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Letter dated 28 April 2022 from the Panel of Experts on South Sudan addressed to the President of the Security Council

The members of the Panel of Experts extended pursuant to Security Council resolution [2577 \(2021\)](#) have the honour to transmit herewith the final report, submitted in accordance with paragraph 17 of the resolution.

The report was provided to the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan on 1 April 2022 and was considered by the Committee on 22 April 2022.

The Panel would appreciate if the present letter and the final report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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Final report of the Panel of Experts on South Sudan submitted pursuant to resolution [2577 \(2021\)](#)

Summary

Rather than breaking the violent cycle of elite political bargaining in South Sudan, the 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (the peace agreement) has become part of it. Almost every component of the peace agreement is now hostage to the political calculations of the country's military and security elites, who use a combination of violence, misappropriated public resources and patronage to pursue their own narrow interests. As a result, much of the peace agreement remains gridlocked by political disputes between its principal signatories.

At the national level, the absence of attractive alternatives and the benefits of projecting an outward commitment to peace have preserved the peace agreement and created some space for incremental progress. The Transitional National Legislative Assembly was reconstituted in September 2021; the Public Financial Management Oversight Committee has brought some transparency to opaque public finances; and the training of some forces has been completed in anticipation of a unified national army.

In parallel, however, powerful government officials have sought to erode the unity of key opposition groups by successfully courting the defection of senior commanders. As alliances have shifted, the fragile ceasefire has come under repeated pressure as defectors and loyalists have clashed, including over access to bases, weapons and lucrative assets, such as checkpoints and river ports. Regional commanders have, in turn, embarked on fresh waves of recruitment to swell their ranks and safeguard their standing, in violation of the terms of the peace agreement.

The zero-sum political calculus at the heart of the national political process has also fuelled subnational rivalries and animosities, driving a wave of deadly subnational violence that has displaced tens of thousands of civilians and led to serious human rights abuses, including the sexual and gender-based violence that has become a tragic hallmark of the conflict in South Sudan

Despite some procedural progress towards the implementation of the peace agreement, therefore, the conditions facing millions of civilians on the ground are getting worse. Subnational violence, related displacement, and floods have combined to produce unprecedented levels of food insecurity across much of the country. Millions remain displaced, with around 70 per cent of the population in need of humanitarian assistance.

An economic crisis, partly caused by the global pandemic and partly by domestic mismanagement, has added further challenges through inflation and the failure to pay the government employees' salaries, upon which many depend, despite soaring oil prices. Leaders have instead tried to channel public resources into costly military procurement, including the import of armoured personnel carriers, in violation of the arms embargo imposed on the entire territory of South Sudan by Security Council resolution [2428 \(2018\)](#) and, most recently, renewed by Council resolution [2577 \(2021\)](#).

Other regional tensions and disputes continue to limit engagement with the peace process in South Sudan, although the Sudan and Uganda have sought to break the impasse on specific issues. Negotiations with groups that are yet to sign the peace agreement have largely stalled, resulting in an escalation in military confrontations between the Government and the National Salvation Front, particularly in Central Equatoria.

There remains an urgent need for increased engagement to salvage the prospect of the peace agreement securing peace and stability at the national and subnational levels.

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I. Background

A. Mandate and travel

1. By its resolution [2206 \(2015\)](#), the Security Council imposed a sanctions regime targeting individuals and entities contributing to the conflict in South Sudan and established a sanctions committee (the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan). The Committee designated six individuals for targeted sanctions on 1 July 2015. With the adoption of its resolution [2428 \(2018\)](#), the Council imposed an arms embargo on the territory of South Sudan and added two individuals to the list of designated individuals. On 28 May 2021, with the adoption of its resolution [2577 \(2021\)](#), the Council renewed the sanctions regime until 31 May 2022.

2. By resolution [2577 \(2021\)](#), the Security Council also extended the mandate of the Panel of Experts on South Sudan until 1 July 2022 so that it might provide information and analysis in support of the work of the Committee, including as relevant to the potential designation of individuals and entities who might be engaging in the activities described in paragraph 11 of the resolution.

3. On 20 January 2022, the Secretary-General, in consultation with the Committee, appointed the five members of the Panel (see [S/2022/42](#)).

4. As a result of the delayed appointment of its members, the Panel was unable to travel prior to drafting the present final report in March 2022 but intends to do so later in its mandate.

B. Cooperation with international organizations and other stakeholders

5. While the Panel operates independently of United Nations agencies and institutions, it wishes to express its gratitude to the United Nations Mission in South Sudan (UNMISS) and other United Nations staff, including in New York.

6. The Panel requested visas for travel to South Sudan and to be granted virtual meetings with figures from several institutions and ministries within the Government of South Sudan. Visas were issued to all Experts, but not in time for them to travel to South Sudan before the drafting of the present final report. The Panel received one reply regarding its requests for remote meetings with government figures. As a result, the Panel was only able to meet, virtually, with figures from the Permanent Mission of South Sudan to the United Nations and to correspond with figures from the Ministry of Defence and Veterans Affairs.

