

CTSAMM/JMEC CONFIDENTIAL
NOT TO BE RELEASED WITHOUT THE AUTHORITY OF THE CHAIRMAN



TO: The Chairman, IGAD Council of Ministers
The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 15 January 2018

**SUBJECT: CTSAMM REPORT 2018/04 – VIOLATIONS OF THE ACOH IN THE
MUNDRI AREA, WESTERN EQUATORIA STATE**

Your Excellencies,

Please find attached a CTSAMM report on violations of the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (21 December 2017) which took place in the BANGOLO area south of MUNDRI, Western Equatoria State

Major General Ibrahim Abduljellil

Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 2018/04
REPORT ON VIOLATIONS IN THE MUNDRI AREA

Executive Summary

The area south of Mundri has long been associated with allegations by both Parties blaming each other for offensive and provocative actions. Following the signing of the ACOH on 21 December 2017 there have been a series of movements by the SPLA which led to some looting and a clash with SPLA-IO (RM) forces.

Movements carried out by the SPLA following the agreed 24 December implementation date of the ACOH were undertaken without CTSAMM being informed. It became apparent that senior officers at the SPLA HQ in MUNDRI were ignorant of those provisions of the ACOH which required them to give advance notice of any movement to CRSAMM.

It is the opinion of CTSAMM that movements by the SPLA between 22 December 2017 and 8 January 2018 violated both the word and the spirit of the ACOH.

1.0 Introduction

1.1 Background:

- MUNDRI is held by the SPLA. The area south of MUNDRI is dominated by the SPLA-IO (RM). The SPLA maintain a garrison at BARI and in other villages. The current status of GARIYA is unclear.
- Over the past 6 months there have been a series of allegations concerning clashes between the SPLA and SPLA-IO (RM), with both sides accusing the other if initiating the violence.
- From 22-28 December 2017, the MVT based in Yambio received a series of allegations as follows:
 - It was alleged that starting on 22 December the SPLA, involved in operations to open roads in the area passed through BANGOLO looting as they went.
 - On 24 December there was a clash at LADIMWA between the SPLA and SPLA-IO (RM) caused by the SPLA moving from BARI towards GARIYA.
 - On 28 December 2017, it was further alleged that the SPLA moved four land-cruisers and an armoured vehicle from MUNDRI to GARIYA.
- There was further information to suggest that there had been an SPLA movement between MUNDRI and GARIYA on 8 January 2018. CTSAMM had not been informed about this.

1.2 Aim: The purpose of this report is to summarise the findings of the CTSAMM investigation into alleged military movement and clashes in the MUNDRI area, apportion responsibility where possible and make recommendations.

1.3 Methodology:

- The Yambio MVT maintain contact with both the SPLA in MUNDRI and SPLA-IO (RM) forces to the south. They also have civilian contacts in the area.
- The MVT visited BANGOLO on 9 January 2018 in order to investigate the allegations. There they met traditional leaders and a large number of local civilians, NGO representatives and SPLA-IO (RM) officers from their nearby headquarters.
- Following the visit to BANGOLO the MVT contacted senior SPLA officers in MUNDRI for comment.

2.0 Findings

- 2.1 SPLA personnel did steal property including motorcycles and bicycles, food items and bedding from the people of BANGOLO when they passed through on or about 22 December 2017. Local contacts witnessed SPLA soldiers selling looted items in the market at MUNDRI soon after the incident.
- 2.2 The SPLA deny there was any sort of clash at LADIMWA on 24 December. However, the CTSAMM MVT received information from multiple sources within the community and also from an NGO suggesting that it did happen. All the evidence suggests that the clash was caused by SPLA troops moving into areas dominated by SPLA-IO (RM) forces. The SPLA-IO (RM) claimed that their Deputy Commander was killed in the action, but CTSAMM were unable to corroborate this.
- 2.3 Allegations that the SPLA moved towards GARIYA with land cruisers and an armoured vehicles on 28 December were denied by the SPLA. However, there was contradictory information given by officers at the SPLA HQ: the Deputy

Commander claimed that the SPLA had held GARIYA since November 2017 whereas another senior officer said they had not been to GARIYA. The CTSAMM MVT has yet to visit GARIYA. Evidence from local people suggests there was some sort of movement by the SPLA on 28 December but details are unconfirmed.

- 2.4 The SPLA did admit to a movement from MUNDRI on 8 January, saying it was an administrative convoy to support their troops in FARASIKA, KARIKA, LAZULU and KOTIBI. They did not give CTSAMM advance notice of this movement because they did not have a copy of the ACOH and had not been told they are now required to do so.

3.0 Assessment:

- 3.1 The situation in the area south of MUNDRI is complex, and contradictory reports from the SPLA have made it difficult for the MVT investigating the allegations. However, it is clear that in the period since 22 December, and especially after the 24 December start date of the ACOH there has been increased SPLA activity in the area, the looting of civilian property by SPLA personnel in BANGOLO and a clash between the SPLA and SPLA-IO (RM) units at LADIMWA
- 3.2 It is apparent that senior SPLA officers in the Headquarters in MUNDRI remained ignorant of the provisions of the ACOH even as late as 8 January, when they carried out an administrative move without having first informed CTSAMM.
- 3.3 There have been contradictory claims by the SPLA about the location of their forces. The SPLA have not and in this instance did not declare the locations of their units, most importantly those in close proximity with opposing forces.
- 3.4 Conclusion:

- There is no doubt that the SPLA carried out a series of movements in the area south of MUNDRI at the time the ACOH came into effect. These movements led to a clash with SPLA-IO (RM) forces, and during these movements the local population suffered some theft and looting by SPLA personnel.
- Senior SPLA officers in the HQ in MUNDRI were ignorant of the provisions of the ACOH which indicates the SPLA have failed to inform its personnel
- The actions of the SPLA between 22 December 2017 and 8 January 2018 in the area south of MUNDRI have been in violation of the following articles of the ACOH:
 - Article One 1: “...cease all hostile military actions and operations in furtherance of armed conflict...”
 - Article One 2: “All forces shall immediately freeze in place, except for movements authorized by CTSAMM.....”
 - Article One 5: “...each Party shall notify its commanders and affiliates of the Agreement...”
 - Article Five 4: “...shall not loot property...”
 - Article Eleven 8: “The Parties will provide CTSAMM with the information it requires for the discharge of its duties, including.. the location of its forces”

4.0 Observations and Recommendations:

- 4.1 In carrying out a series of moves in the area south of MUNDRI at a time the ACOH was to come into effect, the SPLA not only violated the word of the agreement, but also ignored the spirit of the agreement.

- 4.2 The area south of MUNDRI is a potential flashpoint, and has been for some time. In order that the ACOH can be implemented in the area, it is vital that both the SPLA and the SPLA-IO (RM) declare and agree the locations of their respective forces, and measures are taken to disengage where they are in close proximity.
- 4.3 CTSAMM notes with concern that senior officers in an SPLA Divisional Headquarters proved ignorant of the provisions of the ACOH. CTSAMM calls on the SPLA to ensure that the ACOH is promulgated effectively and officers are given the training they need in order to understand it.
- 4.4 CTSAMM calls on the IGAD Council of Minister and JMEC to apply all possible pressure on the Parties to honour their commitments under the ACOH.
- 4.5 CTSAMM will be visiting the area again in the near future in order to follow up this report and get a better understanding of the status and locations of both SPLA and SPLA -IO (RM) forces in the area.