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FROM: The Chairperson, CTSAMVM

DATE: 24 October 2023

SUBJECT: CTSAMVM REPORT 2023/012 - CLASH IN MATHIANG, UPPER NILE STATE

Dear CTSAMVM Technical Committee Senior party representatives

Please find attached a report on incidents which took place in Mathiang, Upper Nile State 22-24 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 2023/12

CLASH IN MATHIANG, UPPER NILE STATE

EXECUTIVE SUMMARY

There have been long-running tensions in south-eastern Upper Nile State following the change of allegiance of Major General Ochan Puot from the SPLM/A-IO to the SSPDF in 2019. Since then there have been further changes of allegiance which too often has led to violence, as described in 5 separate CTSAMVM reports.

In April 2023 the SPLM opened an office in Mathiang and installed a County Chairman. This move was welcomed by many in the community as a sign of peace.

On or about 22 June 2023 the former Deputy Commander of 5 Division SPLM/A-IO, Major General Peter Pal Gatkuoth "defected". He persuaded a number of SPLM/A-IO soldiers to defect with him, and they all left Mathiang in the evening and went to a place called Toj. The SPLM/A-IO in Mathiang, together with some local "White Army" fighters followed the "defectors" but were called back on the advice of the Governor of Upper Nile State.

At Toj Major General Peter Pal Gatkuoth and his group were joined by about 18 soldiers from Maiwut. According to a witness (a captured SSPDF soldier) they had been sent by Major General James Ochan Puot to "evacuate" Major General Peter Pal Gatkuoth to Maiwut. However, Major General Peter Pal Gatkuoth ordered them to join him in an attack on Mathiang.

On 24 June 2023 Major General Peter Pal Gatkuoth attacked Mathiang. Two SPLM/A-IO soldiers and two civilians were wounded. The involvement of SSPDF soldiers from Maiwut in this attack constituted a clear violation of the R-ARCSS

The Longuchuck County Commissioner alleged the SPLM Chairman suborned Major General Peter Pal Gatkuoth and also took part in the attack, but CTSAMVM found no evidence to support this.



CLASH IN MATHIANG, UPPER NILE STATE

INTRODUCTION

1. Background:

- a. There has been continued tension in south-eastern Upper Nile State since July/August 2019, when Major General James Ochan Puot changed allegiance from the SPLM/A-IO to the SSPDF and occupied Maiwut as reported by CTSAMVM to CTC 18.
- b. There have been several further changes of allegiance from the SPLM/A-IO, and clashes between those SPLM/A-IO who changed allegiance and those who remained in SPLM/A-IO 5 Division. These have been outlined in CTSAMVM reports 2020/04, 2022/11, 2022/14, 2022/19 and, most recently, 2023/03. There is a summary of the issues involved in CTSAMVM report 2023/03.
- c. Mathiang is the administrative centre of Longochuk County. The County Commissioner, Brigadier Dak Tut Dei is SPLM/A-IO. An SPLM/A-IO unit, 1 Brigade of 5 Division, is based in Mathiang.
- d. In April 2023 Brigadier John Monyoany Lual was sent by the SPLM in Juba to establish an office in Mathiang. According to him, he was treated with suspicion by the Longochuk County Commissioner, Brigadier Dak Tut Dei, and was subject to harassment and restricted movement. CTSAMVM was told by local church and traditional leaders that the establishment of the SPLM office was initially welcomed by local people as it was seen as a sign of peace.
- e. On 24 June 2023 CTSAMVM received information from the commander of 1 Brigade SPLM/A-IO in Mathiang (Brigadier Deng Gorbet) that on 23 June 2023 the former Deputy Commander of 5 Division SPLM/A-IO, Major General Peter Pal Gatkuoth, defected from the SPLM/A-IO together with 15 SPLM/A-IO soldiers and the SPLM Chairman, Brigadier John Monyoany Lual without giving any notice to the SPLM/A-IO. He further claimed that the defectors were



waiting for SSPDF forces of Major General Ochan Puot, commander of the Maiwut Integrated Force and Major General James Khor Chuol Giet of the Malual Gahoth Declaration to meet them and possibly attack Mathiang. CTSAMVM called Major General Ochan Puot who denied any knowledge of this, suggesting it was an internal SPLM/A-IO matter which the SSPDF would not become involved with.

