

CTSAMM CONFIDENTIAL



TO: The Members, CTSAMM

FROM: The Chairman, CTSAMM

DATE: 22 August 2017

SUBJECT: CTSAMM REPORT 052 – VIOLATIONS IN YEI

Honourable members of CTSAMM,

Please find attached a CTSAMM JTC report on alleged 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) that took place in the Yei area during July and August 2017.

Major General Molla Hailemariam

Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

**CTSAMM REPORT NUMBER 052
VIOLATIONS IN THE YEI AREA**

Executive Summary

At the last CTSAMM meeting of 20 July we reported that the situation in Yei had improved. Whilst it is better than it was, and it is apparent SPLA-IG authorities have made and are making attempts to improve relations between military personnel and the civilian population, South Sudanese citizens in Yei continue to be subjected to harassment, looting and theft by uniformed members of the security forces.

In one particularly bad incident 6 houses around the Episcopal Church Mission, 3 of which belonged to pastors, were looted by soldiers. The occupants – men and women, and the pastors themselves – were badly beaten and goods and money stolen.

There is no freedom of movement around Yei. This is due to checkpoints manned by SPLA-IG forces in a cordon 4 Km from the town and checkpoints manned by SPLA-IO (RM) forces further out.

Citizens in Yei have no faith in the civil or military authorities because they see that SPLA-IG personnel can act with apparent impunity. Many are scared to report incidents as they fear repercussions. Local people report that ‘Mathiang Anyoor’ militia are still operating in the town.

It is the opinion of CTSAMM that SPLA-IG forces in Yei are in violation of those articles of the PCTSA pertaining to protection of civilians, and both SPLA-IG and SPLA-IO (RM) forces are in violation of those articles pertaining to the free movement of people and goods.

VIOLATIONS IN THE YEI AREA

1.0 Introduction

1.1 Background:

- The last report concerning the situation in Yei was presented at the CTSAMM meeting on 20 July 2017, where CTSAMM commented that whilst there was an improvement in the situation as a whole, the local population continued to be subjected to harassment, violence, theft and rape by uniformed soldiers.
- SPLA-IG have reportedly replaced the commander in the area, and there is evidence that more is being done to improve the situation. However, local South Sudanese citizens still suffer at the hands of SPLA-IG personnel who appear to be able to act with impunity. Violence and intimidation is also perpetrated by SPLA-IO (RM) soldiers.

1.2 Aim: The purpose of this report is to outline recent violations of the PCTSA in the Yea area (particularly those concerning the protection of civilians), and attribute responsibility where appropriate.

1.3 Methodology:

- The evidence covered in this report comes from the first part of a patrol to the Yei area from 4 to 10 August 2017. The patrol continued until 17 August, and the finding of the second part of the patrol will be presented at the next CTSAMM meeting.
- Evidence supporting the violations reported was collected from witnesses and victims, religious and community leaders and international NGO's. The MVT also met with both the military and civil authorities.

2.0 Findings

2.1 Freedom of movement:

- There is no freedom of movement for civilians around Yei. SPLA-IG maintain checkpoints in a cordon about 4 Km from Yei town. There is a significant SPLA-IO (RM) presence further out from Yei, in some instances less than 3 Km from SPLA-IG checkpoints but generally much further than this. The civilian population – women in particular – are prevented by the SPLA-IG checkpoints from moving out of the 4Km perimeter to go farming because they accuse them of supplying food to the SPLA-IO (RM). Similarly SPLA-IO (RM) forces prevent civilians – again mainly women – from moving to Yei to prevent them from supplying food to the SPLA-IG garrison.
- The result of this denial of freedom of movement by both Parties is a scarcity of food in Yei. Also civilians desperate to get in and out of the town do so using the bush rather than roads, which makes them more vulnerable to abduction and rape.

2.2 Protection of civilians in Yei:

- It was reported at the last CTSAMM meeting that the situation in Yei is improving. However, the population continues to be subjected to harassment and violence by SPLA-IG military personnel. Citizens in Yei still refer to some of the SPLA-IG forces as “Mathiang Anyoor”, and still perceive what they see as an ethnic dimension to the behaviour of SPLA-IG personnel towards local people. The MVT observed and were harassed at a checkpoint by very young, badly-disciplined soldiers who spoke only Dinka who described themselves as Mathiang Anyoor. Apart from sexual assaults that form part of a separate report, there was one major case of looting, violence and intimidation investigated by the MVT and several cases of theft and harassment.

- The Governor of what is known as Yei River State told the MVT that orders have been given to reorganise SPLA-IG units into recognised barracks in order to limit their impact on local communities, but gave no indication of when this might happen and where the barrack areas might be.

