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TO: Lt Gen Rabi Mujung Emanuel (ITGoNU)
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FROM: The Chairperson, CTSAMVM

DATE: 24 October 2023

**SUBJECT: CTSAMVM REPORT 2023/013 - FATAL INCIDENT AT WUNKUR
(ASLO KNOWN AS WIC-PANYIKANG)**

Dear CTSAMVM Technical Committee Senior party representatives

Please find attached a report on a fatal incident which took place in Wunkur in the Ruweng Administrative Area on 1 July 2023. The area in question is also known as Wic-Panyikang. It lies on a contested border between the Ruweng Administrative Area, and Panyikang County in Upper Nile State.

Please accept the assurances of my highest consideration.

Major General Hailu Gonfa Eddosa

Chairperson

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



CTSAMVM REPORT 2023/13

FATAL INCIDENT AT WUNKUR (ALSO KNOWN AS WIC-PANYIKANG)

EXECUTIVE SUMMARY

The Wunkur/Wic-Panyikang area is sensitive, being the subject of a long-running border dispute between the Ruweng Administrative Area (RAA) and Panyikang County. The area is currently under the control of the SPLM/A-IO, and garrisoned by troops from 1 Division based in Diel. There are very few civilians remaining in the area; most fled in 2013.

On 22 or 23 June 2023 a survey team from the MTN telephone company, accompanied by the Wunkur County Administrator and several others from RAA including security personnel arrived at Wunkur/Wic-Panyikang. The MTN team were looking for a site for a telephone mast. The team met with the local SPLM/A-IO commanders. According to the SPLM/A-IO they were told to go and not return unless they had the required permission from the civil authorities; according to the RAA the group was told a further visit from RAA would be welcome.

On 30 June 2023 a large delegation from RAA led by the Chairperson for Peace and Reconciliation arrived at the SPLM/A-IO base at Wunkur/Wic-Panyikang. The delegation included armed security personnel and had made no effective contact with either the civil authorities in Panyikang or Fangak nor with the appropriate SPLM/A-IO commanders prior to the visit. The delegation stayed at the SPLM/A-IO compound overnight, and a meeting was convened for the morning on 1 July 2023.

At the meeting, the SPLM/A-IO Commander told the delegation it should return from whence it came and contact the appropriate civil authorities. At some stage shooting erupted between armed elements of the RAA entourage, and SPLM/A-IO soldiers. 7 members of the RAA delegation were killed and one wounded.

Due to the contradictory and confused nature of the available evidence, CTSAMVM was unable to conclude which Party started the shooting. However, it is the conclusion



of CTSAMVM that by sending a large delegation – which included armed security personnel - unannounced and without prior discussion at the political level into a sensitive area currently under the control of the SPLM/A-IO, the RAA acted in a provocative manner against the spirit and in violation of the word of the R-ARCSS. CTSAMVM further concluded that once the shooting started both Parties failed to control those involved, and that the SPLM/A-IO acted in an unnecessarily offensive and determined manner.



FATAL INCIDENT AT WUNKUR (ASLO KNOWN AS WIC-PANYIKANG)

Reference:

- A: CTSAMVM Report 2023/01 "Violence in Upper Nile State and Northern Jonglei State from July 2022".
- B: "Incident report on the Wunkur County massacre" by the Ruweng Administrative Area dated 1 July 2023.
- C: "Interim Report on Wunkur/Wic-Panyikang Incident by the Office of County Commissioner Fangak County" dated 12 July 2023.
- D: Ruweng Administrative Area RSS/RAA/CAO/P/65.D.1 dated 17 July 2023: letter from the Chief Administrator RAA to the Chairman of CTSAMVM "Call for investigation of Wunkur Massacre by SPLA-IO Forces loyal to the First Vice President Dr. Riek Machar.

