



TO: The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 7 February 2017

SUBJECT: CTSAMM REPORT 032 - MONITORING REPORT JANUARY 2017

Excellency,

Please find attached a CTSAMM report on the findings of monitoring patrols within the legacy states of Central Equatoria, (specifically the Yei area), Western Equatoria, Western Bahr el Ghazal (Raja) and Unity State (Pariang).

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

Major General Mollà Hailemariam
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM MONITORING REPORT JANUARY 2017

Executive Summary

Patrolling is a key way in which CTSAMM MVT's monitor compliance with the PCTSA, maintain contact with stakeholders and develop their understanding of the situation on the ground.

CTSAMM is increasing the number of long-range patrols to areas where there are no MVT's. Recent patrols visited the areas of Yei, Mundri, Maridi, Raja and Pariang, and found that in general both Government and opposition forces are not compliant with the provisions of the PCTSA: conflict continues and the civilian population is subject to looting, rape, freedom of movement restrictions and killing. Awareness of both the ARCSS and PCTSA is limited.

CTSAMM will continue to extend its long-range patrolling programme, with an emphasis on monitoring compliance with the PCTSA, disseminating information about the PCTSA and making and maintaining contact with all stakeholders.

CTSAMM recommends that JMEC and all stakeholders do all in their power to not only disseminate the key provisions of the PCTSA, but also ensure compliance by both civil and military authorities. Ethnic tensions need to be addressed, and there must be inclusive political dialogue to stop continued conflict.

1.0 **Introduction**

1.1 **Background:**

- According to its mandate, CTSAMM is required to monitor the parties' compliance with the PCTSA. Patrols to specific areas make a vital contribution to the MVT's understanding of their respective AOR's, and enable CTSAMM to have a view on what is happening in areas where there are no permanent CTSAMM MVT's. The mounting of such patrols is part of the monitoring task and a key element of CTSAMM operations along with investigations and verification.
- The situation in Yei has been an area of concern to CTSAMM since August 2016 because daily reports from the Civil Liaison Officers (CLOs) assigned to MVT Juba indicate significant levels of violence, as have reports from other sources. These concerns were shared by UNMISS and the international community. As a result, CTSAMM mounted a long range patrol from Juba to Yei to monitor the situation there.
- Other recent patrols visited Mundri and Maridi, Raja and Pariang.

1.2 **Aim:** The purpose of this report is to present to JMEC a summary of monitoring activities during recent long-range CTSAMM patrols, and to make recommendations.

1.3 **Methodology:**

- **Yei:** The evidence and information provided in this report about the situation in Yei was collected during a long distance patrol conducted from 28 November until 2 December 2016 by an MVT based in Juba.

- Mundri and Maridi: The MVT based in Yambio undertook a long-distance patrol to Mundri and Maridi from 21 to 27 November 2016. They accompanied an UNMISS patrol but acted independently.
- Raja and Pariang: Both these places were visited by air patrols: the MVT based in Wau went to Raja on 28 December 2016, and the MVT based in Bentiu visited Pariang on 29 December. Both visits were coordinated with UNMISS. Time on the ground was limited, but enabled the MVT to get a feel for the issues and make recommendations for future engagement.

1.4 Patrol Tasks. The patrol tasks were to:

- Monitor the overall situation in the areas visited, with a particular focus on knowledge of and compliance with of all aspects the PCTSA.
- Identify any potential of alleged PCTSA violations.
- Establish or maintain contact with all relevant stakeholders.
- Where necessary, explain the role and mandate of CTSAMM.

2. Patrol to Yei

2.1 Specific Task. To gather information about and, if possible, investigate three alleged PCTSA violations that reportedly occurred in the Yei area since 30 October 2016.

2.2 Composition and Conduct of Patrol.

- The patrol comprised CTSAMM and UNMISS staff with UNMISS force protection. Despite extensive planning the patrol suffered from Freedom of Movement constraints and as a result the duration of the patrol was reduced from 5 days to 3 days. Unfortunately this meant that the patrol was unable to investigate the 3 alleged PCTSA violations (paragraph 2.1 above).

- The Freedom of Movement issue was that on 28 November the joint patrol was stopped by a Government Forces checkpoint at Bungo on the Juba-Yei road and had to return to Juba, before starting again the next day in the afternoon.

2.3 Interaction with Stakeholders. Meetings were held with multiple stakeholders during the patrol, including local authorities, church leaders, IDP's, women's and community groups and local people.

2.4 Findings:

- The MVT concluded after the visit that the situation in Yei and the surrounding area can only be described as dire. Many of the villages near Yei are empty, a large number of people have been displaced and gone into the bush, to IDP camps or to neighbouring countries. Some have joined the SPLM/A-IO or other organised local armed groups. The remaining civilian population lives in fear.
- There are and have been clashes between Government and opposition forces. There is also a general unrest amongst the local population which has been subject to arbitrary arrest, harassment, sexual violence, forced eviction and – reportedly – torture by Government Forces. Local people claim that Government Forces target youths who they believe might be part of or sympathetic to the opposition.
- There have also been reports of the killing of civilians by Government Forces. The MVT was hoping to investigate 3 specific allegations concerning such incidents but there was not time available and these allegations will require follow-up action.