7. In paragraph 16 of its resolution [2577 \(2021\)](#), the Security Council emphasized the importance that the Panel consult with concerned Member States, international, regional and subregional organizations and UNMISS.

8. The Panel was able to consult extensively with United Nations bodies and agencies in South Sudan and elsewhere. It also consulted with most security mechanisms established under the Revitalized Agreement on the Resolution of the Conflict in South Sudan (the peace agreement).

9. The Panel sent multiple requests to regional Member States for remote meetings but received only one reply and was only able to meet, virtually, with figures from the permanent missions to the United Nations of regional States.

10. The Panel sent 28 official letters to the Government of South Sudan, regional Member States and other individuals and entities, to which it received 7 substantive

responses prior to drafting the present final report. The responses the Panel received subsequently are included in the annexes to the present report.

C. Methodology

11. The present report was prepared on the basis of the Panel's research and investigations. The Panel conducted numerous interviews to gather a body of credible information, obtained from a wide range of sources. The Panel reviewed documentation made available by individuals, commercial entities, confidential sources and the Government. The Panel also drew on its earlier work, including previous reports to the Security Council and the Committee, both public and confidential.

12. The Panel followed the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions in its report of December 2006 (S/2006/997). The Panel has corroborated the information contained in the present report using multiple independent sources to meet the appropriate evidentiary standards.

13. The Panel conducted its research with the greatest transparency possible, while giving priority to confidentiality where necessary. A source, document or location is described as confidential when its disclosure could compromise the safety of the source.

14. Given the limited time available to the Panel since its appointment, the Panel opted to produce a shorter final report than is customary, in order to secure additional time for its investigations.

II. A peace process hostage to elite interests

15. There is little optimism left in South Sudan. Panel interviews revealed a prevailing mood of frustration, mistrust and disillusionment with a political process held hostage to elite interests while increasingly detached from the lives of ordinary people.

16. Since the publication in April 2021 of the Panel's previous final report (S/2021/365), additional progress has been made towards the implementation of the peace agreement. Achievements, however, remained largely procedural and bureaucratic.

17. Meanwhile, the fragmentation of opposition groups, combined with persistent ceasefire violations and widespread subnational violence, undermined the core tenets of the peace agreement. As a result, reported progress was matched by intensifying violence and a deterioration of most humanitarian indicators. Many civilians and political leaders with whom the Panel spoke expressed a concern that the country may be heading back towards conflict.¹

A. Defections continue to fragment opposition groups

18. The Government successfully continued its strategy of courting defections from opposition groups, notably from within the ranks of the Sudan People's Liberation Army in Opposition (SPLA-IO). Many of its senior military commanders had been sceptical of the peace agreement from the outset and only grew more frustrated as

¹ Panel interviews with confidential sources and civil society leaders, March 2022.

progress towards the unification of forces slowed, while their material conditions deteriorated. This proved fertile ground for advances from Juba, where powerful officials reached individual agreements with opposition figures outside of the framework of the peace agreement.²

19. The defection of senior commanders has eroded the unity and morale of the Sudan People's Liberation Movement-Army in Opposition (SPLM/A-IO), driven a wedge between its military and political wings and led to significant violence between rival camps.³ It has also weakened the influence and authority of the First Vice-President, Riek Machar Teny, who has been criticized in many defection statements for his inability to distribute beyond his inner circle the benefits of signing the peace agreement.⁴

20. On 3 August 2021, former SPLA-IO Chief of General Staff and sanctioned individual Simon Gatwech Dual (SSi.002) and Upper Nile-based Shilluk commander Johnson Olony split from the Vice-President to form the "Kit-Gwang" group. Mr. Gatwech and Mr. Olony later travelled to Khartoum to meet with Tut Kew Gatluak Manime, a security adviser to the President, Salva Kiir Mayardit, and negotiate an agreement on the integration of their forces.⁵ The creation of the Kit-Gwang group led to serious clashes, in particular in Upper Nile State, between Kit-Gwang forces now allied to the South Sudan People's Defence Forces and remaining pro-Machar forces.⁶ In March 2022, some members within the group defected to the South Sudan People's Defence Forces,⁷ although the integration of other Kit-Gwang forces was reportedly slow, to the reported frustration of some commanders.⁸

21. In February 2022, in Unity State, the Deputy Commander of SPLA-IO Division 4A, Major General Tito Biel Wich, announced that he was breaking ranks with the Vice-President in the "Joknyang declaration". Major General Biel's negotiating team travelled to Juba and met with the Chief of Defence Forces, Santino Deng Wol (SSi.004), and Mr. Gatluak. Members of the negotiating team were given uniforms and awarded ranks in the South Sudan People's Defence Forces. Food and weapons were also soon delivered to Major General Biel's forces in Unity State, prompting a further influx to his camp from other cantonment sites. In March 2022, Major General Biel's forces clashed with SPLA-IO units in Unity State.⁹

22. The Panel identified at least 10 other senior commanders who had defected to the South Sudan People's Defence Forces from SPLA-IO and South Sudan United Front since its previous final report.