- f. On 26 June 2023 CTSAMVM learnt from UNMISS that on the evening of 24 June 2023 there had been clashes centred on the Longochuk County Headquarters in Mathiang, and as a result a number of UN and INGO personnel had been evacuated and approximately 1,800 people displaced.
2. Allegations: On 27 June 2023 CTSAMVM contacted the Longochuk County Commissioner who alleged that at about 17.15 Hrs on 24 June 2023 a force of 32- "defectors" led by Brigadier John Monyoany Lual, chairman of SPLM party in Longochuk, and Major General Peter Pal Gatkuoth attacked the County Headquarters in Mathiang. He alleged that:
- a. 4 of the attackers were killed, and the rest fled towards Maiwut.
 - b. 2 SPLM/A-IO soldiers were wounded, as were two civilians (a boy and a woman).
 - c. The attackers were reinforced by SSPDF forces under command of Major General James Ochan Puot of Maiwut county.
 - d. It was further alleged that 2 policemen from Mathiang who had been sent to Maiwut to escort a woman who was being returned to her husband prior to the attack, had been arrested and kept in Maiwut.



INVESTIGATION

3. Investigations were undertaken with the full participation of National Monitors.
4. During the course of the investigation, CTSAMVM visited Mathiang on 16-17 July 2023, and Maiwut on 18-19 July 2023.
5. CTSAMVM interviewed a total of 36 people, including:
 - a. Mathiang:
 - i. Civil Authorities: Commissioner of Longochuk County Brigadier Dak Tut Dei, the Executive Director of Longochuk County.
 - ii. Military: Major General John Chuol Kun, Deputy Commander 5 Division SPLM/A-IO, Brigadier David Deng Gorbil, Commander of 1 Brigade SPLM/A-IO based in Mathiang, the Director of Administration, 5 Division SPLM/A-IO.
 - iii. Police: Police Commissioner, Longochuk County.
 - iv. Traditional Leaders: The Paramount Chiefs of Longochuk County and Mathiang Payam.
 - v. Women and Youth: The chairperson of the Women's Group and the Youth Leader.
 - vi. Prisoners/captives: 4 men who had been arrested after the incident, including an SPLM/A-IO "deserter" and an SSPDF soldier who was on leave in the area at the time.
 - vii. Civilians: The husband of one of the victims, and a market trader who witnessed the incident.



