

**CTSAMVM CONFIDENTIAL**  
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**FROM:** The Chairperson, CTSAMVM

**DATE:** January 2022

**SUBJECT: CTSAMVM REPORT 2022/01 – ATTACK, RAPE AND ABDUCTION OF CIVILIANS AT NYORI**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on violations of the ACOH which took place in Central Equatoria State in August 2021.

Please accept the assurances of my highest consideration.



Major General Teshsome Gemechu Aderie

Chairperson

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

## **CTSAMVM REPORT 2022/01**

### **EXECUTIVE SUMMARY**

On night of 22 August 2021 a group of armed men entered the UNHCR Refugee Camp at Nyori which was occupied by refugees from DRC and South Sudanese IDPs. The civilian occupants were attacked and during the incident a girl of 12 years was raped. Civilian dwellings were destroyed and there was extensive looting. Following the attack civilians were forced to carry the looted property from Nyori to Zubare payam. As a result of the attack 40 households were displaced and have taken shelter in DRC.

CTSAMVM attributes the responsibility for the attacks to the NAS component of SSOMA led by Thomas Cirillo.

It is the conclusion of CTSAMVM that by perpetrating a raid against Nyori IDP camp on the night of 22/23 August 2021, NAS forces failed to discharge their obligations to the ACOH of 17 December 2017. In so doing the NAS have violated the agreement, specifically: Article Three Sub Para 2 and Article Four Sub Para 2.





## ATTACK, RAPE AND ABDUCTION OF CIVILIANS AT NYORI

### Introduction

#### 1. Background:

- a. NAS is a non-signatory of the R-ARCSS, however NAS did sign the ACOH of December 2017 and remains bound by it. Since the signing of the ACOH CTSAMVM has submitted 12 reports attributing responsibility for violations of the ACOH to NAS out of a total of 57 reports.
- b. In 2020 incidents allegedly involving NAS continued, despite the cessation of hostilities that formed part of the Rome Declaration. CTSAMVM should have had SSOMA National Monitors incorporated within it, but due to, among other things, a split within the SSOMA the *Rome Declaration* and its follow-on Resolutions, which call for SSOMA representation at all echelons of the CTSAMVM, have yet to be fully implemented, though the discussions that are part of the *Declaration* continue.
- c. Allegations:
  - i. On 23 August 2021 CTSAMVM received information from what is known as the SSPDF Mobile Unit in Lasu that at around midnight on 22/23 August alleged NAS "rebels" had attacked the UNHCR Refugee Camp at Nyori. During the attack a young girl was reportedly raped, medicines looted from a UNHCR medical centre and good/belongings stolen from the South Sudanese IDP inhabitants of the Refugee Camp. It was further alleged that civilians from the Nyori Refugee Camp were forced to carry the looted property into the bush.
  - ii. Lasu is southwest of Yei town, close to the border with DRC. Nyori is about 3.8 km west of Lasu.

2. Aim: The aim of this report is to present the findings of CTSAMVM investigations into alleged or suspected violations of provisions of applicable agreements, to attribute responsibility for breaches of the agreements where applicable, and to make recommendations with regard to compliance actions that will help foster peace and reconciliation.
3. Methodology:
  - a. CTSAMVM conducted four visits to Nyori and one visit to contacts in Yei in order to investigate the allegations:
    - i. 1 September 2021. Lasu and Nyori: CTSAMVM met with the SSPDF unit commander at Lasu, and several civilian witnesses including an SGBV counsellor.
    - ii. 7 September 2021. Yei: Visits to medical authorities in Yei, and also to the Chief Inspector of Police.
    - iii. 10 September 2021. Nyori: CTSAMVM interviewed the rape victim with her mother, and other civilian witnesses.
    - iv. 1 October 2021. Nyori: CTSAMVM met the Chairperson of the Nyori Refugee camp and two other civilian witnesses who had been present during the attack.
    - v. 22 November 2021. Nyori. CTSAMVM interviewed 2 further civilian witnesses at the Nyori Refugee Camp.
  - 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 human rights and humanitarian entities and signifies that sufficient facts and evidence have been collected to conclude that an event has occurred.
  - c. National Monitors were involved throughout the investigation.