² See annex I.

³ Interviews with current and former senior members of SPLM/A-IO and international observers, February and March 2022.

⁴ See, for example, the Kit-Gwang declaration (annex I); the Joknyang declaration issued by defecting General Tito Biel (annex II); and the statement of General Moses Lokujo, dated September 2020 (S/2020/1141, annex VII).

⁵ Sudans Post, "Gen. Gatwech, Tutkew discuss peace process", 3 October 2021; and The Paradise, "Gatwech dispatches high-level military advance team to Juba", 1 February 2022. Videos of their statements are also available at www.facebook.com/watch/?v=595682031560351&_rdr.

⁶ Interviews with local community leaders, SPLA-IO, Sudan Peoples' Liberation Movement in Government, correctional and police officers, and civil society operating in the area, March 2022. See also "Position of SPLM/SPLA-IO on the status of the implementation of the Revitalised Peace Agreement", 15 March 2022.

⁷ See annex III.

⁸ Sudans Post, "Gatwech 'frustrated' with stalled re-integration of his forces into SSPDF", 27 March 2022.

⁹ Interviews with representatives of Major General Tito Biel Wich, February and March 2022; and Sudans Post, "Weapons, ammunition shipped to Mayom as Gen. Biel orders attack on SPLA-IO base in Bentiu", 23 March 2022. See also press release by the Joknyang Group dated 16 March 2022 in annex IV.

B. Unification of forces remains contentious

23. In February 2022, the South Sudan Joint Defence Board announced that 50,000 personnel were ready for graduation after screening, reorganization and unification in training centres between December 2021 and January 2022.¹⁰ This was a potentially important step towards the development of the necessary unified forces.

24. Several trainees informed the Panel, however, that the training process had mostly consisted of basic drills, with little in the way of substantial military training or training on civil-military relations or gender-based violence.¹¹ In some cases, screening had not been carried out prior to training, leading to anger from some who had been denied integration into the unified forces.¹²

25. The Panel was also informed that few combatants had been disarmed and that forces were largely still holding on to their long- and medium-range heavy weapons.¹³

26. The Panel was also informed that the South Sudan People's Defence Forces Tiger Division and the National Security Service had continued to resist registration and integration. The Tiger Division had reportedly contributed 1,500 personnel to the VIP Protection Unit, while the National Security Service had sent some new recruits, but not existing officers, for training.¹⁴

27. Progress towards the graduation of trained forces had also stalled over continued disagreement over the top command structure.¹⁵ Senior positions were important bargaining chips for both leaders, with the Government also reluctant to accept promotions distributed by opposition groups.¹⁶ The 2021/22 budget provided for 13,591 positions at or above the rank of captain, reflecting the value of such positions to leaders and the prevalence of politicized rank inflation.¹⁷

28. In 2018, the parties agreed to split senior positions evenly.¹⁸ More recently, however, the President has demanded 60 per cent of such positions, citing the defection to his ranks of senior opposition commanders.

29. In a unilateral presidential decree issued on 25 March 2022, the President allocated a number of senior command positions to SPLA-IO and the South Sudan Opposition Alliance (SSOA).¹⁹ SPLM/A-IO immediately issued a press release describing the decree as a violation of the peace agreement on the grounds that it violated the 50:50 ratio agreed in discussions mandated under article 2.1.11.1 of the agreement,²⁰ and urged the guarantors of the peace agreement to intervene to halt the "deteriorating situation in South Sudan".²¹

¹⁰ Joint Defence Board, "Progress report on the screening, reorganization, and unification of the necessary unified forces", 16 February 2022. See also annex V.

¹¹ Interviews with multiple trainees (via interpreters) and confidential sources, February and March 2022.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Interviews with government and senior SPLM-IO officials, February 2022. See also The Paradise, "SPLM-IO says no unified forces before unified command", 22 February 2022.

¹⁶ Interviews, international organizations and domestic security mechanisms, February and March 2022.

¹⁷ Approved 2021/22 budget for South Sudan, staffing structure by grade.

¹⁸ Interviews with government officials and representatives of SPLM-IO, March 2022. Corroborated by confidential documents seen by the Panel. See annex VI.

¹⁹ Presidential decree obtained by the Panel.

²⁰ See annex VII.

²¹ See annex VIII.

C. Forced recruitment used to swell ranks

30. As in the past, the prospective reorganization of the security sector resulted in a wave of fresh recruitment, including forced recruitment, in violation of article 2.1.8 of the peace agreement. Recruitment exercises by the Government created proxy forces for use in front-line operations, thereby strengthening the negotiating positions of local commanders, and boosted numbers at strategic cantonment sites. The most prominent recruitment exercises since the Panel's previous report took place in Lakes, Unity, Central Equatoria, Western Equatoria and Warrap States.