- viii. NGOs: 3 members of INGOs who were in Mathiang at the time of the incident.
- ix. Religious leaders: 4 religious leaders, including the Chairperson of churches in the area.
- b. Maiwut:
- i. Civil Authorities: The Commissioner of Maiwut County, Hon Bang Kawich Deng.
- ii. Military: Deputy & Acting Commander SSPDF Maiwut Integrated Force, Brigadier Nhial Nyal Deng (Note: Major General James Ochan Puot was away when CTSAMVM visited Maiwut, but CTSAMVM had previously spoken with him on the telephone and he was represented by his deputy), and the Maiwut SSPDF Military Police Commander.
- c. Political: The SPLM Chairman of Longochuk County Brigadier John Monyoany Lual.
- d. Police: Police Commissioner Maiwut County, CID Director, 2 police officers who travelled to Maiwut from Longuchuk.
6. 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 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 or around 22 June 2022 Major General Peter Pal Gatkuoth, the erstwhile Deputy Commander of 5 Division SPLM/A-IO "defected", and left Mathiang with about 10-15 SPLM/A-IO soldiers and a number of civilians. The reasons for his defection are not clear; some sources cited personal differences between him and other SPLM/A-IO commanders; others blamed the SPLM Chairman, Brigadier John Monyoany Lual, for suborning him. The SPLM/A-IO went in pursuit of the defectors together with a force of "White Army Youth", but were called back on the advice of the Governor of Upper Nile State.
8. At about 17.00 Hrs on 24 June 2023 Mathiang was attacked. There are conflicting accounts of how many attackers were involved, but maybe around 20-30 attacking from several directions. 2 SPLM/A-IO soldiers and 2 civilians were injured. It would appear that the County Headquarters was one of the objectives; the Commissioner's car was hit by several bullets. Following the attack four men were arrested and detained, two of whom took part in the attack. Having been warned that his life was in danger, the SPLM Chairman, Brigadier John Monyoany Lual, left Mathiang during the night and made his way to Maiwut. When interviewed in Maiwut he denied any role in the attack.
9. The Longochuk County Commissioner and officers from 5 Division SPLM/A-IO alleged the attack was perpetrated by Major General Peter Pal Gatkuoth supported by Major General James Ochan Puot. When interviewed in Maiwut, the Acting Commander of the Maiwut Integrated Force, Brigadier Nhial Nyal Deng, denied any involvement by the SSPDF in the attack.
10. Statements by prisoners: 4 men were captured or arrested by the SPLM/A-IO during or after the attack. One was an SSPDF private from the Military Intelligence department who was a bodyguard of the SPLM Chairman having arrived in Mathiang in April for personal reasons. He claimed to have taken no part in the attack and was arrested because "he was a member of the SSPDF". One was a Captain in the SPLM/A-IO who claimed he was not present during the attack and



that he had left the military to go into politics. 2 of the men had taken part in the attack:

- a. SPLM/A-IO Second Lieutenant: He said that he had been a bodyguard to General David Deng SPLM/A-IO, but had been persuaded to desert by Major General Peter Pal Gathkuoth. He confirmed that he had been amongst those who attacked Mathiang on 24 June 2023, under the command of Major General Peter Pal Gathkuoth.
 - i. He said he left Mathiang on 22 June 2023 with Major General Peter Pal Gathkuoth and about 10 other SPLM/A-IO soldiers. They went to a place called Toj.
 - ii. At Toj they were joined by a group of about 18 people who they were briefed were "from Maiwut County". He said that a colleague told him that previously Major General Peter Pal Gathkuoth had made a call to Maiwut. The group were heavily armed, but shared none of their weapons or ammunition with them.
 - iii. He said he was captured during the attack on Mathiang because he hid in a house and didn't escape. He emphasised that it was Major General Peter Pal Gathkuoth who influenced all those involved to fight.
 - iv. He made no reference to the SPLM Chairman.
- b. SSPDF soldier: He informed CTSAMVM he was a bodyguard of Major General James Ochan Puot, and belonged to the SSPDF Headquarters in Maiwut. He said that:
 - i. He was sent from Maiwut by Major General James Ochan Puot to "evacuate Major General Peter Pal Gathkuoth and take him to Maiwut". He was in a force under the command of Lieutenant Colonel Choul Both.



- ii. When they got to the rendezvous [Toj], Major General Peter Pal Gatkuoth ordered party from Maiwut to attack Mathiang together with the ex-SPLM/A-IO soldiers he had with him.
 - iii. He said that during the attack the fighting was so intense he took shelter in a house and was subsequently captured. He wanted to return to Maiwut.
 - iv. He said nothing to indicate that the SPLM Chairman was present at any time before or during the attack.
 - v. He had no formal SSPDF identification documents.
11. Detained policemen from Mathiang: CTSAMVM met the two policemen from Mathiang who had arrived in Maiwut before the attack (see paragraph 2.d above). They said that they had not returned to Mathiang because the road was not considered secure because of the presence (somewhere) of Major General Peter Pal Gatkuoth. Their weapons had been taken and put in a SSPNS armoury, but other than that they were free to move and were being accommodated by the police in Maiwut.
12. Aftermath: By the time CTSAMVM visited Mathiang the situation was described as calm, although tensions still existed. CTSAMVM made the following observations:
- a. The location of Major General Peter Pal Gatkuoth and his forces was unknown, or rather nobody interviewed by CTSAMVM admitted to knowing where he was. The SSPDF claimed that if he was in Maiwut they would know about it.
 - b. Concern about the whereabouts and possible actions of Major General Peter Pal Gatkuoth was interfering with free movement between Mathiang and Maiwut.
 - c. Most people interviewed by CTSAMVM in Mathiang (even those who had welcomed the opening of an SPLM office as a sign of peace) blamed the SPLM Chairman, Brigadier John Monyoany Lual, for actively encouraging the



