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TO: The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 27 July 2017

SUBJECT: CTSAMM REPORT 044 – YEI AREA MONITORING REPORT

Your Excellency,

Please find attached a CTSAMM monitoring report which covers the security situation in the YEI area of Central Equatoria, and 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) over the period May to July 2017.

This report was discussed at the CTSAMM meeting of 20 July 2017.


Major General Molla Hailemariam

Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism



CTSAMM REPORT NUMBER 44
MONITORING REPORT YEI AREA

Executive Summary

The situation in the Yei area has been a cause for significant concern for some time, with ongoing violations against the civilian community, mass displacement and outbreaks of fighting between SPLA-IG and SPLA-IO (RM).

Recent CTSAMM patrols to the area discovered continued violations committed by SPLA-IG forces against the civilian population, continued displacement and evidence that both Parties are responsible for breaking the ceasefire. There is credible evidence that SPLA-IO (RM) have been responsible for sustained restriction of civilian and humanitarian movement, as well as ambushes on roads leading to and from Yei town.

Despite the poor security situation over recent months there are indications that there is a reduction in the number of violations against civilians. The SPLA-IG appear to have taken concrete steps to improve the discipline and behaviour of their forces in the Yei area. The Yei River State peace initiative may be a factor in reducing violence.

MONITORING REPORT YEI AREA CENTRAL EQUATORIA

1.0 Introduction

1.1 Background:

- The last reports by CTSAMM concerning the Yei area were numbers 33 (Burning of homes in the Yei area) and 34 (Monitoring Report February 2017) both of which were presented at the CTSAMM meeting in March 2017 and then number 38 (Violation in the Yei area) presented in May. Report 43 (Fighting in Yei) was presented alongside this report at the CTSAMM meeting this month.
- The situation in the Yei area has continued to be of great concern, with ongoing reports of violations against the civilian population and an increasing number of clashes between SPLA-IG and the SPLA-IO (RM). Monitoring the situation in the Yei area has been a priority for CTSAMM.

1.2 Incidents: Incidents covered by this report concern violence against civilians and looting.

1.3 Aim: The purpose of this report is to describe the security situation in the Yei Area, identify alleged violations and attribute responsibility where appropriate.

1.4 Methodology:

During the period May to July the Yei MVT conducted three joint patrols with UNMISS to the Yei area:

Dates	Locations
27 April-4 May	Morobo, Yei Town
22-28 May	Morobo, Yei Town, Goli
7-16 Jun	Yei Town, Gimune, Tore

- 1.5 During the patrols CTSAMM personnel met and interviewed a wide range of people including the Governor of what is known as Yei River State, civil and military officers and officials as well as traditional and religious leaders, medical personnel and local people including the victims of rape and other atrocities.
- 1.6 The MVT also met with some SPLA-IO (RM) personnel and spoke by telephone with their commander, although they were not permitted to visit the SPLA-IO (RM)-controlled area in LASU due to lack of liaison.

2.0 Findings

2.1 Overall Security Assessment.

- During the period covered by this monitoring report there were frequent clashes between SPLA-IG and SPLA-IO (RM) forces in the Yei area.
- The launch of the Yei State Grass-Roots Peace Initiative to Promote National Dialogue may have contributed to an improved security situation since late May.
- CTSAMM received credible reports of renewed fighting in MOROBO on 30 June. The effect of serious armed clashes and regular ambushes has made civilian populations fearful.

- The legacy of undisciplined and antagonistic SPLA-IG behaviour in the area has also sustained a severe lack of trust between civilians, state officials and SPLA-IG commanders.
- There are SPLM-IO (RM) forces operating in the area and it is very likely, but not verified, that these forces have been responsible for the frequent ambushes in the area.
- The perception expressed by civilians in the area is that both parties are responsible for the climate of fear which pervades their daily lives. There is some evidence that the security situation in Yei town is improving, but outside the town this is not apparent. In recognition of this, the Governor has made plans for the NSS soldiers in Yei town to be deployed at least 6 miles away in order to provide a perimeter that will allow civilians to cultivate their crops in safety.

2.2 Cessation of Hostilities.

- Relatively low level clashes in the Yei Area, often in the form of ambushes, were frequent from mid-April to mid-May.
- There was a severe escalation when fighting broke out on 16 May at the village of KERGULU. This is the subject of a separate violation report (number 043).
- Many allegations of COH violations cannot be verified because of the lack of effective liaison with SPLM-IO (RM) forces, but there have been occasions when MVT YEI has been able to speak directly to their senior commanders who operate in the YEI area. It is very likely that many ambushes and attacks in the area are carried out by SPLA-IO (RM) forces. Multiple attempts by

MVT patrols to visit LASU in order to conduct verifications have been thwarted by the denial of access by the SPLA-IO (RM) who control the area.

