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TO: The Chairman, IGAD Council of Ministers
The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 26 July 2018

**SUBJECT: CTSAMM REPORT 2018/27 – ATTACK AND KILLING OF
CIVILIANS AT BANKETA, UPPER NILE STATE 30 JUNE 2018**

Your Excellencies,

Please find attached a report submitted for remedial action and accountability in accordance with Article 14 (1) of the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (21 December 2017), concerning an attack against a civilian community at BANKETA near ADAR in Upper Nile State on 30 June 2018.

CTSAMM would appreciate feedback on the actions taken as the result of this report, in order that it can be relayed to the investigating team and stakeholders on the ground.

Major General Ibrahim Abduljellil
Chairman



Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT 2018/27

ATTACK AND KILLING OF CIVILIANS AT BANKETA, UPPER NILE STATE EXECUTIVE SUMMARY

In the early morning of 30 June 2018 the community of BANKETA near ADAR in Upper Nile State was attacked by a large number of armed men. At least 12 civilians were killed and over 20 wounded, girls were abducted and cattle and other livestock stolen. The SPLA blamed the SPLA-IO (RM) for the incident and submitted an allegation to CTSAMM.

A CTSAMM MVT visited BANKETA later on the day of the incident and conducted follow-up investigations in BUNJ and then RENK, where the team was able to interview one of the attackers who had been subsequently captured by the SPLA.

The attack at BANKETA on 30 June was a vicious raid by armed youths from south eastern Upper Nile State with the objective of stealing cattle. The area the youths came from is one which is under the control of the SPLA-IO (RM). The SPLA-IO (RM) denied any knowledge of the raid and there is no evidence to suggest they were in any way involved, but by allowing a large force of armed youth to form up in areas under their control and carry out a raid in areas controlled by the Government, they must have in the very least been negligent. Raids such as the one at BANKETA exacerbate an already tense situation and can have a very negative effect on the ACOH, especially as this attack took place just after the Khartoum Declaration.

CTSAMM recommends that the issue of cattle raiding as it affects the implementation of the ACOH be addressed at the political level and practical solutions agreed between the Parties.



ATTACK AND KILLING OF CIVILIANS AT BENKETA, UPPER NILE STATE

30 JUNE 2018

1.0 Introduction

1.1 Background:

- BANKETA is a community in South West Maban County about 4 Km south east of ADAR on the JAMAM road. The tribal map of the area is complex, with Mabanese, Nuer, Dinka, Koma, Shilluk and some Equatorian ethnic groups represented in the area.
- There is an SPLA garrison in ADAR and another in JAMAM.
- The area has been relatively quiet during the current conflict. There were clashes between the SPLA and SPLA-IO (RM) near BANKETA in January 2014 and a year later in January 2015 the SPLA-IO (RM) attacked and temporarily took JAMAM (CTSAMM report V023 dated 19 January 2015). More recently there was unrest in the area around 2 July 2017 involving inter-tribal clashes which were exacerbated by a Government decision to allocate land claimed by the Mabanese to Dinka from MELUT.

1.2 Allegation: On 30 June 2018 CTSAMM received a letter titled "Gross Violations of Permanent Ceasefire" from Lieutenant General Thoi Chany Reat, Assistant Chief of the Defence Staff for Administration, Personnel and Finance. This letter outlined four alleged violations, including: "On June 30, 2018 at 5:00Am, the SPLA-IO attacked cattle camp in Maban at a place called Bangkitta between Adar and Jamam in which 16-Civilian were killed and 22-others wounded of which three (3) were foreigners of Ethiopia Nationals,"

1.3 Aim: The aim of this report is to describe the findings of investigations into the killing of civilians at BANKETA on 30 June 2018, to attribute responsibility where possible and appropriate and to make recommendations.



1.4 Methodology:

- CTSAMM employed *reasonable grounds to believe* standard of proof in making factual determinations on violations and incidents and patterns of conduct by perpetrators.
- 30 June 2018:
 - The CTSAMM MVT based at BUNJ deployed to BANKETA on 30 June as soon as information about the incident was known. At BANKETA the MVT saw the bodies of those killed and spoke with a number of local people who had witnessed the attack. The MVT also spoke with local leaders and officials.
 - The MVT contacted a senior officer from the SPLA-IO (RM), Major General OCHAN PUOT.
 - The MVT visited ADAR hospital in order to discover the number and condition of the wounded.
- 2 July 2018: The CTSAMM MVT received information that SPLA forces from ADAR had on 30 June 2018 found the attackers at NURESHIN village 30 Km east of BANKETA, rescued 3 abducted girls and looted cattle. One of those involved was captured and the MVT learnt he was in custody at RENK.
- 3 July 2018: The MVT met with civil and military authorities in BUNJ in order to learn more about the general and tribal situation in the BANKETA area. They then met with the Commander of 1 Brigade SPLA, the Commissioner of North East Maban County and the Deputy Administrator of Bunj Payam.
- 5-6 July 2018: The MVT deployed to RENK in order to interview the alleged attacker being held by the Government authorities. The MVT met with the



Commander of 1 Division SPLA and were allowed free access to the detainee.