INTRODUCTION

1. Background:

- a. Ruweng Administrative Area (RAA) came into being in February 2020, when the ITGoNU dissolved the 28/32 State system introduced in October 2015/January 2017. It is composed of two of the original counties of Unity State – Pariang and Abiemnom. Wunkur is in the east of the RAA; originally a payam, it was given county status when Ruweng State was created; according to the RAA it still is a county and is rich in resources (Reference B).
- b. Since the current conflict started in December 2013 the Wunkur area has changed hands several times, initially when General Johnson Olony changed allegiance from the SSPDF to the SPLM/A-IO. During the Kit Gwang in-fighting that took place in 2022, Tonga and then the Wunkur area came under the control of the SPLM/A-IO (Reference A). By December 2022 the SPLM/A-IO were established in Wunkur. Wunkur is approximately 45 Km from Tonga.



- c. There has been a long-standing border dispute between RAA and Panyikang County over Wunkur, which those in Panyikang refer to as Wic-Panyikang. Panyikang County claims it belongs to them; the RAA claims it is very clearly part of the RAA. There are very few civilians resident in the Wunkur area. Most fled to the Jamjang area (to the west of Wunkur) in 2013. In November 2022 representations were made to the President by the Ruweng Paweny community that they should be repatriated to the Wunkur area (see letter annexed to Reference B).
- d. The SPLM/A-IO forces in Tonga and Wunkur are from Division 1 of the SPLM/A-IO Sector 1 based in Diel.

2. Incident:

- a. On or about 22 or 23 June 2023, a team from MTN accompanied by the Wunkur County Administrator, some youth from Ruweng and an SSNPS officer visited Wunkur/Wic-Panyikang in order to look for a site to install equipment to extend the network. This visit took place without reference to the Panyikang County Commissioner based in Tonga, who subsequently wrote to the RAA suggesting that before any further decisions were made about the MTN mast there should be a meeting "because the area belongs to Panyikang County". According to the RAA this delegation was warmly received by the SPLM/A-IO, who suggested that a future visit by the County Commissioner would be welcomed. According to SPLM/A-IO Commander at Wunkur/Wic-Panyikang the delegation was welcomed, but told not to return until formal arrangements had been made with the civil authorities, in other words the Panyikang County Commissioner in Tonga. *(Note: The Wunkur County Commissioner is a Government appointee who is not in Wunkur because it is under the control of the SPLM/A-IO; this is the same for the County Administrator. The RAA Wunkur County headquarters is at Jamjang).*
- b. On the evening of 30 June 2023, a delegation from Pariang arrived at Wunkur/Wic-Panyikang. It was led by the Chairperson for Peace and Reconciliation and included the Wunkur County Executive Secretary and



County staff (based in Jamjang), organised forces (mainly police) and youth, some of whom were armed. Reports of the numbers involved vary, but it is likely there were around 50 people in total, over half of whom were civilians. They came in 3 official vehicles. Although there had been some attempts at communication with the SPLM/A-IO, neither the Commissioners of Fangak or Panyikang Counties had been informed, nor the appropriate SPLM/A-IO commander. A letter addressed to a senior SPLM/A-IO officer about the visit was sent by the RAA on 27 June 2023; however the officer to whom it was addressed was not one with any operational responsibility for the area and it stated the date of the visit as 3 July 2023.

- c. On the morning of 1 July 2023 talks started between the SPLM/A-IO officers in Wunkur/Wic-Panyikang, and members of the delegation from the RAA. At some point shooting erupted. 7 members of the RAA delegation were killed and the leader, the Chairperson of the Peace and Reconciliation Committee, was badly injured. The survivors of the RAA delegation fled on foot, leaving their vehicles behind. These vehicles were appropriated by the SPLM/A-IO.
- d. This incident was discussed at the highest political levels, and CTSAMVM was asked to investigate what happened. The SPLM/A-IO Acting Spokesman made a statement on 3 July 2023 in which he said that the First Vice President had been in touch with the relevant authorities, and that a committee would be formed to investigate the incident; he added that the three RAA vehicles would be returned.
- e. Allegations:
 - i. There are clear allegations in the RAA Incident Report (Reference B) that: "Maj. Tut [SPLM/A-IO] ordered shooting at the delegates where 7 people were massacred in cold blood", and in the conclusion that: "the [Fangak] County Commissioner and Maj. Tut [SPLM/A-IO] had a well-coordinated plan on the massacre".



