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Headquarters
Ceasefire & Transitional Security Arrangements
Monitoring & Verification Mechanism
Juba, South Sudan

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TO: Lt. Gen. Rabi Mujung Emmanuel (ITGoNU)
Maj. Gen./Dr. Chuol Ruea Kompuok (SPLM/A-IO)
Maj. Gen. Jany Kaway Yoakhor (SSOA)
Maj. Gen. Bior Leek Kuareng (Former Detainees)

FROM: The Chairperson, CTSAMVM

DATE: March 2024

SUBJECT: CTSAMVM REPORT 2024/04 VIOLATIONS AGAINST CIVILIANS AT GONDOKORO, CENTRAL EQUATORIA STATE, DECEMBER 2023/JANUARY 2024

Please find attached a report on violations of the R-ARCSS which took place in Central Equatoria State over the Christmas/New Year period December 2023/January 2024.

Please accept the assurances of my highest consideration.

Respectfully!

Major General Hailu Gonfa Edossa
Chairperson

Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism



VIOLATIONS AGAINST CIVILIANS AT GONDOKORO, CENTRAL EQUATORIA STATE, DECEMBER 2023/JANUARY 2024

EXECUTIVE SUMMARY

On 24 December 2023 a mixed force of SSPDF soldiers was deployed to Gondokoro as part of an ongoing disarmament campaign in Central Equatoria State. Initially the disarmament went ahead without too many issues, but on 28 December 2023 a second force was deployed to the area and proceeded to subject the local civilian population to harassment, extortion, illegal arrest and some violence. Two cases of attempted rape were recorded. Witnesses reported that many of the soldiers were drunk.

The disarmament forces were under the command of Major General Ruach Tap SSPDF, who set up a headquarters in Gondokoro Primary School.

The second group had with them a list of people they claimed were alleged members of NAS, and they used this to arrest and abuse civilians in Gondokoro. Some of those on the list were local officials. According to the County Commissioner there is no problem with NAS in the area.

The behaviour of the SSPDF caused many civilians to run away into the bush. A few weapons were found and confiscated, but the majority collected during the disarmament exercise were from the Wildlife officers stationed in the Payam.

It is clear that the SSPDF forces involved in the disarmament exercise in Gondokoro were ill-disciplined, badly led and acted in clear violation of the R-ARCSS. CTSAMVM recommends that those officers responsible are held to account, and that the civilians who had their property and money stolen are adequately compensated.

VIOLATIONS AGAINST CIVILIANS AT GONDOKORO, CENTRAL EQUATORIA

Reference:

A: Letter from Ramadam Juma Wani, Head Chief, Gondokoro Payam to the Director of Gondokoro Payam: "Unlawful arrest, Harassment, Torturing, Beating of people and looting Of Property by Joint Operations during House to House search on 31st December, 2023, 1st, 2nd, January 2024, in Mananyik Boma of Gondokoro Payam", Dated 3 January 2024.

B: Press Release: "Condemnation of atrocities meted out against the Juba County's Bari Community, Kondokoro Payam, under the guise of disarmament". dated 8 January 2024.

INTRODUCTION

1. Background:

- a. There has been a long-standing policy by the Government of South Sudan to disarm civilian communities throughout the country. This goes back to pre-independence era and a Government of South Sudan order promulgated in 2008 directing State Governors to carry out disarmament forthwith. In recent years there have been several disarmament operations around the country, including in Warrap and Lakes States.
- b. Following a confrontation between elements of the SSPDF and pastoralists on the outskirts of Juba in June 2023 and fatal inter-communal violence the decision was taken to disarm civilians in the area around Juba. Starting in July 2023 it has been reported that 4,000 illegal weapons were collected in Terekeka County alone, and disarmament operations have been ongoing throughout Juba County since then.
- c. On 24 December 2023 a mixed force of SSPDF was deployed to Gondokoro to carry out the disarmament of the civilian population in the area.

2. Allegations:

- a. A written allegation dated 3 January 2024 was made by the Head Chief in Gondokoro Payam addressed to the Director of the Payam outlining a list of serious allegations against SSPDF forces during the disarmament exercise which started on 24 December 2023. Details of these allegations were published in the press. Reference A.
- b. On 8 January 2024 a Press Release was published by the Bari Community in Juba, which included allegations about the actions of the disarmament forces in Gondokoro starting on 24 December 2023. Reference B.
- c. On 25 January 2024 at a CTSAMVM Board Meeting, several members of the Board emphasised the seriousness of the allegations made about events in Gondokoro, and repeated allegations made against the forces involved in the disarmament operation over Christmas and the New Year.