Lakes State

31. Continuing a trend that was first reported by the Panel in its final report of April 2020 (S/2020/342), the Governor of Lakes State, Rin Tueny Mabor, had conducted a series of recruitment operations since July 2021. His forces coerced prisoners, young people and casual workers, including minors, in towns such as Rumbek, Cueibet and Yirol, as well as in rural areas and cattle camps.²²

32. According to Panel interviews, fresh recruits were transferred to the Panda Hotel in Rumbek and to the Baburzeit prison in Yirol.²³ In Yirol, at least one government residential property was also turned into an ad hoc training centre, while the Governor's private property was used as a storage facility for uniforms and ammunition.²⁴

33. Many fresh recruits were transported on flights from Lakes State to locations in Central Equatoria and Upper Nile.²⁵ Interviewees indicated that flights carrying between 100 and 200 recruits each had departed Yirol and Rumbek between July and September 2021.²⁶

34. Recruitment had reinforced Mr. Tueny's political and military influence, both locally and nationally, following his ousting as Chief of Military Intelligence in June 2021.

Unity State

35. Both the South Sudan People's Defence Forces and SPLA-IO engaged in recruitment exercises in Unity State in January and February 2022.²⁷ The Panel confirmed that recruitment had taken place in the towns of Bentiu and Rubkona and that mobilizations had occurred in Koch County.

36. Forced recruitment was also carried out in the main Bentiu site for internally displaced persons, assisted by joint police units in charge of civilian safety. Young people, including minors, and military deserters were targeted for recruitment.²⁸

37. An open letter from a youth forum within the Bentiu internally displaced persons camp, dated 25 January 2022, condemned "the rampant arrest and child adoptions by the army forces" in the camp.²⁹

²² Interviews with civil society representatives, State officials and international observers, February and March 2022. Partly corroborated by a statement by Mr. Tueny on the security situation in Lakes, available on social media.

²³ Ibid.

²⁴ Interviews with State officials, March 2022.

²⁵ Interviews with civil society representatives, State officials and international observers, February and March 2022. Partly corroborated by photographs obtained by the Panel.

²⁶ Ibid. See annex IX.

²⁷ Interviews with civil society representatives, State officials and international observers, February and March 2022. Partly corroborated by photographs obtained by the Panel.

²⁸ Ibid. See annex X.

²⁹ See annex XI.

38. Many new recruits were first moved to the South Sudan People's Defence Forces Division 4 barracks, then transported by at least one South Sudan People's Defence Forces flight from Bentiu to Juba, from where some recruits joined front-line operations against the National Salvation Front (NAS) in Central Equatoria.³⁰

Warrap State

39. South Sudan People's Defence Forces Division 11, a new independent division-sized force within the South Sudan People's Defence Forces, conducted recruitment exercises in Warrap State.³¹ Since it was first conceived by the South Sudan People's Defence Forces General Santino Deng Wol (SSi.004) after mass mobilization efforts in October 2018, the Division had mainly served as a vessel for mobilization in the greater Bahr el-Ghazal region.³² In May 2021, communities in Tonj reported the active military recruitment of young people, including minors, which is a sanctionable violation.

III. Escalating violence

A. Ceasefire violations between signatories to the agreement

40. The cessation of hostilities agreement of December 2017 was under persistent pressure as a result of defections, subnational violence and stalled negotiations with groups that had yet to sign the peace agreement.

41. In Upper Nile, forces loyal to the Vice-President clashed with forces led by Mr. Gatwech.³³ Additional clashes occurred in Longochuk between loyalists of the Vice-President and forces under the command of Major General James Khor Choul, who had defected to the South Sudan People's Defence Forces in August 2021. Since March 2022, South Sudan People's Defence Forces in Pagak and Maiwut under the command of General Ochan had clashed with SPLA-IO forces in Jekou in Upper Nile.³⁴

42. In Unity State, Major General Biel, a former SPLA-IO commander, clashed with SPLA-IO forces in Biil. Further attempts were soon made to dislodge SPLA-IO from ports in Unity State. SPLA-IO forces also fought with armed young people supported by the Koch County Commissioner at the SPLA-IO base in the town of Mir Mir,³⁵ as well as in Leer and Mayendit Counties.³⁶

43. As clashes around SPLA-IO positions intensified, the Sudan People's Liberation Movement in Opposition (SPLM-IO) walked out of a technical committee meeting of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, held in Juba on 21 March 2022. A press release followed on 22 March 2022, signed by the Vice-President, announcing that SPLM/A-IO was suspending its participation in all security mechanisms, citing ongoing attacks on its positions.³⁷

³⁰ Interviews with civil society representatives, State officials and international observers, February and March 2022. Partly corroborated by photographs obtained by the Panel.

