

CTSAMVM CONFIDENTIAL
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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: 16 January 2023

SUBJECT: CTSAMVM REPORT 2023/02– SGBV INCIDENT IN CENTRAL EQUATORIA STATE

Dear CTSAMVM Technical Committee Senior Party Representatives,

Please find attached a report on a violation of the R-ARCSS which took place in Central Equatoria State on 15 December 2022.

Please accept the assurances of my highest consideration.




Lieutenant General Asrat Denero Amad

Chairperson

Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism

EXECUTIVE SUMMARY

On the night of 15 December 2022, two SSPDF soldiers entered Attende IDP camp, harassed civilians and then raped a young woman who they threatened with death if she reported them.

The victim received medical treatment the following day and reported the rape to the Chairman of the camp. As soon as the Commanding Officer of the nearby SSPDF Air Defence unit heard about the incident, he arranged an identification parade and the perpetrators were identified and arrested. They were moved to SSPDF 1 Brigade HQ in Yei for incarceration and disciplinary action. They have admitted their crime.

The rape committed by the two SSPDF soldiers was in clear violation of the R-ARCSS. The SSPDF did all that was necessary to apprehend the perpetrators and hold them to account.

CTSAMVM recommends the SSPDF increases preventative measures – particularly training and sensitisation – in order to stop these incidents from happening.



CTSAMVM REPORT 2023/02
SGBV INCIDENT IN CENTRAL EQUATORIA STATE

INTRODUCTION

1. Background:

- a. The incidence of SGBV perpetrated by the SSPDF in southern Central Equatoria State has reduced in the past few years. CTSAMVM has observed and reported on an improvement in discipline. The last two CTSAMVM reports concerning SGBV committed by SSPDF personnel were 2022/12 and 2022/13 which concerned incidents in January and March of 2022 respectively.
- b. Attende IDP camp, which is situated about 1.5 Km to the east of Yei Airport, was established in 2019. No serious security incidents have been recorded in the camp. There is an SSPDF Air Defence unit situated at the airport.
- c. CTSAMVM undertook a routine visit to the IDP camp on 16 December 2022 and was informed by the Camp Chairman that on the previous night, 15 December 2022, civilians in the camp had been harassed and a young woman from the camp had been abducted and raped by two SSPDF soldiers.

2. Incident: The harassment of civilians in the Attende IDP camp and rape of a young woman by two SSPDF soldiers on the night of 15 December 2022.

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 CTSAMVM National Monitors.
 - b. Between 16 and 23 December 2022 CTSAMVM interviewed witnesses as follows:
 - i. The Chairman of the Attende IDP Camp.
 - ii. The Director of Clinical Management of Rape (CMR) unit at Yei Hospital.
 - iii. The victim and the victim's sister-in-law.
 - iv. The Commander of the SSPDF Air Defence unit at Yei Airport.
 - v. The Deputy Crime officer at Yei Police Station.
 - vi. The Intelligence Officer at SSPDF 1 Brigade HQ.
 - vii. The two arrested SSPDF soldiers.
5. 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

6. At about 22.00 Hrs on 15 December 2022 two SSPDF soldiers from the Air Defence unit at Yei Airport entered the Attende IDP camp. One was in uniform and one was in civilian clothes. They harassed residents and took money from an old woman. They demanded money from another woman who said she didn't have any and would have to get some from another place. She went to find the money and when she returned she found the soldiers had gone and her sister-in-law – who lived with her - was not there. She had been taken by the soldiers.

7. The victim was led by the soldiers some distance from the camp, where she was raped by both of them in turn. She said the soldiers threatened to kill her if she reported the rape. Afterwards she was in pain but walked back to the camp and the rape was reported to the Camp Chairman.
8. The following day 16 December 2022 the victim was taken to the Clinical Management of Rape (CMR) unit at Yei Hospital where she was examined and treated. A 'Police Criminal Form 8' was completed and submitted to the police in Yei and a criminal case file was opened.
9. On the same day 16 December 2022 the commander of the SSPDF Air Defence Component heard of the rape and immediately contacted the Chairman of the Attende IDP camp and informed him he would cooperate fully in the matter. When the victim returned from the hospital, he arranged an identification parade and the victim identified the perpetrators, who were immediately arrested and sent to 1 Brigade SSPDF for incarceration and disciplinary proceedings. CTSAMVM was able to interview the perpetrators, who admitted they had raped the young woman and regretted having done so.

ASSESSMENT

10. It is the assessment of CTSAMVM that two SSPDF soldiers did indeed harass civilians in the Attende IDP camp on the night of 15 December 2022 and rape a young woman.
11. The SSPDF commander took immediate action to identify and arrest the perpetrators, in order that the correct disciplinary procedures could take place.

CONCLUSIONS

12. It is the conclusion of CTSAMVM that by harassing civilian in Attende IDP camp and raping a young woman, the SSPDF soldiers concerned acted in clear



violation of the R-ARCSS, specifically articles 2.1.10.2, 2.1.10.5, 2.1.10.7.4, 2.1.10.7.5 and the ACOH articles 5 (1), 2(a), 6 (b) and (g).

OBSERVATIONS AND RECOMMENDATIONS

13. In March 2019 the SSPDF launched an Action Plan to address conflict-related sexual violence. The first pillar of this Action Plan is Prevention, and the plan itself goes into detail about what needs to be done to prevent acts of sexual violence; specific measures include training, sensitisation and orders. CTSAMVM recommends that the SSPDF revisits this Action Plan and increases efforts to prevent these incidents happening.
14. The second pillar of the Action Plan is Accountability. CTSAMVM commends the SSPDF for taking immediate action to identify the perpetrators and hold them to account.
15. CTSAMVM notes that in this case all the correct actions were taken. There have in the past been delays in criminal proceedings by the Police in Yei caused by the failure of the victim/survivors to return 'Police Criminal Form 8', which has to be signed by a doctor.

