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TO: Lt. Gen. Rabi Mujung Emmanuel (ITGoNU)
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: 25 October 2022

**SUBJECT: CTSAMVM REPORT 2022/22 HARASSMENT OF CIVILIANS AND
SGBV IN CENTRAL EQUATORIA STATE**

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on violations of the R-ARCSS which took place in Central Equatoria State in September and October 2022.

Please accept the assurances of my highest consideration.

Lieutenant General Asrat Denero Amad

Chairperson

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

CTSAMVM REPORT 2022/22
HARASSMENT OF CIVILIANS AND SGBV IN CENTRAL EQUATORIA STATE
EXECUTIVE SUMMARY



On 6 October 2022 CTSAMVM received allegations that there had been harassment and looting by SPLM/A-IO Soldiers in the Morobo area. There were also allegations of rape.

Following an investigation, which included interviews with a wide range of local people, CTSAMVM concluded that there had indeed been cases of harassment and looting of local people by SPLM/A-IO Soldiers. CTSAMVM also verified one case of rape by an SPLM/A-IO soldier.

It became apparent during the investigation that there had been complaints of harassment prior to those investigated by CTSAMVM, and a workshop had been arranged with local communities and the SPLM/A-IO in Panyume in early September to address these complaints.

CTSAMVM recommends that the SPLM/A-IO undertakes an enquiry into the cases of looting and rape, and restores discipline in its ranks.

INTRODUCTION



1. Background

- a. The general situation in the Morobo/Panyume area has been relatively calm. Relations between the SSPDF and the SPLM/A-IO have been generally good since the signing of the R-ARCSS.
- b. The last CTSAMVM reports concerning violations in the area were in April and July 2021 (numbers 2021/05 and 2021/09). The first of these was about the illegal detention of a civilian by the SPLM/A-IO and the second was rape by an SPLM/A-IO soldier.

2. Allegations:

- a. On 6 October 2022 CTSAMVM received allegations from a Civil Society Organisation (CSO) that SPLM/A-IO soldiers from Panyume had been harassing civilians in the Morobo area. There were specific allegations that 3 women had been raped, one of whom died. Shortly after this, reports appeared in the media about the behaviour of SPLM/A-IO soldiers in the area. The SPLM/A-IO Spokesperson, Colonel Lam Paul Gabriel, promised an enquiry.
- b. On 7 October 2022 the CTSAMVM Monitoring and Verification Team (MVT) based in Yei called the Morobo County Commissioner in order to corroborate these allegations. The County Commissioner said that there had been many acts of harassment by soldiers from the SPLM/A-IO Mobile Force in Panyume starting in late September. He went on to say that 2 women had been raped, 814 people displaced and belongings and goods looted. CTSAMVM called the SPLM/A-IO Head of Military Intelligence in Panyume who denied the allegations, saying they were propaganda by politicians and NGOs in the area.

3. 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, and to make recommendations with regard to compliance actions that will help foster peace and reconciliation.

4. Methodology:

- a. The investigations were undertaken with the full participation of National Monitors.
- b. The CTSAMVM MVT based in Yei undertook a patrol to the Morobo area from 11 to 14 October 2022. CTSAMVM interviewed a wide variety of people including:
 - i. The Morobo County Commissioner, Executive Director and Paramount Chief.
 - ii. Morobo County Chief Inspector of Police, Head of NSS and the Administrative Officer at the SSPDF Barracks in Morobo.
 - iii. 9 IDP's, a rape victim and her husband, clinical officers at Morobo Primary Healthcare Centre and Kendila Primary Healthcare Centre and the Morobo County Gender Representative and Chairperson.
 - iv. Community Empowerment for Progress Organisation (CEPO) Field Officer in Morobo.
 - v. Senior SPLM/A officers in Panyume, including the Commander of SPLM/A-IO Mobile Force and the Acting Commander of SPLM/A-IO Division 2B.
- c. 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.