## Findings



4. UNHCR operates the Nyori Refugee Camp, which was established in 2009 to support refugees from the DRC. The camp is occupied by refugees from DRC and also South Sudanese IDPs seeking refuge from the violence and deprivation caused by internal armed conflict. At about midnight on 22/23 August 2021 a large group of armed men entered the camp and attacked the civilian occupants. CTSAMVM was unable to get any accurate estimates of the number of assailants; one witness said "about 400" but it was at night and so it is not possible to confirm how many were involved. All witnesses described the attackers as being armed and well organised and noted that some of them were in uniform.
5. The attack caused fear and insecurity in the refugee camp. First-hand witness statements refer to beatings and threats that were perpetrated upon residents by the assailants during the incident. The armed men ordered the IDP camp residents "to move out of the camp in 4 days or they would return and burn down their tukuls". A large amount of property was stolen and removed, including household goods and money. One witness described how his door was broken down and how he and his wife were forced out whilst the attackers moved in and stole clothes, food and all their money (in this case 120,000 SSP). There were multiple accounts of similar activities throughout the camp during the incident.
6. A list of stolen items compiled after the incident includes 18 solar panels, 62 mobile telephones, 14 radios, 15 goats, uncounted quantities of clothes and bedding, and cash to the value of about \$5,000 in SSP, USD and other Foreign Currency.
7. The medical centre in the camp was looted; equipment and medicines were taken.
8. A girl of 12 years was raped. Armed men broke into her family's house where she was with her mother and four siblings. They looted the house and slapped the mother and the other children, before selecting the victim and taking her outside. She was raped by a man who said he was doing it because she went to school in Lasu near to the SSPDF camp. The victim was admitted at Yei Civil Hospital

/One Stop Center, where she received appropriate medical treatment and psychosocial support /counselling. She was discharged after 9 days. The rape was also confirmed by the SGBV Counsellor at the UNCHR Nyori Refugee Camp.

9. A number of civilians from the camp were forced to carry looted property from the IDP camp about 14 kms northwest towards Ombugi Mountain in Zubare Payam. CTSAMVM interviewed witnesses who were amongst those abducted in this way. There were about 58, including school children, youths and at least 3 women; they were all released and returned to Nyori.
10. As a result of this incident about 40 households left the Nyori camp and moved across the border to refugee camps in the DRC.
11. Concerning the identity of the attackers:
  - a. According to witnesses interviewed, NAS are known to have a base in this area. The attackers came from the direction of Zubare Payam where witnesses state that NAS forces are based.
  - b. There are no SSPDF units in Zubare Payam.
  - c. The SSPDF commander in Lasu, Lt Col Santino Bol, referred to the attackers as "suspected NAS rebels" based upon his knowledge and experience of activity in the area.
  - d. One witness – who was amongst those forced to carry looted items – stated that several of the attackers were known to him personally, and that they were known to be "loyal to the NAS leader, Thomas Cirillo".
  - e. Three other witnesses amongst those abducted said the attackers clearly identified themselves as NAS.



## **Assessment**

12. It is often difficult for CTSAMVM to attribute responsibility for alleged NAS incidents because of the lack of formal liaison with NAS in particular and SSOMA in general. However, in this instance it is the assessment of CTSAMVM that there is sufficient evidence from eye-witnesses and victims to confirm the identity of the attackers and determine that they were an NAS armed group.

## **Conclusions**

13. CTSAMVM concludes that by perpetrating a raid against Nyori Refugee Camp on the night of 22/23 August 2021, NAS forces failed to discharge the obligations they assumed by signing the ACOH of 17 December 2017. In so doing the NAS have violated the agreement, specifically: Articles 2.4 (failure to abide by International Human Rights Law and/or International Humanitarian Law), 3.2 (hostile military actions are prohibited), 4.2 (prohibiting Party-Signatories from occupying or damaging any public or community property), and 6 (prohibiting attacks on the civilian population, to include killings, robberies, SGBV, and inhuman and degrading treatment).

## **Observations and Recommendations**

14. This was a particularly unpleasant attack against civilians in the Nyori Refugee camp, where both refugees from DRC and South Sudanese IDPs should have been safe. A young girl was subjected to the trauma and humiliation of rape, because, according to her attacker she "went to a school near an SSPDF camp".
15. The attackers stole property from those who by definition had very little, and in doing so blighted the lives of many.
16. Recommendations: CTSAMVM recommends that:
17. NAS accepts responsibility for this incident, and takes the appropriate action to instil discipline amongst those who act in its name.

18. All Parties concerned work hard to implement the provisions of the Rome Declaration and its follow-on resolutions.

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a vertical line.