INVESTIGATION

3. Investigations were undertaken with the full participation National Monitors.
4. During the course of the investigation the MVT visited:
 - a. Gondokoro Payam Headquarters on 11 January 2024.
 - b. Juba County Headquarters on 23 January 2024.
 - c. Gondokoro Payam on 29 and 30 January 2024.
5. CTSAMVM interviewed a range of witnesses including:
 - a. Civil authorities:
 - i. Central Equatoria State Security Advisor, Hon Angelo Daya.
 - ii. Juba County Commissioner, Hon. Charles Wani.

- iii. Executive Director, Gondokoro Payam, Hon. Swokiri Sube.
 - b. SSPDF: Local Commander and officers, Riverine Battalion, Gondokoro.
 - c. Wildlife Service: Local Wildlife Service Commander, Gondokoro.
 - d. Traditional Leaders: Head Chief, Ramadhan Juma Wani, together with the Executive Chief and two Sub-Chiefs and a Community Elder.
 - e. Youth: Youth Gondokoro Payam.
 - f. Victims: 7 local people in Gondokoro Payam, 5 men and two women, all of whom were the victims of beatings, extortion and theft. One of the women was the survivor of an attempted rape.
 - g. Other witnesses: 2 foreign visitors.
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. General: Mixed forces were deployed in Gondokoro Payam to carry out civilian disarmament from 24 December 2024 to 3 January 2024. There were two groups involved. Following the deployment of the second group the disarmament became chaotic, with allegations of violence, torture, extortion, SGBV and theft.

- a. The first group was deployed from 24 – 28 December 2023. There were some complaints directed at the personnel who took part in this phase of the disarmament exercise on 26 December 2023, otherwise the weapons search proceeded reasonably peacefully, and the local traditional leaders provided water and food to the soldiers involved. The incident on 26 December 2023 involved the arrest, beating and fining on two youths. Seven 'phones were also taken and a woman threatened by a drunken soldier.
 - b. The second group deployed to the area from about 30 December 2023 to 3 January 2024:
 - i. It was the actions of this group which led to a significant number of serious complaints and allegations.
 - ii. The group came armed with a list of suspected members of NAS. This contributed to tension in the area. Most of the names on the list were those of government employees, and included the Executive Chief.
 - iii. All civilian witnesses interviewed by CTSAMVM reported that many of the personnel involved with the disarmament operation were drunk.
 - c. Command: The operation was commanded by Major General Ruach Tap SSPDF, who set up a headquarters in Gondokoro Primary School.
 - d. Displacement and disruption: The activities of the forces involved with the disarmament operation led to the temporary displacement of a large number of civilians, who fled in fear, and the disruption of Christmas and/New Year festivities.
8. Abuses by the Disarmament Forces: Following an extensive programme of interviews and visits, CTSAMVM found that the mixed forces under the command of Major General Ruach Tap were responsible for:

a. Arrest and extortion:

- i. A number of civilians were arrested on 31 December 2023 and 1 January 2024 on accusations of belonging to NAS or hiding weapons. About 20 people – including the Executive Chief and sub-Chief, but mainly youths – were taken to Molobur military base and held for days until 3 January 2024, badly treated and threatened with death. They were all forced to pay 25,000 SSP to be released; the chiefs had to pay considerably more. CTSAMVM was told by both chiefs involved that a total of 900,000 SSP was handed over in order to secure the release of those arrested.
- ii. The disarmament forces asked the Executive Chief and others about the presence of NAS in the area. When told there were none, Major Malik ordered the Executive Chief to produce 2 x PKM and 2 x RPG he claimed were used to “train rebels” on Gezira Island. The Executive Chief said he only had a rifle, which he handed over, only to be charged 200 USD for possession of the rifle and another 100,000 SSP for having his ropes untied and being escorted. Two sub-chiefs were beaten and charged a total of 6 goats and 230,000 SSP when they handed their rifles over. CTSAMVM was given other accounts of blatant extortion by the disarmament forces, with goats and money being taken.

b. Violence – beating and “torture”: CTSAMVM was given many first-hand accounts of the beating and “torture” of civilians. The Youth Leader, Traditional Leaders and other victims described being “whipped”, some with iron bars. CTSAMVM was shown photographs of some of the resultant wounds. Victims also described being brutally tied with ropes on both legs and hands with a wooden plank across their knees as a form of torture.

c. Theft and looting: Further to the money and goats extorted from civilians in the area, CTSAMVM was given substantial evidence of significant looting and theft, particularly of food and alcohol. Agricultural tools – which were described

by the disarmament forces as “weapons” were also taken, as were a number of mobile telephones, including expensive smartphones.

d. SGBV: There were two incidents of attempted rape by soldiers involved in the disarmament exercise. In both case the victims had prepared food for the perpetrators before being assaulted; fortunately, help was at hand and in neither case did the rapes take place, although both women were traumatised by the experience.