³¹ Interviews, civil society, international observers and confidential reports and documents obtained by the Panel.

³² See annex XII.

³³ Sudans Post, "SPLA-IO rivals clash in Nasir", 7 October 2021.

³⁴ Interviews with local community leaders, SPLA-IO officials, government officials, correctional and police officers and civil society, February and March 2022.

³⁵ Interviews with security service personnel, community leaders and confidential sources, February and March 2022.

³⁶ See annex XIII.

³⁷ Interviews with security mechanisms, March 2022. See annex XIV.

B. Escalating clashes with non-signatories

44. Clashes between NAS and the South Sudan People's Defence Forces in Central and Western Equatoria had intensified since the suspension of the Community of Sant'Egidio process in August 2021.

45. Lainya County in Central Equatoria had become a focus for the escalating fighting since around September 2021, marking a shift in military operations from the borderlands to an area that had historically been considered a NAS stronghold.

46. While NAS continued to operate mobile squads with semi-autonomous command structures outside of major towns, government forces relied on a mixed deployment of forces from Juba, forced recruits from other parts of the country and pro-government militias, including Dinka Bor and Mundari youths. Civilian authorities in Lainya County played a significant role in supporting military operations.³⁸

47. The Panel received several credible reports of human rights violations committed by government-aligned forces during the fighting, which also led to significant civilian displacement from and into Lainya town.³⁹ The South Sudan People's Defence Forces restricted movement in Lainya by creating a two-mile radius around the town, with anyone moving beyond that circle at risk of being targeted as NAS supporters.⁴⁰

C. Intensifying subnational violence: Western Equatoria

48. Fragmented national security and elite political competition created fertile ground for intense subnational violence across much of the interior of South Sudan, including in Jonglei, Warrap, Western Equatoria and Unity States. While often framed as intercommunal and criminal, much of the violence was shaped by political contests at the local and national levels.

Violence in Western Equatoria

49. From around June 2021, a wave of organized political violence in Tambura County, Western Equatoria, led to the displacement of nearly 80,000 people and the deaths of at least 440 civilians, including 60 women and 48 children.⁴¹ Horrific human rights abuses, including sexual violence and violence against children, were also recorded,⁴² while humanitarian access was impeded and politicized.⁴³

50. The origins of the conflict could be traced back to tensions over political representation and land rights between elite members of the Balanda and Avungara clans of the Azande, playing out through sporadic violence and abuses. In April 2019, for example, then-Governor Patrick Zamoi allegedly ordered the execution of four

³⁸ Interviews with senior NAS commanders, international observers and civil society, February and March 2022. Corroborated by reports and photographs obtained by the Panel.

³⁹ Interviews with civil society, international observers and security mechanisms, February and March 2022.

⁴⁰ Interviews with local chiefs, elders, community, youth groups and internally displaced persons; communicated to the Panel via international observers, February 2022.

⁴¹ UNMISS and the Office of the United Nations High Commissioner for Human Rights, "Attacks on civilians in Tambura County – June-September 2021", 1 March 2022.

⁴² Interviews with international observers, civil society, security mechanisms, government officials and aid workers, February and March 2022. Corroborated by confidential documents, pictures and reports obtained by the Panel.

⁴³ Interviews with international and humanitarian organizations, February and March 2022.

Balanda individuals at his property, laying the foundations for future violence in the eyes of many.⁴⁴

51. In May 2020, General James Nando defected from SPLA-IO and joined the South Sudan People's Defence Forces, with reports soon including allegations that his forces had targeted Balanda civilians.⁴⁵ The following month, his forces attacked an SPLA-IO base in Namutina, triggering a violent armed response from SPLA-IO that resulted in waves of revenge attacks, killings and displacement between June and September 2021. General Nando's forces were accused of using child soldiers, attacking humanitarian operations and carrying out acts of sexual violence, including against aid workers and minors.⁴⁶

52. Ethnic militias were mobilized to fight on both sides. Forces under the command of Angelo Davido, the commander of an SPLA-IO affiliated militia, were accused of killing civilians, including minors, and of sexual violence.⁴⁷ Mr. Davido denied the charges to the Panel, stressing that his forces had acted in self-defence following provocations.⁴⁸

53. Paramount Chief Mboribamu formed an armed militia group that targeted Balanda civilians, collaborating with General Nando and the Tambura County Commissioner, Mathew Mabenge. Mr. Mabenge was himself accused of serious abuses, including threats against United Nations staff and ethnic-based hate speech.⁴⁹

54. General Nando was also alleged to have received material support from national political figures, including the speaker of the Parliament, Jemma Nunu Kumba, whose property in Tambura was used by General Nando on several occasions in September and October 2021, including for meetings with Mr. Mabenge and Mr. Mboribamu.⁵⁰

D. Human rights abuses linked to the suppression of subnational violence in Warrap

55. Subnational violence elicited a violent response from civilian and military leaders, at times creating a pretext for further human right violations.

