.

- (3) On 14 October 2022, it was agreed at a CTSAMVM Joint Monitoring Coordination Office (JMCO) meeting that the CTSAMVM SSPDF Senior National Liaison Officer (SNLO) would contact SSPDF Military Intelligence in order to facilitate a visit to the prison or at least obtain information about the status of Brigadier Jimmy Adonge and his colleagues. However, the SNLO stated that this matter was above his level to handle.
- (4) On 31 October 2022, the issue of Brigadier Jimmy Adonge and Mr Philip Valen was raised at the CTC meeting, “CTSAMVM calls on the SSPDF to facilitate CTSAMVM’s investigation into the arrest of Brigadier Jimmy Adonge and those arrested with him, and to release the civilian SPLM/A-IO Ikotos County Secretary currently held in custody in SSPDF 7 Division in Torit”. There was no response from the SSPDF.
- (5) On 04 May 2023, during a formal meeting with some members of the CTSAMVM JMCO and the SSPDF SNLO to discuss the possibility of facilitating the CTSAMVM to have access to the arrested people, the SSPDF SNLO said that to move forward the CTSAMVM Chairperson should write a letter to the Chairman of JDB so that he can authorise Military Intelligence to facilitate CTSAMVM’s access to the detained civilian and Brigadier Jimmy Adonge.

Assessment

6. It is the assessment of CTSAMVM that the SSPDF has deliberately failed to facilitate CTSAMVM in its investigations into the arrest and detention of Brigadier



Jimmy Adonge and his bodyguards, and the arrest and detention of Mr Philip Valen.

7. According to the Commander of SSPDF 7 Division interviewed on 02 May 2023 both Mr Valen and Brigadier Jimmy Adonge (and his colleagues) remain in military custody in Giyada prison. Mr Valen is a civilian, as stated in CTSAMVM report No. 2022/21 his arrest by the military was in violation of the R-ARCSS, and his continued detention of over 9 months remains a violation. So far as CTSAMVM is aware Brigadier Jimmy Adonge and his 3 bodyguards have been held for 8 months without a charge or court martial.

Conclusions

8. CTSAMVM concludes that by failing to facilitate CTSAMVM in its investigations, the SSPDF has acted in clear violation of the R-ARCSS, specifically articles 2.1.10.7.1, 2.1.10.7.4, and ACoH articles 11 (3), (5), (7), (8), 13
9. By maintaining Mr Philip Valen in military custody for over 9 months the SSPDF remain in clear violation of the R-ARCSS, specifically articles 2.1.10.1, 2.1.10.5, 2.1.10.7.4, and ACoH articles 5 (1), 8 (1)

Recommendations

10. CTSAMVM recommends that the SSPDF considers the recommendations made in paragraphs 15 and 16 of CTSAMVM report No. 2022/21 and take action following the agreed and signed outcomes of the CTC meeting of 31 October concerning the arrests.
11. CTSAMVM recommends that the SSPDF facilitate CTSAMVM investigations by complying with the R-ARCSS and allowing CTSAMVM the access it requires to complete its investigations into the arrest and detention of Brigadier Jimmy Adonge and Mr Philip Valen.

