

# CTSAMM Headquarters

## CEASEFIRE AND TRANSITIONAL SECURITY ARRANGEMENTS MONITORING MECHANISM



TO: The Chairman, JMEC  
FROM: The Chairman, CTSAMM  
DATE: 7 February 2017

**SUBJECT: CTSAMM Report 023 - Violation of the PCTSA in Unity State**

Excellency,

Please find attached a CTSAMM report on a violation of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan of August 2015) that took place in in Payak village near Leer in Unity State on 19 June, 2016.

This was discussed at the CTSAMM meeting on 25 January 2017.

Major General Molla Hailemariam  
Chairman

**Ceasefire and Transitional Security Arrangements Monitoring Mechanism**

**CTSAMM REPORT NUMBER 023**  
**VIOLATIONS IN UNITY STATE**

**Executive Summary**

It was alleged by the Government that on 19 June 2016, a Government Forces patrol at the Leer airstrip were attacked by SPLM/A-IO soldiers stationed nearby and chased up to the INGOs Compounds by the airstrip, creating a lot of fear and insecurity. Three SPLA and two IO soldiers were wounded.

It is the opinion of CTSAMM that the Government Forces patrol were in violation of the PCTSA. Although there is no evidence to suggest this incident was officially ordered or organised, it was the Government Forces patrol which took provocative actions which led to the subsequent clash.

## VIOLATIONS IN UNITY STATE

### 1.0 **Introduction**

#### 1.1 **Background:**

- The general security situation in Leer/Southern Liech was relatively calm during April and May 2016, although there were several vehicle ambushes and tensions were sometimes high.
- INGOs such as MEDAIR, MSF and ICRC are located by the airstrip, from where they deliver assistance to civilians from both sides. The airstrip was under control of Government Forces.
- However, around 700 metres south of the airstrip is the deserted Payak market, where there was an SPLM/A-IO checkpoint, and 2 KM further down is Payak village where SPLM/A-IO forces were stationed.
- The relationship between the Parties was on the whole relatively cordial, and local civilians enjoyed free movement. Both sides kept to their positions.

1.2 **Allegations:** The Deputy Governor in Leer alleged that SPLM/A-IO soldiers attacked an SPLA patrol team in Leer airstrip on 19 June 2016, in which three SPLA soldiers and two IO soldiers were wounded.

1.3 **Aim:** This report aims to outline the details of the incident and investigations for JMEC with assessments and recommendations.

#### 1.4 Methodology:

- The MVT based in Bentiu visited SPLA 4<sup>th</sup> Division HQ and met with Deputy Commander in Bentiu.
- The MVT travelled to Leer by air, interviewed GHANBATT Officer in MOMBATT Base, visited the Governor's Office and met with the Acting Governor.
- MVT visited Thonyor and met with the SPLM/A-IO Area Commander and Commissioner.
- MVT visited Payak Market, Payak village and Leer airstrip, the sites of the incident.

#### 2.0 Findings of the Investigation

- 2.1 On 20 June 2016, the MVT paid a visit to the 4<sup>th</sup> Division HQ of SPLA in Bentiu. During the interview, the Deputy Commander claimed that SPLA patrol team was attacked by IO and three soldiers were wounded.
- 2.2 On 29 June 2016 the GHANBATT Commander in the UNMISS base briefed the MVT that the shooting was reported by an INGO operating along the airstrip around 17:00 hrs on 19 June 2016, and Government Forces movement to the airstrip was later observed. GHANBATT patrol team sent to the site was informed by the SPLM/A-IO commander that six AK 47s customarily kept under the tree were forcibly taken by Government Forces. There was no killing but one SPLM/A-IO was soldier wounded.

- 2.3 On 29 June 2016, the MVT visited Governor's Office in Leer. The acting Governor declared that 10 Government Forces soldiers were attacked by SPLM/A-IO while patrolling on airstrip and one was shot. However, he commended the restraint of the SPLM/A-IO commander who did not escalate the situation.
- 2.4 On 30 June 2016, in Thonyor Payam the MVT met with Leer SPLM/A-IO Commander, and the Commissioner. They accused Government Forces of entering an SPLM/A-IO controlled area with the intention of stealing the six AK 47 rifles kept under a tree. This resulted in a young boy being wounded. They both demanded that the guns be returned, and that they would deploy SPLM/A-IO forces back to Payak Market or even take Leer town if there were further provocative actions by Government Forces.
- 2.5 On 1 July 2016, the MVT visited Leer airstrip and Payak village. The SPLM/A-IO local Commander confirmed that on 19 June 2016, Government Forces soldiers came to the SPLM/A-IO controlled Payak Market to insult SPLM/A-IO soldiers and take away the guns stored under the tree. He also admitted the shooting erupted only when Government Forces saw a young boy running away with his rifle and other SPLM/A-IO soldiers arrived. SPLM/A-IO forces pushed the Government Forces soldiers to the middle of the airstrip where the INGOs were located. The SPLM/A-IO commander then ordered all SPLM/A-IO forces back 2 KM in order to reduce the risk of escalation and allow investigation by CTSAMM.
- 2.6 The MVT were able to get independent civilian corroboration of the incident, particularly that the Government Forces came into the area customarily controlled by the SPLM/A-IO and took the six rifles.

### **3.0 Assessment**

3.1 It is the assessment of CTSAMM that the alleged clash between Government Forces and the SPLM/A-IO did occur in Payak Market near Leer airstrip on 19 June 2016. It started at the Payak Market, continued to the airstrip and ended with the withdrawal of SPLM/A-IO forces.

3.2 CTSAMM considers Government Forces were responsible for the incident, because they entered an SPLM/A-IO area, took rifles and most likely started the shooting. There is, however, no evidence to suggest that it was a deliberate action sanctioned or ordered by Government Forces commanders.

### **4.0 Conclusion**

4.1 It is the opinion of CTSAMM that the incident happened in Payak village Leer County Unity State on 19 June 2016 was a violation by Government Forces of article 1.7 of the PCTSA, specifically:

- Article 1.1 of the COHA: “The Parties hereby agree to cease all military actions aimed at each other....”

### **5.0 Observations and Recommendations**

5.1 This incident happened a long time ago. However, there are lessons to be learnt, specifically that Government Forces must impose discipline on their troops in order to prevent this sort of incident. It was not a major incident, but it could have escalated into something far more serious.

- 5.2 It is vital that all the Government and Opposition forces be made fully aware of the provisions of the Agreement and ordered to abide by them.
- 5.3 The CTSAMM further recommends that when the situation allows, 'buffer zones' be agreed between the Parties in the Leer area in order to prevent these types of incident happening.