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**TO:** Lt. Gen. Rabi Mujung Emmanuel (TGoNU)  
Maj. Gen. Martin Gama Abucha (SPLM/A-IO)  
Maj. Gen. Jany Kaway Yoakhor (SSOA)  
Maj. Gen. Bior Leek Kuareng (Former Detainees)

**FROM:** The Chairperson, CTSAMVM

**DATE:** 18 Aug 2021

**SUBJECT: CTSAMVM REPORT 2021/08 – INCIDENTS IN NASSIR**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on violations of the R-ARCSS which took place in Nassir, Upper Nile State between 11 May and 20 June 2021.

Please accept the assurances of my highest consideration.

  


Major General Teshome Gemechu Aderie

Chairperson

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

## CTSAMVM REPORT 2021/08

### EXECUTIVE SUMMARY

On 11 May 2021 three youths in the market area of Nassir town opened fire on an SSPDF officer and killed him. The youths then took the officer's weapon and dispersed. On 12 May 2021 SSPDF were sent from the SSPDF garrison to the Market area to follow up on the incident when there was an internal dispute and a second SSPDF officer was killed by an SSPDF soldier, and a civilian woman was killed by a stray bullet.

On the afternoon of 20 June 2021 there was an attack by a group of armed civilians described as being from the "White Army" on a checkpoint operated by the SSPDF at the east checkpoint in Nassir town. In the attack an SSPDF officer was killed, and five weapons were seized from the checkpoint.

Following the attack on the SSPDF checkpoint on the evening of 20 June 2021, SSPDF forces advanced upon and attacked the SPLM/A-IO base at Kedbeck in violation of the R-ARCSS. During the attack a civilian was killed, dwellings were destroyed, and civilians were displaced.

The death of two innocent civilians and the destruction of dwellings resulting in displacement of civilians occurred because the SSPDF Special Operations Brigade based in Nassir failed in their obligations under the R-ARCSS to protect civilians.





## INCIDENTS IN NASSIR

### Introduction

#### 1. Background:

- a. Tensions have existed between the SSPDF garrison in Nassir and local SPLM/A-IO ever since the signing of the COHA in January 2014. However, the situation has improved and there has been relative calm since the signing of the R-ARCSS apart from several incidents. The last significant incident was in March 2021 when the SSPDF advanced to the SPLM/A-IO base at Kedbeck following the shooting by an armed civilian of an SSPDF officer. This incident was the subject of CTSAMVM Report 2021/04, which was followed up by timely remedial action by JDB.
- b. On 12 May CTSAMVM received information about another shooting incident involving armed civilians and an SSPDF soldier which took place in Nassir on 11 May, and this was followed by a further incident on 12 May where a civilian was killed. There were further reports of the killing of another SSPDF soldier, and a resulting attack by the SSPDF against SPLM/A-IO positions at Kedbeck on 20 June 2021

#### 2. Allegations: CTSAMVM received the following allegations:

- a. That on 11 May 2021 members of a group known as 'White Army' killed an SSPDF soldier and stole his weapon.
- b. That on 20 June 2021 three 'White Army' members attacked a checkpoint operated by SSPDF and killed an SSPDF officer and seized 5 weapons.
- c. That on 20 June 2021 SSPDF soldiers killed a civilian male and apprehended the civilian's wife.

- d. That on 20 June 2021 SSPDF attacked the SPLM/A-IO base at Kedbeck, wounded two civilian women and burned and looted properties.
3. Aim: The aim of this report is to detail the findings of CTSAMVM investigations into the allegations, attribute responsibility for breaches of the agreements<sup>1</sup> where applicable and to make recommendations.

