

CTSAMVM CONFIDENTIAL
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Ref: CM/2023/10/072

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FROM: The Chairperson, CTSAMVM

DATE: 24 October 2023

**SUBJECT: CTSAMVM REPORT 2023/10 - KILLING OF TWO SSPDF SOLDIERS
AND A BOMA CHIEF IN CENTRAL EQUATORIA STATE**

Dear CTSAMVM Technical Committee Senior party representatives

Please find attached a report on violations of the R-ARCSS which took place in Central Equatoria State in June 2023.

Please accept the assurances of my highest consideration.

Major General Hailu Gonfa Edossa

Chairperson

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



CTSAMVM REPORT 2023/10

KILLING OF TWO SSPDF SOLDIERS AND A BOMA CHIEF IN CENTRAL EQUATORIA STATE

EXECUTIVE SUMMARY

On 10 June 2023 a group of SSPDF soldiers commanded by an officer arrested four members of NAS near Limulo who were found unloading ammunition from a motorcycle. Later that day the NAS commander, who had evaded capture, called the SSPDF Battalion commander at Kupera and threatened to attack the SSPDF unless the four arrested men were released.

The following day, 11 July 2023, soldiers from Kupera arrived in Limulo to collect the arrested men. They were ambushed by NAS near the house of the Mundo Boma Chief, Mr Ladu. Two SSPDF soldiers and two NAS fighters were killed in the action. Mr Ladu was not at his house, but returned as soon as he heard shooting, and was arrested on suspicion of harbouring the NAS fighters who perpetrated the ambush.

The SSPDF sent reinforcements from Limbe, who took Mr Ladu into custody with the aim of taking him to the SSPDF base at Limbe for questioning. At some stage on the way to Limbe he was shot and killed by the SSPDF.

The SSPDF initiated an investigation into the killing, and a soldier was arrested.

The attack by NAS against the SSPDF was a clear violation of the ACOH, and the killing of a civilian by the SSPDF constituted a clear violation of the R-ARCSS.

KILLING OF TWO SSPDF SOLDIERS AND A BOMA CHIEF IN CENTRAL EQUATORIA STATE

INTRODUCTION

1. Background:

- a. Since the signing of the R-ARCSS over 16% of all CTSAMVM reports have concerned violations committed by NAS, mainly in Central Equatoria State and a similar percentage have concerned violations by the SSPDF against civilians in Central Equatoria as a result of operations against NAS or against those accused of being members of or supporting NAS.
- b. On the morning of 12 June 2023, CTSAMVM received information from the Lainya County Counter-Intelligence officer that on 11 June 2023 the Mundu Boma executive Chief, Mr. Joel Lenyi Ladu, was killed by "suspected NAS rebels" at his residence in Limulo Boma, Kupera Payam. He further stated that "suspected NAS" had ambushed SSPDF soldiers – two of whom had been killed - in an area close to Mr Ladu's house and they had then proceeded to kill Mr Ladu.
- c. On 13 June 2023 CTSAMVM met with the commander of SSPDF 3 Brigade at Limbe, who said he had returned from Juba following the killing of Mr Ladu. It had been alleged that Mr Ladu had been killed by SSPDF soldiers having been brought in for questioning following the alleged NAS ambush on 11 June 2023. He added that a soldier was in custody and being investigated about the killing.

2. Allegations:

- a. That two SSPDF soldiers were killed in an ambush by NAS on 11 July 2023.
- b. That Joel Lenyi Ladu, the Mundu Boma Chief, was killed by the SSPDF whilst in SSPDF custody on 11 June 2023.

INVESTIGATION

3. Investigations were undertaken with the full participation of National Monitors.
4. During the course of the investigation, CTSAMVM visited Limbe on 13 June 2023 and Limulo and Mundo bomas on 16 June 2023.
5. CTSAMVM interviewed a wide range of witnesses including:
 - a. SSPDF:
 - i. The Director of Counter-Intelligence, Lainya County
 - ii. The Commander of SSPDF Brigade 3
 - iii. The Commander of the SSPDF Battalion in Kupera
 - iv. The Commander of the SSPDF Company in Limulo Boma
 - b. Civilian witnesses:
 - i. Mr Ladu's wife
 - ii. Mr Ladu's uncle.
 - iii. Residents of Limulo and Mundo Bomas.
6. 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

7. On 10 June 2023 a group of SSPDF soldiers from the company based in Limulo Boma under the command of a Lieutenant were returning from a funeral when they came across a man on a motorcycle who tried to evade them. The solders set off

in pursuit and came across a house where ammunition was being offloaded from another motorcycle; four of the men involved were captured and one got away. The one who escaped was recognised as a NAS commander known as Kenyi Warrior. The four men who were captured were taken – together with the motorbike – to the SSPDF company base for questioning. The Lieutenant reported the incident to the SSPDF Battalion Commander in Kupera who said he would send soldiers to collect the arrested men.