56. Forces under the command of the Warrap Governor, Aleu Ayieny Aleu, engaged in extrajudicial killings in Warrap State. Many executions were carried out during a tour of the State following his appointment as Governor in February 2021 and conducted by firing squads comprising his personal bodyguards, the South Sudan People's Defence Forces, the National Security Service and local disarmament forces.⁵¹

⁴⁴ Interviews with civil society and government representatives, February and March 2022.

Corroborated by confidential reports obtained by the Panel. See also Eye Radio, "Tombura gov. accused of extrajudicial killing", 29 April 2019.

⁴⁵ Interviews with international observers, civil society, security mechanisms, government officials and aid workers, February and March 2022. Partly corroborated by photographs and videos obtained by the Panel.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ See also annex XXV. The Panel requested comments from all individuals named in the present section; the responses it received are included in the annexes to the present report.

⁴⁹ Ibid. See annex XV.

⁵⁰ Ibid.

⁵¹ Report of the Commission on Human Rights on South Sudan, 15 February 2022. See also UNMISS, "UNMISS deeply concerned at spate of extra-judicial executions," 26 July 2021 (available at <https://unmiss.unmissions.org/unmiss-deeply-concerned-spate-extra-judicial-executions>); and Human Rights Watch, "South Sudan: summary executions in north", 29 July 2021 (available at www.hrw.org/news/2021/07/29/south-sudan-summary-executions-north#);

57. Many victims were from local National Security Service prisons and had few apparent ties to intercommunal violence. In Nyangakoch, in April 2021, Mr. Aleu ordered the execution of five suspects, including one elderly person and two school-age children, for their alleged role in attacking a commercial vehicle.⁵² In Romich, in April 2021, he ordered the public execution of a man suspected of a dowry-related murder.⁵³ On 9 November 2021, three people, including two soldiers, were detained and accused of murder and thievery. Despite community appeals to have the men first stand trial, Mr. Aleu ordered the execution of two of the men on 12 November 2021.⁵⁴

IV. Regional engagement

58. As the Panel reported in its previous final report (S/2021/365), other regional disputes and tensions continued to distract regional actors from the conflict in South Sudan while undermining the effectiveness of key regional bodies, including the Intergovernmental Authority on Development (IGAD). However, the Sudan and Uganda sought to mediate the resolution of specific issues.

59. In February 2022, the President of Uganda, Yoweri Museveni, invited senior South Sudan officials to a retreat in Kampala to resolve outstanding challenges, including the design of a unified command structure and force ratios.⁵⁵ However, the retreat was soon postponed.⁵⁶

60. In February and March 2022, respectively, the Vice-Chair of the Sovereign Council of the Sudan, General Mohamed Hamdan Dagalo, and the Chair of the transitional Sovereign Council of the Sudan, General Abdel Fattah al-Burhan, visited Juba in an effort to resolve the same dispute.⁵⁷ The proposal of the Sudan would have given 27 positions to the Government, 17 to SPLM/A-IO and 4 to SSOA, but was not accepted by either party.⁵⁸

61. While mediation efforts led by the Community of Sant'Egidio also continued, there had been no significant progress in negotiations since August 2021, when the Government pulled out of the talks, citing attacks on its forces and on civilians in Central and Western Equatoria, a charge that NAS denied.⁵⁹

62. Negotiations were also complicated by the split of the South Sudan Opposition Movements Alliance (SSOMA) in October 2021, when General Thomas Cirillo Swaka parted with General Paul Malong Awan Anei (SSi.008) and General Pagan Amum, citing different priorities and distrust.⁶⁰

Sudans Post, "Governor Aleu of Warrap petitioned over alleged involvement in extrajudicial killings", 24 November 2021; and Eye Radio, "Former Commissioner accuses Governor Aleu of extra judicial killings", 18 November 2021.

⁵² Interviews with witness and a government official, March 2022. Additional documentation by Human Rights Watch, "Preliminary findings on summary executions in Warrap State", 19 July 2021; and report of the Commission on Human Rights on South Sudan, 15 February 2022.

⁵³ Interview with a local community member, March 2022; confidential documents obtained by the Panel; and "Report of the Commission on Human Rights on South Sudan", 15 February 2022.

⁵⁴ Ibid. Corroborated in part by audio recordings, documents and pictures obtained by the Panel. See annex XVI.

⁵⁵ Obaj Okuj, "Museveni officially invites Machar to Kampala retreat, says FVP office", Eye Radio, 1 March 2022; and Sudans Post, "African Union welcomes planned Kiir-Machar retreat in Ugandan", 29 January 2022. See also annex XVII.

⁵⁶ Interviews with government representatives and confidential sources, March 2022.

⁵⁷ Ibid. See annex XVIII.

⁵⁸ Interviews with confidential sources, March 2022.