4. Methodology:

- a. On 27 July 2021 CTSAMVM visited Nassir County and conducted interviews with the following:
- Hon. Duol Kun Thian, Nassir County Commissioner
  - Brig Gen Salvakir Ahmed, SSPDF Special Brigade Deputy Commander
  - Maj Gen Thomas Tut, Director of Nassir and Ulang Counties police
  - Capt. Biel Guek, head of Nassir County Criminal Investigation Department (CID)
  - Maj Gen Tut Riek, SPLM/A-IO Div 3 Commander
  - Brig Gen Sudan Ngor Kuany, Div 3 Deputy Commander
  - Mr. Deng Riek, Nassir Paramount chief.
  - Mr. Chop Yiech, Wanding area Paramount chief
  - Pastor Ding Gatluak, religious leader in Nassir town
- b. 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 humanitarian entities and signifies that sufficient facts and evidence have been collected to conclude that an event has occurred.

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<sup>1</sup> The Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan of 12 September 2018: While the R-ARCSS was not signed by NAS and is not applicable to it, the R-ARCSS remains fully relevant to any actions or failures to act attributable to the Government's SSPDF and/or NSS (National Security Service). The Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access of 21 December 2017: This was signed by NAS which remains bound by its provisions.



## Findings

5. The Nassir County Commissioner and representatives of SSNPS, SSPDF and SPLM/A-IO all reported that the general security situation in Nassir County has been calm and peaceful since March 2021. The Director of Nassir and Ulang County police stated that both SSPDF and SPLM/A-IO worked together to provide security with responsibility for Nassir town security assigned to SSPDF and SSNPS and responsibility for the suburbs of Nassir – including Kedbeck - assigned to SPLM/A-IO.
6. The Nassir County commissioner, SSNPS and local leaders all stated that the main cause of insecurity has been the actions of groups they refer to as “White Army” to steal weapons from both military personnel and civilians from all parties. In order to reduce insecurity uniformed groups and civilians are required to hand weapons in to checkpoints when entering Nassir town and collect them when leaving.
7. On the evening of 11 May 2021 three youths in the market area of Nassir town opened fire upon an SSPDF officer and killed him. The youths then took the officer’s weapon and dispersed. The incident was confirmed by the County commissioner, the SSPDF Special Brigade Deputy Commander and SSNPS.
8. On 12 May 2021 SSPDF soldiers were sent to the market area to follow up on the incident. It is confirmed by the County Commissioner and SSPDF that on the morning of 12 May there was an internal dispute and an SSPDF officer was killed by an SSPDF soldier, and that during this incident a civilian woman was killed by a stray bullet. The perpetrator is alleged to have fled the scene and is now in Ethiopia. The County Commissioner stated that he is in contact with tribal chiefs in Ethiopia to arrange the return of this individual so he can face justice.
9. SSNPS representatives stated that they were concerned at the poor standard of training displayed by SSPDF soldiers in Nassir, and that the soldiers do not respect their leaders.



10. On the afternoon of 20 June 2021 there was an attack on the east checkpoint in Nassir town, which is operated by the SSPDF. In the attack an SSPDF officer was killed, and five weapons were seized from the checkpoint. (Two from SSNPS, one from SSPDF and two from civilians). The timing, location and consequences of the attack were confirmed by SSNPS and SSPDF.
11. The attack on the afternoon of 20 June 2021 was stated by the County Commissioner and SSNPS to have been conducted by a "White Army" group of armed civilians. This is disputed by the Deputy Commander of the SSPDF Special Brigade (Brig Gen Salvakir Ahmed) who stated that the criminals are not White Army, but are SPLM/A-IO and it is they who are responsible for the killings in Nassir.
12. On the evening of 20 June 2021 witnesses heard heavy and continuous gunfire from the direction of Kedbek. SSNPS then received information that there had been an attack on the SPLM/A-IO base at Kedbeck by the SSPDF. On 21 June 2021 a civilian reported to the police station at Nassir that her husband had been killed by the SSPDF, and that she was taken to the SSPDF barracks where she was held overnight. The man killed was not White Army or SPLM/A-IO; he and his wife were travelling from Dinkar payam. After arranging her husband's funeral, she has since departed to Ethiopia.
13. On 21 June 2021 the SSNPS attended the scene of the attack at Kedbeck and conducted investigations. Maj General Thomas Tut, SSNPS, observed the body of the male killed in the attack. During the incident two civilian women were wounded and other women were taken to Nassir SSPDF barracks but were later released. The SSNPS investigation confirmed that the attack occurred and that dwellings had been destroyed by fire. Witnesses stated that the attack at Kedbeck was carried out by the SSPDF. Brig Gen Salvakir Ahmed SSPDF denied that his soldiers had attacked Kedbeck, or that his soldiers had apprehended any women.
14. Relations between SSPDF and SPLM/A-IO in Nassir county are not cordial. For this reason, the forces are separated with the SSPDF in Nassir town and



