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TO: The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 15 May 2017

SUBJECT: CTSAMM REPORT 039 – KILLING OF CIVILIANS IN WAU

Your Excellency,

Please find attached a CTSAMM report on violations of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 26 August 2015), specifically the killing of civilians that took place in Wau on 10 April 2017. This report was discussed at the 11th CTSAMM meeting on 5 May 2017


Major General Molla Hailemariam
Chairman



Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 039
KILLING OF CIVILIANS IN WAU

Executive Summary

Due to unresolved inter-ethnic issues which pre-date the current conflict the situation in and around Wau has been unpredictable and tense for several years, and within the last 12 months there have been ongoing clashes between Government and opposition forces.

On 8 April 2017 Government Forces mounted offensive operations against SPLM/A-IO forces to the south and south-west of Wau. The following day during ongoing operations two senior Government Forces officers and several soldiers were killed in an ambush, allegedly by the SPLM/A-IO. One of the officers was brother to the governor in Rumbek.

On 10 April groups of armed men, some in uniform and some in civilian clothes, shot and killed at least 29 and wounded at least 7 civilians in several areas of Wau town. Those targeted were from local ethnic groups, specifically those who did not speak the Dinka language.

It is the opinion of JTC that Government Forces were in blatant violation of the PCTSA by failing to protect civilians in Wau on 10 April.

KILLING OF CIVILIANS IN WAU

1.0 Introduction

1.1 Background:

- There have long been tensions in the area to the south-west of Wau and in Wau itself involving various 'Fertit' ethnic groups opposed to what they perceive as a takeover of their traditional areas. These tensions led to violence a year before the start of the current conflict, and subsequent to December 2013 localised opposition to the government became associated with the SPLM/A-IO. Clashes between SPLM/A-IO and Government Forces developed in early 2016 and CTSAMM recorded a violation against Government Forces in March 2016.
- June 2016 saw tensions in Wau break out into violent clashes between Government Forces and local armed youths, and since then there have been regular incidents and clashes: Government Forces reportedly mounted offensive operations to the south and south-west of Wau in December 2016, and reports were received in January of clashes between local people and armed cattle keepers from Warrap and Lakes States as well as alleged attacks by opposition groups against both military and civilian targets. There were several killings in and around Wau which could have been ethnically or politically motivated. On 20 March 2017 there was an alleged attack on a Government Forces outpost at Natabu 7 Km to the south-west of Wau.

1.2 Incident: The incident covered by this report is the killing of civilians in Wau on the morning of 10 April 2017.

1.3 Aim: The purpose of this report is to describe what happened and to attribute responsibility for violations of the PCTSA where appropriate.

1.4 Methodology:

- The MVT based in Wau reported the incidents as soon as they happened and were immediately ordered by CTSAMM HQ to carry out an investigation.
- During the investigation the MVT was able to interview a large number of witnesses to the killing of civilians in Wau, including some of those injured. In order to do this they visited the hospital, the IDP site at the Catholic Church and those areas of Wau affected by the violence.
- The MVT also met with and interviewed members of other international organisations and the UN who were able to provide information.
- The commander of and officers from 5th Division SPLA refused to discuss events with the MVT, stating that permission would have to be obtained from SPLA General Headquarters in Juba. However, the MVT was able to meet with the Police Commissioner and representatives of the local authorities.

2.0 **Investigation - findings**

2.1 Timeline: The timeline of events is as follows:

- 8 April: Government Forces (5th Division SPLA) launched offensive operation to clear opposition forces from areas to the south and south-west of Wau. Civilians displaced by the fighting started to enter the POC site.
- 9 April: At about 17.00 Hrs Government Forces vehicles were ambushed about 10 Km south of Wau at Karukia on the Bazia road. Two senior officers from 5th Division SPLA were killed together with a reported three soldiers. One of the officers was the chief of operations, and the other the head of logistics, Major Bol Dut Dhuol who was brother of the Governor of what is known as South-Western Lakes State based in Rumbek.

- 10 April: At about 06.10 Hrs groups of armed men, some in uniform and some in civilian clothes, started shooting civilians in several areas of Wau town. This shooting went on until about 07.50 Hrs, by which time police and security forces restored order. About 17000 people sought refuge in the POC area by the UNMISS camp and with the Catholic Church.

2.2 Killing of civilians: The MVT was able to gain first-hand witness statements concerning the killing of civilians in Wau on 10 April. The evidence they gathered is summarised as follows:

- At least 29 people were killed and at least 7 wounded on 10 April (*figures from the Police Commissioner in Wau*). None of those killed were Dinka. 3 were police officers.
- Some of those who did the killing were in uniform and some in civilian clothes. They were armed with AK47's and PKM machine guns. Numerous witnesses testified that they called to people in the Dinka language and shot at those who could not reply in that language. Some of the survivors described them as 'Gulweng' IE armed cattle keepers.
- The killings took place in several residential area of Wau. Some reports suggest there were two main groups involved in the killing, one which started shooting in the Nazareth area of the town and the other in the Hai Sikahdit and Hai Bafara areas.
- Some of those murdered had been killed in their houses, others killed in the street. Several had been shot in the back whilst trying to escape.

- Witnessed described the town as being “full of soldiers” at the time of the shooting.
- The Police Commissioner confirmed he had 29 open murder cases. At the time of writing and to the knowledge of CTSAMM there have been no arrests in connection with these murders. On 14 April National Security and 5th Division SPLA personnel carried out a search for illegal weapons in several areas of Wau and also at the Cattle Camp at New Site (about 7 Km south of Wau). 7 cattle keepers were arrested for possession of illegal weapons but later released due to lack of evidence. A committee was formed by the local authorities to investigate the events of 10 April.

2.4 Displacement of civilians. About 17,000 civilians took refuge in the two UNMISS POC areas and with the three IDP sites at the Catholic Churches as a result of the shooting. This added a significant burden to those providing shelter and protection to an already large number of IDP's.

3.0 **Assessment:**

- 3.1 A large number of citizens were murdered in Wau on the morning of 10 April. Some of those who did the killing were in military uniform. All the evidence indicates there was an ethnic dimension to the killing, and that it is likely it was in revenge for the killing of Government Forces officers on the ambush of 9 April.
- 3.2 Wau is firmly under control of the Government. There is a large SPLA garrison within it. Witnesses and victims clearly identified many of those involved in the deliberate killing of civilians as being “soldiers in uniform”.
- 3.3 At the very least Government Forces were in violation of the PCTSA in that they clearly failed to protect those citizens in Wau who were of local Fertit ethnic

groups.

4.0 Conclusion:

- 4.1 By so obviously failing to protect those citizens killed and wounded in Wau on 10 April, Government Forces were in clear violation of the COHA, particularly:

Article 3.1 of the COHA: "The parties shall refrain from attacks on the civilian population and commit to the protection of human rights, life and property..."

5.0 Observations and Recommendations:

- 5.1 The murder of 29 citizens took place in a town which is under the firm control of Government Forces, the seat of a State Governor and home to an SPLA Division. Some of the perpetrators were in military uniform. At the very least the government is responsible for a gross failure of its commitment under the ARCSS and COHA to protect civilians.
- 5.3 There was without doubt an ethnic dimension to the killings. This must be acknowledged and addressed if there is ever to be peace in the area.
- 5.4 The underlying causes of conflict in the Wau area pre-date the current conflict. There cannot be peace until these issues are addressed at the political level, and CTSAMM calls on JMEC to work with all parties to find solutions.