⁵⁹ Interviews with senior NAS commanders, government representatives and Community of Sant'Egidio secretariat, February and March 2022.

⁶⁰ Interview with Community of Sant'Egidio secretariat and confidential sources, March 2022.

63. In November 2021, President Kiir called upon the Community of Sant'Egidio to restart talks.⁶¹ On 30 November, a NAS spokesperson stated that the group would not participate in the peace talks without a clear agenda for the negotiations, citing government stalling tactics and limited progress to date.⁶²

V. Breaches of the arms embargo

A. Procurement of armoured personnel carriers

64. In March 2022 the Government of South Sudan announced on its Facebook page that it had purchased 150 new vehicles for the South Sudan National Police Service.⁶³ The announcement was accompanied by photographs depicting approximately 25 new armoured personnel carriers at police headquarters in Juba.

65. Similar vehicles were identified in the possession of the South Sudan People's Defence Forces Tiger Battalion in Juba, from where they were reportedly to be deployed in Warrap State in February 2022.⁶⁴ The Panel also identified a small number of similar vehicles in the possession of South Sudan People's Defence Forces in Lakes State in late December 2021.⁶⁵

66. No exemption was requested of the Committee for the purchase of these armoured military vehicles. From its interviews, the Panel discovered that procurement of the vehicles had started in 2021, with staggered deliveries in 2021 and early 2022.⁶⁶

67. The armoured personnel carriers appear to match the "Tygra" model.⁶⁷ The Panel was not able to determine the supplier of the vehicles, although statements from a South Sudanese official indicated that they had been sourced from an unnamed "private company".⁶⁸

68. The Panel considers the import of these vehicles to constitute a violation of the arms embargo imposed on the entire territory of South Sudan by Security Council resolution 2428 (2018), renewed most recently by resolution 2577 (2021). The Panel notes that exemption procedures for the import of military equipment are included under paragraph 5 of resolution 2428 (2018).

B. Training of the National Security Service

69. On 14 February 2022 Ethiopian media reported that around 50 National Security Service officers had graduated from a training programme provided by the National Intelligence and Security Service of Ethiopia,⁶⁹ which was confirmed by an article on its own website.⁷⁰ According to reports, the course provided in-depth training in the

⁶¹ Ibid.

⁶² Interviews with senior NAS commanders, March 2022; and statement made by Saba Samuel Manase during an interview with Eye Radio on 30 November 2021. See annex XIX.

⁶³ Announcement made on the Facebook page of the Government of South Sudan. See annex XX.

⁶⁴ See annex XXI.

⁶⁵ See annex XXII.

⁶⁶ Interviews with government officials, March 2022. See also Okot Emmanuel, "Police receive 150 vehicles to ease mobility across the country", Eye Radio, 22 March 2022.

⁶⁷ See annex XXIII.

⁶⁸ Emmanuel, "Police receive 150 vehicles". Corroborated by the Panel interview with Government official, March 2022.

⁶⁹ Facebook page of the Ethiopian Broadcast Corporation, 14 February 2022. See also New Business Ethiopia, "Ethiopia trains South Sudanese security officers," 15 February 2022.

⁷⁰ See annex XXIV.

fields of intelligence and security for senior members of the National Security Service. According to one media report, the training had been preceded by another training event, four months prior, attended by “junior security officers from South Sudan”.⁷¹

70. The graduation was attended by Temesgen Tiruneh, Director General of the National Intelligence and Security Service of Ethiopia, and Akol Koor Kuc, Director General of the South Sudan Internal Security Bureau, a branch of the National Security Service.⁷² On 27 January 2021, the two leaders met in Addis Ababa and agreed that their respective intelligence agencies would cooperate on regional issues and capacity-building.⁷³

71. Given that no exemption was sought from the Committee and that the training reportedly covered “intelligence and security”, the Panel considers that this may constitute a violation of the arms embargo, which prohibits the provision to South Sudanese security services of “technical assistance, training, financial or other assistance, related to military activities”, in accordance with paragraph 4 of resolution [2428 \(2018\)](#).

VI. Humanitarian indicators trending downward

72. Despite reported progress in the implementation of the peace agreement, South Sudan faced a downward trend in many key humanitarian indicators as a result of subnational violence and floods.⁷⁴

73. Violence against humanitarian personnel and operational interference increased. In 2021, there were more forced relocations of aid workers and almost three times as many humanitarians detained as in 2020, with five aid workers also killed.⁷⁵

74. In March 2022, the World Food Programme warned that South Sudan was facing its “worst hunger crisis ever”.⁷⁶ Some 8.3 million people remained in need of food assistance, with 1.4 million children acutely malnourished as of December 2021.