- There are numerous Government Forces checkpoints around Yei itself which impose severe restrictions on people moving to and from the town. Local people claimed that they were routinely harassed and in some cases assaulted by the soldiers at the checkpoints. There were also unsubstantiated reports of shootings.
- Reports from outlying areas suggested that SPLM/A-IO or other armed groups also operate checkpoints which behave in a similar way to those of the Government, particularly towards ethnic groups not local to Yei. Many reports from IDP's and local people suggest that soldiers of the SPLM/A-IO and other armed groups have also been involved in shootings, looting, harassment and sexual violence, although the majority of community leaders interviewed by the MVT independently said that Government Forces soldiers were the primary perpetrators of violence against the civilian population.
- The humanitarian situation has been significantly affected by the breakdown of security in the area. Restrictions to freedom of movement exacerbate humanitarian problems.
- Community and religious leaders, respected local officials and ordinary people consistently emphasised what they considered to be an ethnic dimension to the actions of Government Forces in the Yei area.
- Compliance with the PCTSA: The MVT found that stakeholders had little or no knowledge of the ARCSS. It was particularly apparent that Government Forces in Yei lacked knowledge of and were not compliant with the provisions of the PCTSA.

3 Patrol to Mundri and Maridi

3.1 Composition and Conduct of Patrol.

- The MVT based in Yambio accompanied a scheduled UNMISS patrol from Yambio to Mundri, stopping at Maridi. Although with UNMISS the team operated independently.
- The nature of the patrol meant that the MVT was unable to visit areas outside Maridi and Mundri, and were therefore unable to talk with people outside areas of Government control.

3.2 Interaction with Stakeholders: In both locations visited the MVT was able to meet with a wide range of Government civil and security officials of what are known as Maridi and Amadi states, as well as women's and youth groups and religious leaders.

3.3 Findings:

- The Government influence in Mundri extends only about 5 Km from the town, beyond which the SPLM/A-IO are in control. The authorities in Mundri claimed that they had made many attempts to contact and make peace with opposition groups but in vain. There was a general feeling that the objectives of the SPLM/A-IO and other opposition groups in the area were changing and taking on a more ethnic dimension.
- Civilians suffer at the hands of both Government and opposition forces: harassment, looting and rape. Because the MVT was unable this time to travel into areas under the control of opposition forces it was unable to get a picture as to the extent of this issue. However, local people in Mundri were scared of the Government soldiers in the area.

- There is some humanitarian distribution, but in Mundri schools are closed and there is no education taking place.
- Maridi is less conflicted. The authorities there feel that most of their problems come from surrounding states rather than within their own. The authorities make positive attempts to reach out to opposition groups, and claimed that nearly a hundred had recently “surrendered” to the state authorities.
- The conciliatory attitude of the authorities in Maridi is encouraging. However, it was apparent that the authorities in both Maridi and Mundri need direction from the TGoNU on the practical implementation of the ARCSS in general and the PCTSA in particular.
- Compliance with the PCTSA:
 - The MVT found there was some knowledge of the ARCSS and the PCTSA amongst the authorities of both Maridi and Amadi states. However, they expressed concern about how the provisions of the PCTSA are to be implemented because none of the timelines have been met and also because of political changes since July 2016.
 - The actions of Government Forces soldiers stationed in and around Mundri suggest they have little knowledge of the PCTSA.

4 **Patrols to Raja and Pariang**

4.1 Composition and conduct of patrols:

- Both patrols were by helicopter and took place in coordination with UNMISS.
- Time on the ground was limited. There was no possibility in either case for the MVTs to stay overnight.

4.2 Interaction with stakeholders: CTSAMM MVTs met with the Governors of what are known as Lol State (Raja) and Ruweng State (Pariang), together with civil and security authorities. In Raja the MVT also met with religious and community leaders.

4.3 Findings:

- During the visits the situation was calm, and reported as such by both governors. However, significant tensions remain in the Raja area. It was overrun by opposition groups last year, and there was a recent assassination attempt against the governor.
- The authorities in Raja claimed they tried to contact and talk with opposition groups in the area but with no success. They suggested that these groups had little organisation and no political allegiance.
- There are significant humanitarian concerns in Raja, with medical and educational facilities in urgent need of attention, and water supply and food shortages. The situation in Pariang is no so bad given the sparse population and ability of the local people to live off the land in a traditional manner.

- Compliance with the PCTSA: It was difficult for the teams to assess compliance in Raja and Pariang following such short visits. The authorities were aware of the agreements up to a point. In Raja in particular the authorities had not considered how the agreements should be applied in their situation.

5.0 Conclusions:

- 5.1 Whilst local authorities have some knowledge of the ARCSS and PCTSA, it is apparent that in the areas visited by the MVTs in the legacy states of Central and Western Equatoria and Western Bahr el Ghazal, none of the parties to the conflict are compliant with the PCTSA. Although the nature of the patrols did not allow CTSAMM MVTs to meet with representatives of the SPLM/A-IO or other armed opposition groups, there was sufficient evidence from local people to suggest they are not compliant with the PCTSA. The teams were able to get first-hand evidence that Government Forces, particularly in the Yea area, act with total disregard to the provisions of the PCTSA.
- 5.2 The basic principles of the COHA and PCTSA are not being applied by the Parties. Because of this fighting continues, and the people of South Sudan continue to be subject to killing, looting, rape and displacement.
- 5.3 At the end of this month patrols are planned to the Yei area to investigate the alleged burning of tukuls in a number of locations; further verification and investigation patrols need to be and will be conducted to conflicted areas.

6.0 Recommendations

6.1 Following the Yei patrol, CTSAMM presented recommendations to the last JMEC meeting on 17 December 2016.

6.2 These recommendations have been reinforced as a result of the other long-range patrols. They are:

- There should be political dialogue to stop the fighting and address ethnic tensions.
- Civilians must be guaranteed the right to Freedom of Movement.
- Humanitarian assistance with unhindered access for humanitarian actors must be guaranteed.
- The presence of UNMISS and other monitoring bodies should be established in conflicted areas on either a temporary or permanent basis.
- That perpetrators of human rights violations must be held accountable.
- All forces should be cantoned as soon as possible.