- ii. According to the account given in the Interim Report prepared by the office of the Fangak County Commissioner (Reference C), fighting broke out between the armed youth present at the meeting and this led to the tragic killing of the delegates.

INVESTIGATION

- 3. Investigations by CTSAMVM into the incidents were delayed by logistical issues. However, CTSAMVM visited Tonga on 11-13 August 2023, and Pariang on 16 to 18 August 2023. CTSAMVM also interviewed a key witness in Juba on 18 August 2023. A wide range of witnesses were interviewed as follows:

- a. Tonga:

- i. Hon Mustafa Gai Lual, Panyikang County Commissioner.
- ii. Brigadier Bol Gatdor, Deputy Commander of 3 Brigade SPLM/A-IO based in Tonga.
- iii. Lieutenant Colonel Gatkier Ruot Teny SPLM/A-IO, Operational Commander in Wunkur/Wic-Panyikang.

- b. Pariang. Those marked “*” were present at the incident on 1 July 2023:

- i. Santo Lual Mayol, Acting Chief Administrator of RAA.
- ii. William Nam, Security Advisor RAA.
- iii. RAA Minister of Finance.
- iv. Simon Chul Majak, Commissioner Wunkur County.(based in Jamjang)
- v. Brigadier Pawach Mujwet, Acting Police commissioner RAA.
- vi. Brigadier Peter Gol, Commander of Brigade 10, 4 Division SSPDF based in RAA.
- vii. Director CID RAA.
- viii. A police driver who was at Wunkur during the incident*.
- ix. The Head and Deputy Head of the Wunkur Women's Group (based in Jamjang)*.
- x. Representative of peace for Wunkur County (based in Jamjang)*.



- xi. The SPLM Deputy Secretary General for Wunkur County (based in Jamjang)*.
 - xii. Director of NSS, RAA.
- c. Juba: John Maiker Kuol, Chairperson of the RAA Peace and Reconciliation Commission. This witness led the delegation on 30 June 2023 and was injured in the shooting of 1 July 2023.
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 human-rights- and humanitarian- entities and signifies that sufficient facts and evidence have been collected to conclude that an event has occurred.

FINDINGS

5. Communication issues:

- a. Neither the Panyikang nor the Fangak Commissioners were told in advance of the 30 June 2023 visit to Wunkur/Wic-Panyikang by the RAA.
- b. The Panyikang County Commissioner told CTSAMVM that following the MTN visit to Wunkur on 22 or 23 June 2023 he wrote a formal letter to the Chief Administrator of RAA saying that before any MTN equipment could be installed in the Wunkur area the border dispute needed be resolved, and to this end there should be discussions. He received no reply to this letter.
- c. According to the SPLM/A-IO operation commander in Wunkur, Lieutenant Colonel Gatkier Ruot Teny, the MTN team which visited Wunkur on 22 or 23 June 2023 agreed they would not return without having formally communicated with the appropriate civil authorities.



