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Ref: CM/2023/10/076

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FROM: The Chairperson, CTSAMVM

DATE: 24 October 2023

**SUBJECT: CTSAMVM REPORT 2023/16 KILLING OF CIVILIANS IN OMBASI BOMA, 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 in September 2023.

Please accept the assurances of my highest consideration.

Major General Hailu Gonfa Edossa

Chairperson

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



## CTSAMVM REPORT 2023/16

### KILLING OF CIVILIANS IN OMBASI BOMA, CENTRAL EQUATORIA STATE EXECUTIVE SUMMARY

On 8 September 2023 the Executive Chief of Ombasi Boma and two civilians were killed by suspected NAS. This resulted in SSPDF operations to "weed out" NAS elements in the area, and civilians were instructed to "move to the roadsides" so they would not be in the way during these operations.

On 22 September 2023 a man, his adult son and two children (a girl of 15 and a boy of 11) were working in their fields in the Moya area of Ombasi Boma when they saw an SSPDF patrol. They were scared and ran away. The SSPDF soldiers opened fire. The adult son was wounded and escaped; the man and the two children were killed. According to the surviving victim, the 11 year-old boy was clubbed to death.

The soldiers were from the SSPDF Mobile Force in Abegi. Soldiers from this unit had been responsible for killing a 13-year-old boy in similar circumstances on 1 July 2023. Following the incident of 22 September the commanding officer was detained by 1 Brigade SSPDF in Yei because he allegedly refused to say which of his soldiers were responsible for the shooting. The SSPDF said an enquiry into the incident was being conducted.

It is the clear opinion of CTSAMVM that by killing unarmed civilians the SSPDF acted in clear violation of the R-ARCSS, and that as well as holding those responsible to account the SSPDF should review the discipline and training of the unit in Abegi and take whatever remedial action is necessary to stop such incidents from every happening again.





## KILLING OF CIVILIANS IN OMBASI BOMA, CENTRAL EQUATORIA STATE

### Reference:

A: CTSAMVM Report 2021/06 – Armed Clashes in Ombasi.

B: CTSAMVM Report 2023/07 – NAS activities against SSPDF and Civilians in Central Equatoria State.

C: CTSAMVM Report 2023/11 – Killing of a boy in Central Equatoria State.

### INTRODUCTION

#### 1. Background:

- a. Ombasi Boma which is in Otego Payam, Yei River County has over the years seen a lot of NAS and alleged NAS activity. CTSAMVM reports relevant to the area include one concerning clashes between the SSPDF and NAS in March 2021 (Reference A) and the abduction by NAS of local traditional leaders in June and October of 2022 (Reference B).
- b. On 8 September 2023 the Executive Chief of Ombasi Boma and two civilians were killed by suspected NAS in the Ombasi area. According to The Yei River County Commissioner the Chief was killed because he “was loyal to the Government”, and a note to this effect was left on his body. The County Commissioner and the Commander of 1 Brigade SSPDF visited the area immediately after the incident in order to follow up and look into ways of countering the NAS threat in the area.
- c. At a routine meeting with the County Commissioner on 20 September 2023, CTSAMVM was told that measures were being taken against NAS, and that these measures included extra patrolling by the SSPDF. One of the witnesses interviewed by CTSAMVM said that on 19 September 2023 SSPDF soldiers announced in the market in Ombasi that civilians in the Nyagarba, Lata, Moya and Laiza area of Ombasi Boma should move to “the roadsides” until 26 September 2023, and that any failure to do so would be “met with severe



- consequences". The Yei River County Paramount Chief told CTSAMVM that the County Commissioner had asked people in the area to relocate "to the roadsides" in order "to get government protection from NAS".
- d. There is an SSPDF Mobile Force based at Abegi. It was soldiers from this unit who were deployed to Ombasi as part of the SSPDF plan to "weed out" NAS in the area. It was soldiers from this unit who were responsible for shooting and killing a boy in July of this year (see Reference C).
2. Incident: On 23 September 2023 CTSAMVM received information from the Yei County Paramount Chief that on the afternoon of 22 September 2023 a man and two of his children had been killed, and another of his children wounded, whilst working in their fields in the Moya area of Ombasi Boma. The Paramount Chief alleged that they had been shot by SSPDF soldiers.

## INVESTIGATION

3. Investigations were undertaken with the full participation of National Monitors.
4. During the course of the investigation, which took place between 25 September and 18 October 2023 CTSAMVM interviewed a range of witnesses including:
- a. SSPDF:
- i. Colonel Deng Goch, Acting Commander of 1 Brigade SSPDF in Yei.
  - ii. Lieutenant Colonel Kawac Guot SSPDF, Director of Counterintelligence, Yei.





b. Local authorities and civilian witnesses:

- i. The surviving victim of the incident (a 25 year-old man, son of the head of the family who was killed), interviewed in hospital.
- ii. The brother of the head of the family who was killed.
- iii. A church member, community worker and friend of the family of the victims.
- iv. The Paramount Chief of Yei River County.