2.0 Findings

- 2.1 In the early morning of 30 June 2018 at around 05.00 Hrs to 06.30 there was an attack against the community of BANKETA. Witnesses gave different accounts of exactly what happened, with the number of attackers varying from 40-50 to 1,000; however, it must be remembered that the witnesses had been traumatised by what happened. Many had lost relatives. The general consensus, however, is that the attackers came from the south west and therefore from areas controlled by the SPLA-IO (RM), that they were armed with light weapons (mainly AK47), were mainly dressed in combat-type clothing and were mainly Nuer speakers.
- 2.2 Witnesses reported that on 29 June 2018 at 17.00 Hrs a local cattle keeper had seen the armed group and alerted the authorities. From what the MVT learnt from the Commissioner of South West Maban County SPLA personnel were deployed to BANKETA as a result but left at about 22.00 Hrs on 29 June 2018.
- 2.3 18 people were reportedly killed in the attack including two policemen. The MVT physically saw 12 bodies, some of which were women. A number of women and children were reportedly abducted by the attackers. (See *photographs 1 and 2 at Annex A*).
- 2.4 25 civilians were wounded, although one later died in ADAR hospital. 12 of the surviving wounded were female and 12 male, and 6 of the total were children.
- 2.5 The MVT telephoned Major General [REDACTED], Deputy Commander and Chief of Operations of 5 Division SPLA-IO (RM) based in MATHIANG. He denied any involvement by the SPLA-IO (RM) stating that there were no SPLA-IO (RM) forces in the BANKETA area. He also said that he had received an order from the leadership of the SPLA-IO (RM) not to engage in any hostile military activity.
- 2.6 On 30 June 2018 SPLA forces from ADAR found the attackers about 30 Km east of BANKETA. They were reportedly able to rescue three girls who had



been abducted and cattle that had been stolen. One of the attackers was reportedly killed and one captured at RAMBO, South of ADAR and taken to RENK.

- 2.7 The Commissioner of South West Maban County claimed that the attackers were SPLA-IO (RM) from MATHIANG. He was unable to give any reason why the SPLA-IO (RM) would carry out such an attack, other than to suggest that it could make the Government look incapable of protecting the civilian population.
- 2.8 The captured attacker held in RENK was a 26 year-old Nuer from Rinyang Payam in Ulang County. He claimed to be part of a group of about 100-200 armed youth from around KIECH KUON in Nassir County that gathered at GAIRANG on about 27 June 2018 under the leadership of [REDACTED] with the intention of carrying out a cattle raid. Most of the youth had small arms acquired from Lou Nuer from northern Jonglei State. The original intention was to attack MAYAN in Longuchuk County, but the leader decided instead to go for BANKETA. He clearly stated that the reason for the attack was to raid cattle in order to be able to get married, make money and acquire weapons; he said an AK47 costs 3-4 cows depending on the type. (See photograph 3 at Annex A)
- 2.9 The Military Intelligence officer at 1 Divisions SPLA in RENK said that the attackers came from areas under the control of the SPLA-IO (RM) and that when peace returns civilians will be disarmed.

3.0 Assessment:

- 3.1 It is the clear assessment of CTSAMM that BANKETA was attacked on 30 June and that at least 13 people were killed and 24 wounded. The attack was carried out by a group of armed youth from around KIECH KUON in Nassir County, which is an area under the control of the SPLA-IO (RM).
- 3.2 The aim of the attack was to steal cattle. There is no evidence to suggest that the attack had any military objective, or was ordered by the SPLA-IO (RM).
- 3.3 Although no link can be proved between the SPLA-IO (RM) and the youth responsible for the raid, the fact remains that the attack was launched by an



armed group from an area under the control of the SPLA-IO (RM) at a very sensitive time just when talks were ongoing in Khartoum. If nothing else the SPLA-IO (RM) have been negligent by failing to prevent armed youth from their areas raiding in Government-held areas.

4.0 Civilian impact

- 4.1 What happened on the morning of 30 June 2018 has left the community of BANKETA traumatised and fearful. The assumption by the local leaders and population that the attack was in some way the responsibility of the SPLA-IO (RM) will only fuel hatred at a time when the peace process is moving forward.

5.0 Conclusion

- 5.1 It is the conclusion of CTSAMM that by failing to control armed youth in areas under its control, the SPLA-IO (RM) has failed in its obligations under Article 7 (1) of the ACOH to protect civilians "from any form of attacks by other armed groups..."