SPLM/A-IO in the suburbs, chiefly Kedbeck. It is recognised that each party controls separate areas. The SPLM/A-IO in Kedbeck have no permanent barracks and few facilities. The nearest cantonment site is at Torpuot which is suffering from severe shortages of food.

### **Assessment**

15. The incidents which led to the deaths of an SSPDF officers and a civilian woman on 11 May 2021 and 20 June 2021 in Nassir were because of an attack by armed civilians referred to as "White Army". The assertion by Brig Gen Salvakir Ahmed SSPDF that the SPLM/A-IO were responsible for the attack is not sustainable. The County Commissioner, SSNPS and local leaders all attest to the existence of the White Army who are active in Nassir County and said it was they who perpetrated the attacks. They have a history of committing violent attacks and stealing weapons.
16. The incident on 12 May 2021 which resulted in the death of an SSPDF officer and a civilian was the result of an internal dispute within SSPDF.
17. There was an attack on SPLM/A-IO forces and civilians at Kedbeck on the evening of 20 June 2021. The attack was conducted by SSPDF from Nassir, most probably as an act of revenge for the incidents perceived to have been committed by criminals associated with the SPLM/A-IO earlier on the same day in Nassir. The attack was similar to that which took place on 15 March 2021.
18. The attack on Kedbeck on 20 June 2021 resulted in the death of an innocent civilian, destruction of property and harassment of women.
19. The main driver of insecurity in Nassir County is the presence of youth who are attacking SSPDF, SPLM/A-IO, SSNPS and civilians in order to acquire weapons.

### **Conclusion**





20. It is the conclusion of CTSAMVM that by attacking the SPLM/A-IO base and destroying civilian dwellings in Kedbeck the SSPDF acted in clear violation of the R-ARCSS, specifically Article 2.1.9: "No revenge, vengeance or retribution and any kind of violation of the Permanent Ceasefire is allowed under any circumstances."

21. The action of SSPDF caused the killing of innocent civilians on 11 May and 20 June 2021 in Nassir and Kedbeck respectively, and the destruction of civilian dwellings. The SSPDF has failed to fulfil its obligations to protect civilians as required by Articles , 5 and 6 of the Agreement on Cessation of Hostilities 21 December 2017 as incorporated into Article 2.1.10 of the R-ARCSS.

### **Observations and Recommendations**

22. The incident is the second such attack conducted against SPLM/A-IO positions in Kedbeck in 2021. As a result of the previous attack the JDB investigated and took steps to remove the commander of the SSPDF garrison in Nassir. It is recommended that JDB now take further steps to resolve the tensions which continue to cause insecurity.

23. The evident lack of discipline displayed by the SSPDF in Nassir should be addressed in order to avoid further violence. It is recommended that the SSPDF takes urgent steps to improve training, discipline, and accountability.

24. Armed civilians referred to as the 'White Army' pose a significant threat to security in the area. This threat needs to be addressed by all parties. It is recommended that the SPLM/A-IO takes all possible steps to control these elements in the areas under their control.

25. The SSPDF should ensure that all the issues concerning the killing of the two civilians are addressed in the proper way. Justice must be seen to be done.

26. Stakeholders in Nassir are working together to ensure security, but the successful measures undertaken, such as the establishment of weapon control



check points, have been undermined by poor discipline. The cooperative approach to providing security should be improved and sustained.

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