e. Confiscation of Wildlife Weapons:

i. The commander of the Wildlife Force in Gondokoro reported that on 25 December he was ordered to attach 5 personnel to the disarmament forces. This he did, but when the 5 Wildlife Officers met with the disarmament forces they were suspected to be civilians and were taken to the Wildlife Headquarters to confirm their identity. At the Wildlife HQ the disarmament forces took all the weapons in the armoury (32 AK47, 1 PKM MG and 1 RPG). Despite several visits to the commander of the disarmament operation, Major General Ruach Tap, the weapons were not returned. Major General Ruach Tap initially claimed the weapons were taken from civilians and refused to acknowledge they were from the Wildlife Force, and then later said a decision about the weapons would be taken “by the Government”.

ii. Some of the Wildlife Force officers were forced to pay fines to the disarmament forces.

iii. None of the Wildlife Forces took part in the disarmament operation.

9. SSPDF Riverine Forces:

a. The Deputy Commander of the SSPDF Riverine Forces in Gondokoro told CTSAMVM that there had been no coordination between the disarmament

forces and his unit, which took no part in the operation and which enjoys a good relationship with the civilian population in the area.

- b. He blamed some of the bad behaviour of the disarmament forces on a lack of logistic provision, which meant they were hungry and more likely to steal from civilians.

10. Aftermath:

- a. At a meeting with the County Commissioner, Hon. Charles Wani, on 23 January 2023 CTSAMVM was told that a committee chaired by the Security Advisor had been constituted to investigate what happened during the disarmament exercise in Gondokoro Payam. He further stated, that the SSPDF leadership had apologised for the conduct of the personnel involved and that those affected would be compensated.
- b. CTSAMVM specifically asked the County Commissioner whether there was a threat by “rebels” (NAS) in the Gondokoro area and he said no. He was concerned that the disarmament forces went to the area with a list of suspects which included local officials and traditional leaders. The County Commissioner emphasised that civilians who own guns are not necessarily “rebels”.
- c. The County Commissioner said that action was being taken against the commander of the disarmament operation, but no details were given as to the individual concerned or the level of command.

ASSESSMENT

- 11. There is no doubt that the disarmament forces under the command of Major General Ruach Tap were ill-disciplined, badly led and untrained. CTSAMVM has first-hand evidence that officers – including a Major and a Captain – were directly involved in extortion, threats, violence and theft.

12. It is the clear assessment of CTSAMVM that the actions of the disarmament forces in Gondokoro and Molobur between 24 December 2023 and 3 January 2024 were in violation of the R-ARCSS.

CONCLUSIONS

13. It is the conclusion of CTSAMVM that:

- a. By occupying the Gondokoro Primary School and using it as a military headquarters – however temporarily - Major General Ruach Tap SSPDF acted in clear violation of the R-ARCSS, specifically Article 2.2.3.1
- b. By subjecting civilians to beatings, extortion, theft and illegal arrest, the SSPDF – specifically those forces under the command of Major General Ruach Tap - acted in clear in clear violation of the R-ARCSS, specifically Article 2.1.10.5 and failed to comply with their obligations under Articles 2.1.10.7.4 and 2.1.10.7.5
- c. The attempted rape of two women by members of the SSPDF disarmament forces constituted a clear violation of the R-ARCSS, specifically Article 2.1.10.2 and a failure to comply with Article 2.1.10.7.5
- d. By deploying ill-disciplined, insufficiently-trained and badly-led troops on a sensitive operation in a civilian area the SSPDF failed in its obligations to protect civilians as specified in the R-ARCSS Article 2.1.10.7.4

OBSERVATIONS AND RECOMMENDATIONS

14. It is apparent there are still some officers in the SSPDF who remain ignorant of their obligations under the R-ARCSS to protect civilians. The behaviour of the soldiers involved with the disarmament operation in Gondokoro was unacceptable by any standards. It is difficult to understand where they got lists of suspected “rebels” which included officials and which were used as justification for violent, coercive and illegal acts against civilians. It is also difficult to understand how the

operation went ahead without advice from the County Commissioners office and liaison with organised forces on the ground – the Wildlife Force and the SSPDF Riverine Force.

15. It is encouraging that an investigation was established, and that disciplinary action is reportedly being taken against the SSPDF personnel involved.

16. CTSAMVM recommends that:

- a. Every effort is made to find and return the goods and money stolen from the people in Gondokoro Payam in order to try and restore confidence in the SSPDF in particular and the security services in general.
- b. The findings of the investigation chaired by the State Security Advisor be made public.
- c. Those officers responsible for what happened in Gondokoro over Christmas and the New Year be held to account, and the results of SSPDF disciplinary action be made public.