6.0 Observations and Recommendations:

- 6.1 It is often difficult to separate cattle raiding attacks from those related to the current conflict. Such attacks are too often presented by the Parties as military attacks rather than raiding.
- 6.2 What happened at BANKETA was a horrible crime. Although there is no evidence to suggest that it was in any way directed by the SPLA-IO (RM), the attackers did come from areas under the control of the SPLA-IO (RM), and the SPLA-IO (RM) authorities must accept responsibility for failing to control their armed youth and take the appropriate measures.



- 6.3 CTSAMM recommends that the issue of cattle raiding as it affects the implementation of the ACOH be addressed at the political level and practical solutions agreed between the Parties.

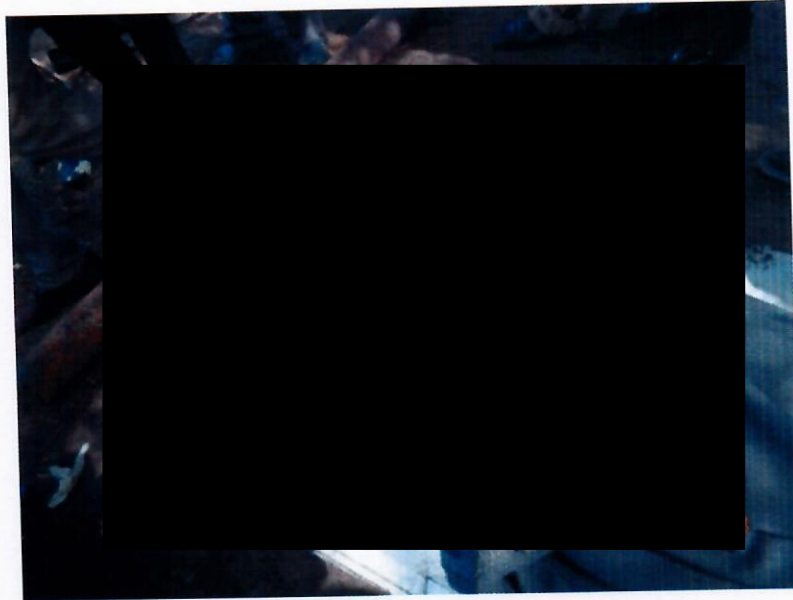
Abbreviations:

- ACOH: Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access signed 21 December 2017.
- MVT: CTSAMM Monitoring and Verification Team
- SPLA: Sudan People's Liberation Army. Military forces under the command and control of the Transitional Government of National Unity, including those opposition forces under the First Vice President Taban Deng Gai now with the Government.
- SPLA-IO (RM): Sudan People's Liberation Army In Opposition and under the command and control of Dr Riek Machar.



ANNEX A TO CTSAMM REPORT 2018/27

Dated 20 JULY 2018

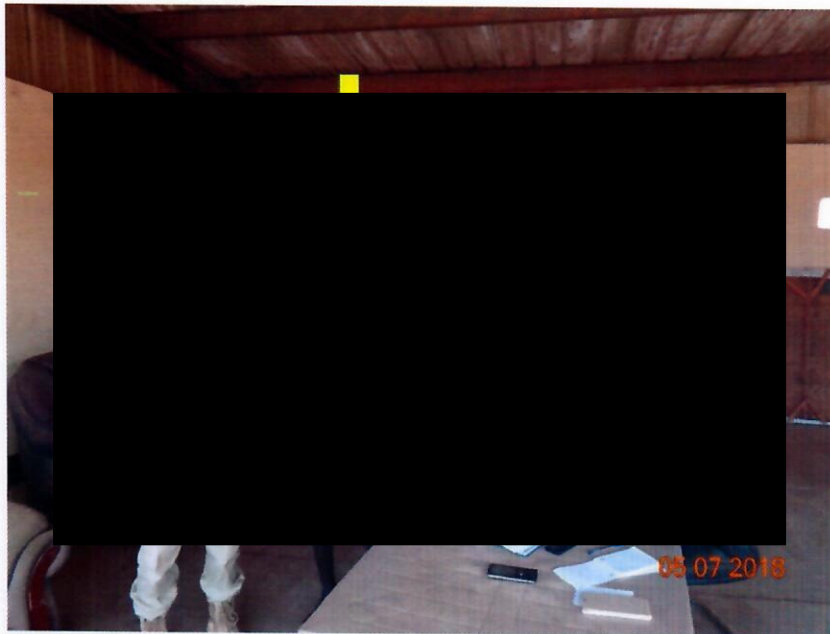


Photograph 1 – one of the civilians killed at BANKETA



Photograph 2 – another of the civilians killed at BANKETA





Photograph 3 – CTSAMM MVT with the captured cattle raider
being held in RENK