8. Later in the day on 10 June 2023 the NAS commander Kenyi Warrior called the commander of the SSPDF Battalion in Kupera and threatened to attack his soldiers if he failed to release the four arrested men and their motorcycle.
9. On 11 June 2023 soldiers from Kupera arrived in Limulo to collect the arrestees. Whilst returning to Kupera they were ambushed by NAS. Two SSPDF soldiers and two NAS fighters were killed (they were definitely NAS fighters; Kenyi Warrior subsequently changed allegiance from NAS to the Government, and confirmed that his men had carried out the ambush). The ambush took place near the residence of Mr Ladu. The SSPDF sent reinforcements from Limbe immediately after the attack.
10. At the time of the ambush a Vigil was taking place in Limulo boma following a funeral the previous day. Shots were heard, and everyone took cover apart from the Boma Chief, Mr Ladu, who rushed back to his house. When he got there he was arrested by SSPDF soldiers on suspicion of harbouring the NAS fighters who perpetrated the attack. He was handed over to the soldiers from Limbe to be taken away for questioning.
11. Following his arrest, Mr Ladu's house was burnt and looted.
12. Mr Ladu was killed whilst in the custody of the SSPDF soldiers from Limbe before he arrived at the barracks. During a follow-up call with the Commander of SSPDF Brigade 3, CTSAMVM was told that an investigation team had been sent from Juba to look into the incident, and that initial enquiries suggested that the killing was

perpetrated by a soldier who was related to one of the soldiers killed in the ambush, and that he had killed Mr Ladu in revenge.

ASSESSMENT

13. NAS ambushed the SSPDF soldiers sent to escort the four NAS fighters arrested on 10 June 2023. This was a direct attack by NAS on the SSPDF.
14. There is no doubt that Mr Ladu was killed by an SSPDF soldier whilst in the custody of the SSPDF. The SSPDF has clearly stated that this is the case, and that disciplinary proceedings are ongoing.

CONCLUSIONS

15. It is the conclusion of CTSAMVM that the killing by the SSPDF of a civilian in its custody on 11 June 2023 constituted a clear violation of the R-ARCSS, specifically articles 2.1.10.5 and 2.1.10.7.4
16. It is the conclusion of CTSAMVM that by ambushing the SSPDF on 11 June 2023 NAS acted in clear violation of the ACOH, specifically article Three, 2.

OBSERVATIONS AND RECOMMENDATIONS

17. It has to be acknowledged that the SSPDF took casualties in an attack by NAS, and that this would cause frustration and bitterness amongst the colleagues of those killed. However, this does not in any way mitigate the crime of killing a civilian, against whom there was no direct evidence of complicity in the ambush. The killing, together with the burning and looting of the house of the victim, indicates a lack of discipline in the ranks of the SSPDF unit involved.
18. By arresting the suspected perpetrator of the killing and initiating a full investigation, the SSPDF demonstrated compliance with their obligations under article 2.1.10.7.3 to hold accountable those responsible for breaching the R-ARCSS.

19. The victim, Mr. Joel Lenyi Ladu, was a well-respected man in the community and his death at the hands of SSPDF has led to a shock and bitterness in Limulo, and had added to the lack of trust between the civilian community and the SSPDF.
20. NAS operates within communities. This makes it very difficult for the SSPDF to operate, but incidents such as this further alienate civilian communities and make such operations even more difficult.
21. The attack by NAS against the SSPDF was not only in clear violation of the ACOH, but also of the ceasefire that has been in place since the signing of the Rome Declaration.
22. CTSAMVM recommends that:
 - a. NAS suspends all aggressive operations in order for the Rome process to move forward.
 - b. The SSPDF improves levels of discipline and training in order to prevent such instances from happening in the future.