5. Location: The incident took place in the area of Moya village which is in Ombasi Boma, Otego Payam about 20 Km south of Abegi.
6. Standard of proof: 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

7. Killing: On the afternoon of 22 September 2023 a man called Jackson Lemi, his adult son and two younger children were working in his fields in the Moya area. The adult son was 25 years old; the two younger children were a daughter of 15 and a son of 11. An SSPDF patrol arrived, and Mr Lemi was scared and started running away, followed by his children. The SSPDF patrol opened fire, killing Mr Lemi and his daughter. The elder son was wounded but escaped and found later that day by his uncle who had rushed to the scene when he heard of what happened. According to the surviving son the younger boy was beaten to death by the SSPDF soldiers; it is not clear whether he was shot first. The victims was buried later that evening.



8. SSPDF:

- a. When interviewed on 6 October 2023 the Acting Commander of 1 Brigade SSPDF told CTSAMVM that the SSPDF was undertaking an enquiry into the incident, and that the Commanding Officer of the SSPDF Mobile Force in Abegi, Lieutenant Colonel John Mandeng, had been arrested for failing to say who had been responsible for the killings.
- b. CTSAMVM was not given a chance to interview Lieutenant Colonel John Mandeng because of the ongoing SSPDF enquiry.
- c. The Acting Commander of 1 Brigade SSPDF said that a civilian-led enquiry was being led the Yei River County Paramount Chief.

9. Yei River County Paramount Chief: CTSAMVM met with the Paramount Chief on 18 October 2023. He stated clearly that the SSPDF were operating in Ombasi on that day, and there was no doubt that SSPDF soldiers killed Mr Lemi and his family.

10. Aftermath:

- a. The killing of Mr Lemi and ongoing SSPDF operations in the Ombasi area led to significant displacement and distrust between the SSPDF and local people.
- b. On 29-30 September 2023 the County Commissioner convened meetings between local leaders and people, and a new Executive Chief was appointed to replace the one killed on 8 September 2023. This went some way to help defuse tensions in the area.



## ASSESSMENT

11. It is the clear assessment of CTSAMVM that SSPDF soldiers from the SSPDF Mobile Force based in Abegi were responsible for the killing of Mr Lemi and two of his children, and the wounding of his older son at Moya on 22 September 2023.
12. Local people had been warned by the SSPDF to "move to the roadsides" in specific areas – including Moya – until 26 September 2023 during SSPDF operations aimed at "weeding out" NAS elements in the area following the killing (allegedly by NAS) of the Executive Chief of Ombasi Boma and two civilians on 8 September 2023. It is not known whether or not My Lemi was aware of this instruction, and he and his children did run away when they saw the SSPDF patrol which could have raised the suspicions of the soldiers. However, it is the assessment of CTSAMVM that these circumstances do not in any way mitigate the fact that four civilians, including two children (one a girl), were shot, and there is first-hand evidence from one witness that the youngest – a child of 11 - was clubbed to death.

## CONCLUSIONS

13. It is the conclusion of CTSAMVM that the fatal shooting by the SSPDF of Mr Lemi, and his 15 year-old daughter, the killing of his 11 year-old son and wounding of his 25 year-old son in Moya on 22 September 2023 constituted a clear violation of the R-ARCSS, specifically articles 2.1.10.5 and 2.1.10.7.4.

## OBSERVATIONS AND RECOMMENDATIONS

14. This tragic incident, which resulted in three members of the same family (including two children) losing their lives, should not have happened.
15. When soldiers from the SSPDF Mobile Force based in Agegi shot and killed a 13 year-old boy in similar circumstances near Lasu on 1 July 2023 (Reference C - CTSAMVM Report 2023/11) the SSPDF should have taken measures to prevent such incidents happening again. These measures should have included clear rules of engagement being issued to all SSPDF personnel; it is evident that those who



killed Mr Lemi and his children had either been given no orders to prevent them shooting at unarmed civilians (including children) running away from them, or lacked the necessary discipline. Witness evidence that the 11-year-old victim was beaten to death is particularly disturbing.

16. This is the second incident in 3 months of civilians being killed by soldiers from the SSPDF Mobile Force in Abegi. CTSAMVM recommends that:

- a. The SSPDF does all that is necessary to ensure those responsible are held to account.
- b. The SSPDF undertakes a thorough evaluation of the unit in Abegi, especially it's level of training and discipline. If necessary, the SSPDF should consider replacing it with one capable of applying the level of discipline necessary to prevent these incidents from taking place.
- c. The SSPDF urgently reviews its Rules of Engagement, in order to ensure that all its personnel understand exactly when they can and cannot open fire. This is a command responsibility. It is inconceivable that there could be any justification for or excuse for soldiers to open fire on fleeing, unarmed civilians.
- d. The SSPDF does more to sensitise civilians prior to any planned operations, in order that they understand what is happening and would have no reason to run from SSPDF patrols.

17. It must not be forgotten that the SSPDF were operating in the area as a result of the killing on 8 September 2023 of the Executive Chief of Ombasi Boma and two civilians. There was strong evidence that these killing were perpetrated by NAS. CTSAMVM recommends that NAS ceases all operations in accordance with the Rome Declaration and re-engages with the Peace Process in order to stop the cycle of violence in southern Central Equatoria State that has led to so many deaths.