- d. On 27 June 2023 the Chief Administrator of the RAA, Stephano Wieu De Mialek wrote to "Lt Gen Duoth Dejul, Wunkur and Tunja [Tonga] Commands" in which he said that a second visit by a team from "Wunkur County, Ruweng Administrative Area" would visit the area "on 03/07/2023". This letter was not seen by any civil authorities until 2 July 2023, when it was obtained by the Fangak County Commissioner who wrote to the Chief Administrator of the RAA saying that Brigadier (not Lieutenant General) Duoth Dejul did not have any command responsibility for SPLM/A-IO units in Tonga or Wunkur (see Reference C). The letter specified the date of the visit as 3 July 2023; the actual visit took place on 30 June 2023.
- e. On the evening 30 June 2023 the Fangak County Commissioner heard of movement from Ruweng to Wunkur/Wic-Panyikang. He immediately called the Chief Administrator of RAA, who told him that indeed "40 persons had already left for Wunkur on peace mission to meet the SPLA-IO officers there". This news "was shocking to the Commissioner" because neither he nor the Panyikang County Commissioner had been told of this 'peace mission'. The Chief Administrator of RAA told him that he had informed Brigadier Duoth Dejul and a former MP and minister in Jonglei State (Reference C). The Fangak County Commissioner had no means of contacting the SPLM/A-IO forces in Wunkur/Wic-Panyikang, but immediately communicated via WhatsApp with the Deputy Commander of 7 Division SPLM/A-IO telling him of the visit and to "let our forces know for maximum restraints, calm, discipline and peacefully interact with the visiting team as long as their message is for peace". A copy of this message is annexed to Reference B.
- f. The SPLM/A-IO forces in Wunkur/Wic-Panyikang had no forewarning of the visit of 30 June 2023.
- g. Failure to inform CTSAMVM: Under article 2.1.10.4 of the R-ARCSS any movement of forces is prohibited other than for administrative or logistic purposes, in which case CTSAMVM is to be informed. The RAA included security personnel. CTSAMVM received no advanced notification of the movement.



- h. Security advice: The Director of National Security in RAA was away at the time of the incident, however he told CTSAMVM that had he been present he would have advised that the visit should not have taken place "because there is no communication between us and Wunkur" and that "the security of the delegation was not guaranteed".
6. The incident: Accounts of what happened and how the shooting started are confused and contradictory. What CTSAMVM has been able to ascertain is as follows:
- a. The delegation arrived at the SPLM/A-IO detachment in Wunkur at about 18.30 Hrs on 30 June 2023 in 3 vehicles, all of which had white flags on them. One of the vehicles was from the police in Jamjang, the other two were from RAA. They were greeted by SPLM/A-IO officers, and told that it was too late for any discussions, and that they should wait until the morning. The delegation had brought with them a small bull as a peace offering.
 - b. On the morning of 1 July 2023 SPLM/A-IO Maj Tut Ngeer Ruot told the delegation to gather in the SPLM/A-IO detachment camp and prepare for the meeting. Chairs were prepared, and one of the RAA cars was sent to collect the SPLM/A-IO commander, Lieutenant Colonel Gatkir Ruot. Another car was asked to take a sick woman to the UNISFA camp just over the border. Lieutenant Colonel Gatkir Ruot arrived with 4 armed bodyguards.
 - c. The meeting started at about 0900Hrs, with statements being made about peace by members of the delegation. According to what John Maiker Kuol, Chairperson of the RAA Peace and Reconciliation Commission, told CTSAMVM, he was the last to speak. He also said that as the meeting started, he informed Lieutenant Colonel Gatkier about the bull, and asked him if the SPLM/A-IO had a gift in return, but they gave nothing. The Lieutenant Colonel ordered a Lieutenant to butcher the bull. John Maiker Kuol went on to say that Maj Tut's said things which were not peaceful, specifically that when the delegation had come with MTN from RAA on 22 or 23 June 2023 he had told



them not to return. He said that the shooting started as he was coming to the end of his speech. He asked Lieutenant Colonel Gatkier what was happening and he appeared to have no idea. He said his bodyguard was shot, and he was hit on the head by a soldier and then shot in the leg. He was unconscious for five hours.

- d. According to Lieutenant Colonel Gatkier he told the delegation that they should return to RAA, and that he would inform the Panyikang County Commissioner so that he could get in touch with them on the political level. CTSAMVM has a recording of Lieutenant Colonel Gatkier saying this to the delegation. He said that John Maiker Kuol directed a vehicle to collect the Wunkur County Commissioner from Jamjang so he could go to Tonga to meet the Panyikang County Commissioner because the delegation could not go there, and that after this an elder, who was a member of the delegation, walked off and was followed by others until there were only a few left. Lieutenant Colonel Gatkier stated clearly that Major Tut stayed with him throughout. He said the shooting started in the place where the bull had been slaughtered: there was an argument between youth from the RAA delegation and some SPLM/A-IO soldiers about how it was divided. This was at about 1030Hrs. He went on to say that the shooting was initiated by a soldier in SSPDF uniform, and that once it started, he called for calm and shouted at everybody to stop shooting but things went out of control.
- e. Lieutenant Colonel Gatkier said that when the first shots were fired people started fleeing. After a while there was a second wave of shooting with both groups firing at each other, then there was a third wave which lasted about 15-20 minutes when "SPLM/A-IO forces were pursuing the group from RAA".
- f. Lieutenant Colonel Gatkier claimed that there were SSPDF personnel amongst those in the delegation from RAA, including two officers with Second Lieutenants pips in what he described as a "Mathiang Anyoor" uniforms.
- g. According to Lieutenant Colonel Gatkier, of the seven dead bodies one was in what he described as 'Mathiang Anyoor' uniform, one was in SSPDF uniform,



