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Headquarters Ceasefire & Transitional Security Arrangements
Monitoring and Verification Mechanism
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TO: Lt. Gen. Rabi Mujung Emmanuel (ITGoNU)
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Maj. Gen. Jany Kaway Yoakhor (SSOA)
Maj. Gen. Bior Leek Kuareng (Former Detainees)

FROM: The Chairperson, CTSAMVM

DATE: April 2024

SUBJECT: CTSAMVM REPORT 2024/06 – FATAL INCIDENT AT NASIR COUNTY- UPPER NILE STATE, FEBRUARY 2024

Please find attached a report on the fatal incident at Nasir County- Upper Nile State, February 2024.

Please accept the assurances of my highest consideration.

Respectfully,

Major General Hailu Gonfa Edossa
Chairperson

Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism



**CTSAMVM REPORT 2024/06 – FATAL INCIDENT AT NASIR COUNTY- UPPER
NILE STATE, FEBRUARY 2024**

EXECUTIVE SUMMARY

On, 10th February 2024, fierce fighting broke out between SSPDF and civilians at Torjuoch River in Nasir County. Two nights before the incident, the SSPDF Commander made a public announcement to the people around the area to stop fishing near the barracks.

On the night of 10th February 2024, there was an incident at Torjuoch where SSPDF soldiers went out of their barracks to a fishing camp near the barracks called Torjuoch and clashed with the youth resulting in two deaths and two casualties among the youth. One SSPDF soldier was injured in the process.

On Sunday 11th February 2024 at 0600hrs, a group of SSPDF left the barracks to collect firewood and clashed with the Youth at Wech-Kuanylual Thoon where one youth was killed, four Civilians were wounded and at least two children drowned.

On 12th February 2024 at 1530 hrs, fighting continued between the youth and SSPDF where six SSPDF soldiers lost their lives.

The fighting led to the displacement of civilians from Nasir town and surrounding areas, there was looting and destruction of property including torching of houses.

A joint delegation composed of SSPDF, SPLM/A-IO, and SSOA visited Nasir Town to assess and calm down the situation. In the process, armed youth confiscated tyres of Wulit Armoured Vehicles and salaries for soldiers from the joint delegation. The salaries were later returned but the tyres were withheld.

The youth alleged that the logistical supply of Armoured vehicle tyres to the SSPDF barracks at Weychar-Adiw was in 'preparation to resume fighting' and was therefore a security threat.

The Joint delegation guided that the army should stay in their barracks and the youth should stay in Nasir town until the situation improves.



FATAL INCIDENT AT NASIR COUNTY- UPPER NILE STATE, FEBRUARY 2024

References:

- A: CTSAMVM Report 2021/08- Incidents in Nasir.
- B. CTSAMVM Report 2022/19- Violations of the R-ARCSS and ACOH in Nasir County by Party signatories.

INTRODUCTION

1. Background:

- a. Reference A, on 11 May 2021, three youths in the market area of Nasir town opened fire upon an SSPDF officer and killed him. The youth then took the officer's weapon and dispersed. On 12 May 2021 SSPDF were sent to the Market area to follow up on the incident, there was an internal dispute and a second SSPDF officer was killed by an SSPDF soldier, and a civilian woman was killed by a stray bullet.
- b. Reference B, between February and May 2022, CTSAMVM received various allegations of violations by signatory Parties in Nasir County, Upper Nile State which included clashes between SSPDF Soldiers and Armed youth in Nasir town and the arrest of two youth leaders in Nasir Town by SSPDF Soldiers.
- c. In the above-mentioned incidents, SSPDF failed to fulfill its obligation to protect civilians as required by Article 2.1.10.5 of the R-ARCSS.

2. Incident: CTSAMVM received information of suspected fighting between SSPDF and armed civilians at Torjuoch River in Nasir County on or about the 10th-12th February 2024, where some civilians and Soldiers were killed and others injured. The incident also led to the torching of houses and the displacement of civilians.

3. Aim: This report aims to present findings of the fatal incident at Nasir County- Upper Nile State, on February 2024 between SSPDF and Youth.

4. Allegation:

- a. The Nasir County Commissioner, Hon Duol Kun Thian alleged that SSPDF soldiers based in Weychar-Adiw military barracks killed and displaced civilians



from Nasir town, looted and destroyed houses by burning during the clashes between SSPDF soldiers and youth from 10th–12th February 2024.

b. On 27th February 2024 at the CTSAMVM 39th Board meeting, members requested a follow-up on the clash between local youth and SSPDF.