defection of Major General Peter Pal Gatkuoth and other members of the SPLM/A-IO.

- d. The SPLM offices in Mathiang had been shot and vandalised.

ASSESSMENT

13. It is the assessment of CTSAMVM that the attack against Mathiang on 24 June 2023 was initiated and led by Major General Peter Pal Gatkuoth, who defected from the SPLM/A-IO on 22 June 2023 together with a number of SPLM/A-IO soldiers whom he persuaded to join him. CTSAMVM is not able to comment on why he defected or why he subsequently attacked Mathiang.
14. CTSAMVM found no evidence to support the allegations that the SPLM Chairman in Longochuck, Brigadier John Monyoany Lual, was involved in suborning Major General Peter Pal Gatkuoth, or was involved in the attack of 24 June 2023.
15. It is the assessment of CTSAMVM that SSPDF forces from Maiwut were involved in the attack on Mathiang. This is based on the evidence given by the captured SSPDF soldier who clearly stated that he was from Maiwut, and the captured SPLM/A-IO deserter to described meeting a group of 18 "people from Maiwut" at Toj. There is no evidence to suggest that the SSPDF sent them with the purpose of attacking Mathiang; the captured SSPDF soldier said clearly their mission was to "evacuate" Major General Peter Pal Gatkuoth but he then ordered them to take part in the attack.
16. CTSAMVM found no evidence that the two policemen from Mathiang allegedly captured by the SSPDF were being held against their will in Maiwut.

CONCLUSIONS

17. CTSAMVM has reasonable grounds to believe that SSPDF personnel from Maiwut took part in an attack at Mathiang on 24 June 2023 in which 2 civilians and 2



SPLM/A-IO soldiers were injured, and that this constituted a violation of the R-ARCSS, specifically article 2.1.10.4.

OBSERVATIONS AND RECOMMENDATIONS

18. As described in the opening paragraphs of this report, there have long been tensions in south-eastern Upper Nile State following a series of changes of allegiance from the SPLM/A-IO to the SSPDF. The tensions are not only between the SSPDF and SPLM/A-IO, but there also appear to be divisions within the SPLM/A-IO. It is possible that these tensions could increase in the run-up to the forthcoming elections, and it is probable that the establishment of a SPLM office in Mathiang was seen by some as a provocation in what is considered to be a SPLM/A-IO area.
19. Any exploitation of internal SPLM/A-IO divisions by the SPLM or the SSPDF can only be seen as against both the spirit and word of the R-ARCSS.
20. CTSAMVM recommends that:
 - a. The SSPDF takes measures to ensure that none of its forces are ever again involved in SPLM/A-IO internecine fighting.
 - b. The SSPDF and the SPLM/A-IO coordinate efforts to find and detain Major General Peter Pal Gatkuoth, in order to prevent any potential threat to peace and stability in the area.
 - c. The SSPDF detainee in Mathiang is released immediately as a gesture of goodwill and returned to Maiwut, if necessary under the supervision on the ICRC. The SSPDF soldier who was bodyguard to the SPLM Chairman should also be released.
 - d. This should be the time to look forward to a free and fair political process, and as such there should be dialogue between the Parties at the political level to ensure that all canvassing is transparent. There is no reason why any military



personnel should “defect” or change allegiance when the country is heading towards unification.

- e. The JDB should consider deploying units of the NUF to this area (when they are ready to be deployed) in order to enhance security, increase confidence and reduce tensions.