FINDINGS

5. Harassment of civilians and looting:

- a. According to the Morobo County Commissioner problems with SPLM/A-IO soldiers happened between 28 September and 5 October 2022, with the main areas affected being Panyume and Gulumbi Payams. The Morobo Paramount Chief claimed a total of 1,210 people have been displaced.
- b. CTSAMVM interviewed a total of 9 IDP's, 4 women and 5 men from 5 different villages in 2 Bomas from Gulumbi Payam, who had taken refuge in Tanganyika Church in Morobo. They all claimed to have had belongings and food looted by SPLM/A-IO soldiers between about 28 – 30 September 2022:
 - i. Most of the IDP's were recent returnees from Uganda; one had moved to Gulumbi Payam following a NAS attack in Kimba Payam in early 2022.
 - ii. All the IDP's stated they had been threatened by armed, uniformed men who they all described as being SPLM/A-IO. One – a village headman – was accused by the soldiers of being a “rebel”. One IDP described their uniforms as being a mixture of civilian and military, and another they were like UPDF uniforms; the others just described the soldiers as being SPLM/A-IO in groups from 3 to 17.

- iii. One of the IDP's said she recognised one of the soldiers as being a neighbour when she was in an IDP camp in Uganda.
 - iv. All the IDP's complained that they had food, animals and household goods stolen from them at gunpoint. One soldier said he was stealing the food because "...they were suffering while other people were enjoying".
 - v. Several IDP's complained that SPLM/A-IO soldiers harassed youths in the area, accusing them of belonging to the rebels. The County Commissioner also claimed this was the case.
 - vi. Two of the IDP's claimed they had been beaten by SPLM/A-IO soldiers when they were looted.
- c. CEPO explained that they had hosted a workshop for senior SPLM/A-IO officers and civilians on 1-3 September 2022 in Panyume following complaints of looting and harassment by SPLM/A-IO soldiers. It was arranged with Major General John Mabieh, but on the day the senior SPLM/A-IO officer who attended was Brigadier Emmanuel Lemi. The workshop resulted in 14 resolutions, but these have yet to be signed by the SPLM/A-IO.
- d. CTSAMVM visited Panyume and met with Major General John Mabieh, the commander of SPLM/A-IO Mobile Force, Major General Jima Machual and Brigadier Emmanuel Lemi, the Acting Commander of SPLM/A-IO Division 2B.
- i. Both Major General Mabieh and Brigadier Lemi denied that their soldiers had been harassing civilians and looting in the area. They said that there were no complaints by civilians until the CEPO workshop of 1-3 September, which had given civilians the idea to complain. Major

General Machual said that he comes from the area and would “not be silent if civilians were looted and raped...”.

- ii. Major General Mabieh said that if the SPLM/A-IO needed food from civilians, they would request it through traditional leaders.

6. Rape:

- a. CTSAMVM was given various allegations of rape: NSS claimed there had been 2 women raped by the SPLM/A-IO both of whom had gone to Uganda for treatment. The County Commissioner alleged there were two rape cases – one a 30-year-old pregnant woman, and another pregnant woman who went to Uganda where she died. The Paramount Chief gave the names of two women – a mother and daughter – who he said were both raped by SPLM/A-IO soldiers and who had subsequently been taken to Uganda by their husbands. The same allegation was made by the CEPO Field Officer who also mentioned the case of the 30-year-old pregnant woman as did the Morobo Gender Representative.
- b. The Police Inspector in Morobo said that rape was rarely reported to the police because of the social stigma attached and also because of fear of retribution. CTSAMVM was told about the 30-year-old pregnant victim by the clinical officers at Morobo Primary Healthcare Centre and Kendila Primary Healthcare Unit, which had treated the victim. CTSAMVM was told by health workers at Kendila that in August/September they had dealt with 4 girls and women who claimed to be victims of attempted rape by SPLM/A-IO soldiers, but were unable to give CTSAMVM the details.
- c. The only case where CTSAMVM was able to access the victim and investigate was that of the 30-year-old pregnant woman. CTSAMVM interviewed her and her husband at the Sudan Pentecostal Church in Morobo where they were taking refuge; it was confirmed by health workers at Kendila she had been raped and was given PEP and ongoing medical

treatment. She was 3 months pregnant and a mother. The results of the investigation are as follows:

- i. The victim stated that at about 10.00 Hrs on 29 September 2022 6 armed SPLM/A-IO soldiers came to her compound, where she was in the company of some of her neighbours, 4 men and 4 women. CTSAMVM asked her how she knew they were SPLM/A-IO soldiers, and she said she knew the difference between SSPDF and SPLM/A-IO uniforms, and she recognised them as being SPLM/A-IO because she had seen them before. She also said that they spoke the Nuer language.
- ii. The victim said that while the soldiers were still in the compound she went into her house to see one of her children. One of the soldiers followed her into the house and raped her at gunpoint. The soldiers left the compound at about 12.00 Hrs, having looted maize flour, clothes and other household items.
- iii. The victim's husband said that on 28 September 2022 7 SPLM/A-IO soldiers came to his house and took maize. The next day, 29 September 2022, he said he met a group of about 17 SPLM/A-IO soldiers whilst he was on the way to Morobo. He ran back home. He went on further to state that one of the soldiers raped his wife on that same day of 29 September 2022. After his wife was raped and the soldiers left, the family spent a night at their home and the next day on Friday, 30 September 2022, he took his wife to Kendila Primary Health Care Unit where she was given medical attention. He later took his wife to Morobo town to seek shelter. He went back to his home on 11 October 2022 and met his neighbours who told him the SPLM/A-IO soldiers had returned and they had all taken their wives to Uganda for safety.

ASSESSMENT

7. CEPO organised a workshop with the SPLM/A-IO at the beginning of September to address concerns about the relationship between SPLM/A-IO and local civilians. There had been complaints of harassment and also of SPLM/A-IO soldiers looting food. The fact that the workshop was thought necessary, and was supported by the SPLM/A-IO suggests that there were issues before the incidents of 28-30 September described by IDP witnesses which led to the displacement of a large number of civilians.
8. Logistic provision to Cantonment Sites has been very limited and in many places non-existent. Previous CTSAMVM visits to Panyume have observed and reported lack of food supplies. It is not surprising that the soldiers there are hungry.
9. It is the assessment of CTSAMVM that that SPLM/A-IO soldiers have been involved in looting and harassing civilians in Morobo County, and that this has led to some displacement.
10. It is the assessment of CTSAMVM that an SPLM/A-IO soldier did commit rape on 28 September as outlined above.

CONCLUSIONS

11. CTSAMVM concludes that:

- a. By harassing civilians and looting food, animals and household items on and around 28-30 September 2022 in Morobo County soldiers belonging to the SPLM/A-IO acted in violation of the R-ARCSS, specifically Article 2.1.10.5: "Acts of hostility, intimidation, violence or attacks against the following: civilian population including IDPs....."

- b. An SPLM/A-IO soldier committed an act of rape on 29 September 2022 in violation of the R-ARCSS, specifically Article 2.1.10.2: “Acts and forms of sexual and gender-based violence, including sexual exploitation and harassment”.

OBSERVATIONS AND RECOMMENDATIONS

12. The SPLM/A-IO needs to restore discipline in its forces. The delay to the start of phase 2 training and lack of any sort of adequate logistic support has without doubt put a huge strain on soldiers in Cantonment Sites who struggle to survive. However, to steal food and goods from civilians who are also struggling to survive is against the spirit and word of the R-ARCSS and will only serve to destroy any trust between civilians and the military which should be protecting them.

13. CTSAMVM recommends that:

- a. The SPLM/A-IO conducts an enquiry as promised by the SPLM/A-IO spokesman, and holds any soldiers found to have committed offences to account.
- b. The SPLM/A-IO leadership in Panyume investigates the rape incident, in order to try and identify the perpetrator and see that justice is done.