5. Investigation:

a. Investigations were undertaken with National Monitors from SSPDF and SSOA.

b. Due to some operational reasons and challenges, CTSAMVM was unable to visit Nasir County and conduct a full investigation into the alleged incident until March 2024. CTSAMVM visited Nasir County on the 25th and 26th of March 2024.

6. Methodology:

a. CTSAMVM interviewed a range of witnesses including:

- i. Hon. Duol Kun Thian - Nasir County Commissioner.
- ii. Tuach Banychieng Domok - Ag Executive Director.
- iii. Maj Gen Thomas Tut Ruei Police Director Ulang and Nasir.
- iv. John Jock Deng, James Buom Kuon and John Nyang Tut who are Church leaders.
- v. Gatbel Ruach - Youth leader.
- vi. Nyanchuan Beuonke & Nyahinwal Jock Matwet both Woman leaders.
- vii. Brig Gen Chabak Machiek Gatpan - Ag Cmdr SSPDF Spec Ops Brigade.
- viii. Lt Col Peter Majook Marual - Bde Admin Chief.
- ix. Lt col Ibrahim Garang Yut - New Force Bn Cmdr.
- x. Maj Peter Kuany Ngor Bde - MI Officer.
- xi. 1st Lt Santino Deng Ader- Armour Officer.

b. 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 incidence that is subject to 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 has been collected to conclude that an event happened.

7. Findings:

- a. A total of Seven (7) Civilians including a woman died and Twelve (12) others were injured during the period of fighting from 10th-12th February 2024.
- b. Two (2) Children drowned in the river when civilians were running away from the fighting.
- c. A total of Six (6) SSPDF soldiers from Weychar-Adiw military barracks died and Two (2) were injured.
- d. Most of the wounded personnel were transferred to hospitals in Malakal and Juba for treatment.
- e. There was no deliberate attack by SSPDF command but actions were generated by indiscipline/untrained soldiers.
- f. The clash between SSPDF and the Armed Youth occurred due to rights over the riverside fishing area near the barracks.
- g. Civilians were displaced, their properties destroyed including the torching of nine houses.
- h. A joint delegation composed of SSPDF, SPLM/A-IO, and SSOA arrived at Nasir Town to assess and calm down the situation.
- i. Armed Youth confiscated tyres of Wulit Armoured Vehicles and salaries for soldiers from the joint delegation, they later returned the salaries but kept the tyres.
- j. The Joint delegation guided that the army should stay in their barracks and the youth should stay in Nasir town until the situation improves.
- k. The distance between the SSPDF barracks and the town is about 4Kms and 2 Km away from the edge of Nasir Market.
- l. Freedom of movement was disrupted during the fighting.

8. Assessment: CTSAMVM assesses as follows:

- a. That SSPDF soldiers clashed with the armed youth over fishing rights without a clear command directive.
- b. That the youth occasionally fish during the night near the barracks which compromises the security of SSPDF Barracks.



- c. That the motive of the SSPDF soldiers in conducting an attack defying their commander's directive could be attributed to overstay in Nasir/Wechyar Adiw since 2014 hence need to be relieved on-line with a new force.
9. Conclusion: It is the conclusion of CTSAMVM that the indisciplined SSPDF Soldiers led to the death and injury of innocent civilians whom they ought to have protected which constitute a violation of Article 2.1.10.4 and Article 2.1.10.5 of R-ARCSS.
10. Observations and recommendations: CTSAMVM recommends that:
- a. It is evident that some SSPDF soldiers deployed at Weychar-Adiw military barracks lack the training to be able to operate within the R-ARCSS under-recognized national and international laws.
 - b. ITGoNU as a signatory party ought to take responsibility for Command and Control over the SSPDF soldiers to avoid unnecessary incidences which result in harming civilians and destruction of civilian property.
 - c. It is recommended that the Joint Defence Board (JDB) deploys the Necessary Unified Forces (NUF) to the affected area to avoid a further clash.
 - d. Efforts should be put in place to disarm armed civilians from the whole country and activate Disarmament, Demobilization, and Reintegration (DDR).





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**ADDENDUM TO THE REPORT ON FATAL INCIDENT AT NASIR
COUNTY-UPPER NILE STATE, FEBRUARY 2024**

Reference is made to CTSAMVM Report 2024/06, where a fatal incident in Nasir County was reported.

CTSAMVM clarifies that during the investigation, words such as “Civilians”, “Youth” and “Armed Youth” were used to mean as explained hereunder,

1. The allegations initially received by CTSAMVM indicated that there were clashes between some soldiers of SSPDF and “Civilians”.
2. Consequently, the investigations revealed that instead of “Civilians”, the SSPDF soldiers clashed with the “youth” who were armed, thus the use of “Armed Youth”.