two were in Police uniform, the clothes had been removed from one of the bodies, and the remaining two were in civilian uniform. He claimed that six AK47 rifles and 1 PKM machine gun were recovered with the bodies.

- h. Four of the witnesses from RAA interviewed by CTSAMVM – the Peace Representative and Deputy SPLM Secretary from Wankur County and two woman's representatives (based in Jamjang) stated that Major Tut gave orders to shoot the delegation. One said that Major Tut became angry and ordered the shooting because John Maiker Kuol suggested the SPLM/A-IO take down its flag as a sign of peace, and then refused to go to Tonga, and the other stated that "all of a sudden Maj Tut ordered to shoot at the delegates". The woman's representatives both stated that "all of a sudden Maj Tut signalled a soldier to shoot at the delegates and the first target was the bodyguard of John Maiker". Three of these four witnesses said that when they met with the Wunkur County Commissioner at Alere he told them that "Major Tut had ordered the shooting". None of the other witnesses from RAA who were at the incident said anything about orders being given by Major Tut to shoot the delegation.
- i. Surviving members of the delegation ran away to Alere, where they met with the Wunkur County Commissioner. The three vehicles were left behind. 7 people from the RAA delegation were killed and John Maiker Kuol, Chairperson of the RAA Peace and Reconciliation Commission, wounded. No members of the SPLM/A-IO were killed or wounded.
- j. According to John Maiker Kuol, Chairperson of the RAA Peace and Reconciliation Commission, later that day SPLM/A-IO soldiers arrived at Wunkur from Tonga, and were very angry with the SPLM/A-IO soldiers who had been involved in the shooting. John Maiker Kuol was evacuated to Tonga and thence to Juba. In Tonga he was interviewed by the Panyikang County Commissioner.



7. Aftermath:

- a. Soon after the incident rumours circulated that large numbers of armed youth from Ruweng were "advancing on Wunkur". The Fangak County Commissioner wrote to the Chief Administrator of RAA about this on 9 July (his message is annexed to Reference B). Efforts were made at the political level to calm the situation.
- b. On 17 July 2023 the Chief Administrator of RAA wrote to CTSAMVM asking that the incident be investigated (Reference D).
- c. The three cars left at Wunkur by the delegation have yet to be returned. According to Brigadier Bol Gatdor, Deputy Commander of 3 Brigade SPLM/A-IO based in Tonga the First Vice President ordered the SPLM/A-IO to return the vehicles, and to this end they were taken to the UNISFA base. However, when the handover was supposed to take place there was a security incident nearby involving the abduction and robbery of some civilians by suspected armed youth from RAA, and this led the SPLM/A-IO to suspect they could be attacked and they withdrew. CTSAMVM saw one of the vehicles – the police car from Jamjang – in Tonga on 12 August 2023.

ASSESSMENT

8. It is the assessment of CTSAMVM that neither Party deliberately set out to cause violence. The fatal incident was the tragic result of some sort of accident or misunderstanding; however, the root cause was tension between armed personnel who came to be in close proximity without the necessary security and confidence-building measures in place.
9. The area of Wunkur/Wic-Panyikang is very sensitive: it is the subject of a long-standing border dispute, its people have been displaced since 2013, it is in a strategically important place near the border and is rumoured to be rich in natural



resources. At present it is under the control of Panyikang County and occupied by troops from the SPLM/A-IO Division 1 based in Diel. It is the assessment of CTSAMVM that for the Chief Administrator of the RAA to send a large delegation – which included armed security personnel - to this area was not only unwise but also provocative.