2.3 Theft, assault and harassment: Several examples of theft and harassment by SPLA-IG soldiers were reported to the MVT by civil society organisations and individuals.

- On 23 July there was a minor but unpleasant incident when SPLA-IG forcibly stole mobile telephones from young children, and a more serious incident involving the beating of a boda-boda driver and theft of his motorcycle. These cases were reported to the police; the boda-boda driver was seriously hurt and admitted to hospital.
- On 24 July armed soldiers in SPLA-IG uniforms broke into the house of a cassava seller, beat up a girl and her father and stole about 15000 SSP. Both people required hospital treatment after the attack which was reported to the police.
- On 27 July a group of armed SPLA-IG soldiers tried to forcibly enter a property in the Jigomoni area, and having failed to open the gate they threw a grenade into the garden which caused damage by luckily no casualties, and on 1 August 3 armed soldiers in SPLA-IG uniform broke into a house in Yerdan, beat the owner and stole goods and 9,000 SSP.

2.4 Looting, violence and intimidation at the Episcopal Church Mission 26 July 2017:

- On the night of 26/27 July 2017 a group of 5-10 armed men, some wearing SPLA-IG uniforms and all clearly soldiers attacked and looted 6 houses by

the Episcopal Church Mission in Yei. Three of the houses belonged to pastors. The occupants of the houses were all severely beaten – women as well as men, including the pastors, one of whom started praying as he thought he was going to be shot.

- Belongings and money were stolen. In the house of one of the pastors savings of 25,000 SSP were taken after the pastor himself was beaten senseless and his wife eventually gave up the money. In the house of another pastor the soldiers asked him for forgiveness, saying they were obliged to steal because they had not been paid for several months.
- At the house of the first pastor they attacked, while beating him the soldiers blamed him for encouraging people to leave Yei. They also said that he should not include any political discussion in his preaching.

3.0 Assessment:

- 3.1 Citizens in Yei continue to be harassed and abused by soldiers from the national army whose duty it is to protect them. SPLA-IG soldiers appear to be able to act with impunity.
- 3.2 The assault and robbery of pastors and their families at the Episcopal Church Mission was a particularly unpleasant incident. Those members involved – men and women, most at least middle-aged –were still suffering as a result of their injuries when interviewed by the MVT. They were also still in shock, and had no faith in the will or ability of the military or civil authorities to bring the perpetrators to justice. They were deeply saddened by this, and by the fact they were threatened because of what they have allegedly been saying in their sermons.
- 3.3 Freedom of movement remains a significant obstacle to any return to normal civilian life in the Yei area. This issue will not be resolved until there is a

comprehensive peace process which includes all groups on a local as well as a national level. As things stand CTSAMM has little liaison with SPLA-IO (RM) forces around Yei, and needs to further develop contacts with them in order to confront this and other issues.

4.0 Conclusion:

4.1 It is the clear opinion of CTSAMM that the actions of SPLA-IG forces deployed in Yei remain in violation of those articles of the COHA and PCTSA pertaining to the protection of civilians. It is of significant concern that soldiers appear to be able to act with impunity.

4.2 Both SPLA-IG and SPLA-IO (RM) forces are in clear violation of Article 1.7.1 of the PCTSA: “Actions that....restrict free movement of people”

5.0 Observations and Recommendations:

5.1 The situation in Yei might be better than it was earlier in the year, but the MVT report a deterioration since their last visit. Last week UNHCR reported that 1 million South Sudanese citizens have now fled to Uganda since July 2016 – 85% of them women and children. Huge numbers of civilians have fled Yei and the surrounding areas due to the actions of SPLA-IG and SPLA-IO (RM) soldiers.

5.2 Citizens in Yei itself have no faith in the ability of either the civil or military authorities to protect them from crimes committed by SPLA-IG soldiers. The police force appears powerless to take any action against soldiers, and the military appear unable or unwilling to take any disciplinary action against those soldiers who kill, rape, steal or loot those people they have a duty to protect.

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- 5.3 CTSAMM calls on JMEC to raise the issue of the suffering of the people of Yei and the indiscipline of SPLA-IG soldiers at the highest political level, and calls on the leadership of the SPLA-IG to demonstrate its will and ability to control its soldiers by investigating the assault on the Episcopal Church Mission and other crimes and holding those responsible to account.
- 5.4 CTSAMM will continue to do its best to cultivate contacts with SPLA-IO (RM) forces in the Yei area in order to be able to address issues critical to the protection of what remains of the civilian population of the area.
- 5.5 CTSAMM recommends that the SPLA-IG remove from the Yei area those young, badly disciplined troops known correctly or otherwise as Mathiang Anyoor