- A key factor in the poor security situation has been the presence of poorly led and poorly disciplined armed groups with particular reference to the Mathiang Anyoor. SPLA-IG intelligence staff in Yei have reported that Mathiang Anyoor are now restricted to barracks and their disciplinary chain of command has been strengthened

2.3 Protection of Civilians: Citizens in the Yei area continue to live in fear of SPLA-IG. The MVT was made aware of many instances of abuses against the civilian population. Notable issues in the area are:

- Abductions and Killings. At GIMUNA Boma there have been multiple abductions, 6 civilians are still believed to be missing after being seized by unknown groups on 21 May. On 4 June 3 civilians were reported to be abducted from the same area and subsequently killed and mutilated.
- Gender Based Violence. There are credible accounts of rape committed by soldiers believed to be SPLA-IG in April and May. The MVT interviewed one victim who gave an account of what she described as a horrific experience at the hands of two SPLA-IG soldiers who broke into her house at night. Evidence of 3 other rapes by soldiers believed to be SPLA-IG, including that of an elderly woman, a pregnant women and a girl of 14 was gathered by the MVT from the Yei Hospital. The MVT gained evidence from a variety of sources that the victims of rape or abuse by SPLA-IG soldiers are often too scared to report it, and also have no confidence that the perpetrators will be brought to justice.

- Displacement of Civilians. The large displacement of civilians reported over the past 6 months shows no evidence of being reversed. There may be some residents of Yei who have returned after some time in other villages in the area but the return of the large numbers who fled to neighbouring countries is not evidenced.
 - Occupation of Schools. SPLA-IG continue to occupy schools in NYOMGBWE and TORE.
 - Looting and Theft. At the start of the reporting period there were widespread allegations of theft, burglary, looting and raiding of crops. Interviews with a variety of Boma chiefs indicate that the situation is improving and a decrease in lawlessness reported.
- 2.4 Humanitarian Access. While humanitarian and protection organisations access Yei town relatively consistently, the SPLA-IO (RM) has generally impeded access starting around 3km from Yei town by denying movement. This has been going on for about a year.
- 3.0 Assessment:**
- 3.1 The security situation in the Yei area remains tense and volatile. The most recent clashes near MOROBO come after a period of relative calm but have not yet been investigated by CTSAMM. The threat of ambush and abduction persists especially on the Yei-Kaya, Yei-Tore and Yei-Tore roads. The active presence of SPLA-IO (RM) forces in the area indicates that future attacks, especially ambushes and abductions, are probable. It is too early to assess whether the Yei peace initiative is effective.
- 3.2 The heavy handed response SPLA-IG forces to alleged provocations in the Yei

area has been a major contributor to insecurity. Civilian forums have consistently voiced concerns over the reprisals carried out upon their communities by soldiers for committing loosely defined acts of supporting 'the rebels'. The fact that very few SPLA-IG violations are followed up by state authorities and the SPLA-IG chain of command simply adds to the air of fear and distrust between the civilian population and those who are responsible for their protection. The consequence of the overall lack of trust is that the scale of attacks and cases of rape are likely seriously under reported.

- 3.3 The allegations of abuse conducted by SPLA-IG forces has reduced in the Yei area since early June. Reports of theft, rape and looting have declined, notably in and around Yei town. The major reason for this could be as a result of improved command and control over the SPLA-IG and in particular the Mathiang Anyoor.

4.0 Conclusion:

- 4.1 It is the opinion of CTSAMM that the violations conducted in the Yei area in May and June by SPLA-IG and SPLA-IO (RM) against the civilian population are a breach of the PCTSA, specifically Article 1.7.5 "Acts of hostility, intimidation, violence or attacks against the civilian population.
- 4.2 It is the opinion of the CTSAMM that the Yei River State peace initiative is a positive development.
- 4.3 It is the opinion of the CTSAMM that the SPLA-IG have adopted concrete measures to improve the discipline and behaviour of soldiers in the area which appear to be having a positive impact. However the legacy of violations must be addressed if the lack of trust between the civil community and the government security forces is to improve.

5.0 Observations and Recommendations:

- 5.1 The Yei River State peace initiative should continue be supported at state and government level and monitored by CTSAMM.
- 5.2 Improvements to the command and control of SPLA-IG forces should be sustained and embedded. The SPLA-IG should discipline commanders at every level where they have failed to deal with the violations committed by soldiers under their command.
- 5.3 In order to improve the confidence of civilian society in their security forces all violations against citizens should be thoroughly investigated and perpetrators brought to justice.
- 5.4 CTSAMM will implement a more rigorous monitoring and reporting regime of Gender Based Violence incidents in order that allegations can be followed up by MVTs.
- 5.5 CTSAMM will conduct further investigations into the abduction and murder of civilians on 21 May and 3 June, and the clashes reported in the MOROBO area on 30 June.