10. The visit went ahead without any realistic communication with either the appropriate civil or military authorities. Whilst it is understood that the RAA might not recognise the authority of the Panyikang County Commissioner over the Wunkur/Wic-Panyikang area, the SPLM/A-IO military units that occupy it are based in Tonga and the area is currently under his control. The only communication sent by the RAA about the visit was addressed to the wrong person, and also gave the wrong date (3 July rather than 30 June). Neither the civil authorities nor the military had any forewarning or time to discuss or prepare for the visit. It is the assessment of CTSAMVM that the responsibility for this failure of communication lies firmly with the RAA.

11. The RAA failed to comply with the R-ARCSS and inform CTSAMVM of the planned movement of security personnel to Wunkur/Wic-Panyikang.

12. Accounts of what happened on 1 July 2023 and how the shooting started are contradictory and confused. CTSAMVM is unable to conclude which party fired the first shot and started the firefight. However, CTSAMVM has reasonable grounds to believe that:

a. The shooting of the 7 members of the delegation was not a premeditated act. If the SPLM/A-IO planned to shoot the delegation they could have ambushed them when they arrived, or attacked them in a more coordinated and effective manner the next morning. The fact remains, however, that no SPLM/A-IO personnel were killed or wounded which suggests that they held the initiative.

b. The SPLM/A-IO was unable to exercise immediate control over their troops once the shooting started. Lieutenant Colonel Gatkier clearly stated that in the third wave of shooting SPLM/A-IO soldiers pursued the delegates for 15-20



minutes. Any orders given by SPLM/A-IO officers to their soldiers to stand down went unheard or were ignored.

- c. CTSAMVM is unable to substantiate the allegation that Maj Tut SPLM/A-IO gave the order to open fire on the delegation. Four witnesses from RAA said that he did, but none of the others corroborated this, and John Maiker Kuol, Chairperson of the RAA Peace and Reconciliation Commission, who was physically near both Lieutenant Colonel Gatkier and Major Tut at the time makes no mention of it. Three of the four witnesses told CTSAMVM that when they met the Wunkur County Commissioner he told them that "Major Tut had ordered the shooting"
13. It is the assessment of CTSAMVM that whatever or whoever started the shooting, the situation was handled badly by the SPLM/A-IO, whose officers failed to exert control over their soldiers.

CONCLUSIONS

14. CTSAMVM concludes that by sending a large party which included armed security personnel unannounced and without informing CTSAMVM into a sensitive area under the control of the SPLM/A-IO, the RAA acted in a provocative manner in violation of the R-ARCSS, specifically article 2.1.10.4.
15. Due to the contradictory nature of the available evidence, CTSAMVM is unable to conclude which Party initiated the shooting, however CTSAMVM can conclude that:
- a. Once the shooting started neither Party was able to stop it immediately. There was no effective control over those involved.
 - b. Once the shooting started, the SPLM/A-IO acted in an unnecessarily aggressive and determined manner.



OBSERVATIONS AND RECOMMENDATIONS

16. This tragic incident was the result of a unilateral initiative by the RAA which led to a needless loss of life. There are issues concerning the Wunkur/Wic-Panyikang area which should have been resolved at the political level before any such initiative could have taken place.

17. CTSAMVM recommends that:

- a. Appropriate measures are taken at the political level to address all issues concerning the Wunkur/Wic-Panyikang area.
- b. When NUF forces are ready to be deployed, units are sent to the area to ensure its security.
- c. If it has not already done so, the SPLM/A-IO should convene an enquiry into the incident, and hold to account any officers or soldiers whose negligence or lack of control exacerbated what happened on 1 July 2023.
- d. The SPLM/A-IO immediately makes arrangements to return the three vehicles to the RAA as ordered by the First Vice President Dr. Riek Machar.