75. Continuing a trend reported by the Panel in its previous final report, 2021 also saw a breakdown in the Integrated Food Security Phase Classification assessment, after its working group was unable to reach consensus on the severity of food insecurity in six counties. This affected both international resource mobilization and the allocation of food aid.⁷⁷ The Panel understood from its interviews that government representatives were unwilling to acknowledge that any populations in South Sudan should be classified in phase 5 (famine/humanitarian catastrophe), an indicator that would have made it more difficult for the Government to justify requests for development financing.⁷⁸

⁷¹ New Business Ethiopia, “Ethiopia trains South Sudanese”.

⁷² See annex XXV.

⁷³ Koang Pal Chang, “Ethiopia security services agree to cooperate in regional issues”, Eye Radio, 29 January 2021; and Sudans Post, “S. Sudan, Ethiopian spy agencies to cooperate on regional interests”, 29 January 2021.

⁷⁴ Office for the Coordination of Humanitarian Affairs, “South Sudan humanitarian snapshot, December 2021”; World Food Programme (WFP), country overview for South Sudan.

⁷⁵ Ibid.

⁷⁶ WFP, “Families pushed to the limit as South Sudan braces for its worst hunger crisis ever”, 11 March 2022 (available at www.wfp.org/news/families-pushed-limit-south-sudan-braces-its-worst-hunger-crisis-ever).

⁷⁷ Margie Buchanan-Smith, Jane Cocking and Sam Sharp, *Independent Review of the IPC South Sudan* (London, Overseas Development Institute, 2021).

⁷⁸ Confidential documents obtained by the Panel; and interviews conducted with individuals who participated in or witnessed the Integrated Food Security Phase Classification process, March 2022.

VII. Public finances diverted to elites

76. Some progress was made towards reforming the public finances of South Sudan. There was greater transparency around the country's oil production and debts, and a functional Public Financial Management Oversight Committee. In March 2022, Parliament also formally approved a budget for the first time in several years, with progress also having been made towards a budget that may be produced in time for the 2022/23 financial year.⁷⁹ South Sudan made additional commitments to working with the International Monetary Fund, the World Bank and the Financial Action Task Force.⁸⁰ Significant challenges, however, remained.

A. Oil and non-oil revenues managed chaotically and prone to diversion

77. Oil continued to account for almost all government revenues, generating more than 90 per cent of projected revenues in the 2021/22 budget.⁸¹ Total oil production for the 2021/22 financial year was estimated at 156,000 barrels per day, down from 170,000 barrels per day the previous year, as a result of well depletion and damage caused by flooding.⁸² Falling production had, however, been offset by rising oil prices.

78. The public finances of South Sudan will also benefit from the successful repayment, in December 2021, of the \$3.028 billion relating to the transitional financial arrangement, agreed with the Sudan soon after independence.⁸³ That should allow South Sudan to retain an additional \$6 to \$15 per barrel of oil, depending on oil prices.⁸⁴

79. The Government of South Sudan continued the practice of selling its share of oil production to a small number of international traders. According to the Ministry of Petroleum, South Sudan awarded the sale of 12 cargoes (7.25 million barrels) of crude oil between July and December 2021, worth around \$547.6 million, with six separate traders receiving cargoes.⁸⁵ The Panel confirmed that most cargoes sold during the period had been paid with shorter advances of around 70 to 80 per cent of their value within three to six weeks of delivery.⁸⁶

80. Considerable uncertainty remained, however, over how oil revenues were managed, and significant questions remained about how oil revenues were spent. Despite oil prices above projections, for example, the Government continued to accrue substantial salary arrears for many sections of its payroll, leading to strikes

⁷⁹ Ministry of Finance and Planning, approved budget for the financial year 2021/22.

⁸⁰ See <https://www.fatf-gafi.org/publications/high-risk-and-other-monitored-jurisdictions/documents/increased-monitoring-june-2021.html#SouthSudan>.

⁸¹ Approved 2021/22 budget for South Sudan.

⁸² Minister for Finance and Planning, budget speech for the financial year 2021/22.

⁸³ Interviews with parliamentarians and diplomats, March 2022. Corroborated by the third reading of the 2021/22 budget in Parliament.

⁸⁴ See annex XXVI; South Sudan still pays the Sudan fees for the use of its pipelines and processing facilities, totalling \$9.1/barrel for Dar blend and \$11/barrel for Nile blend.

⁸⁵ Confidential documents obtained by the Panel. Traders that purchased cargoes of oil from the Government between July and December 2021 included: Sahara Energy, Addax Energy, Trinity Energy, Litasco, Pacific Petroleum and BB Energy. Sales totalled approximately 7.25 million barrels, around 69 per cent of which were Dar blend.

⁸⁶ Panel correspondence with traders.

and widespread anger.⁸⁷ The Government had also accrued arrears for its membership in regional organizations of more than \$39 million.⁸⁸

B. Oil-backed debt challenging economic stability

81. Commercial oil-backed debt also continued to put pressure on the budget of South Sudan. The country's commercial debts, many of which had substantial interest rates, now totalled more than \$1.7 billion. These include large debts to the Qatar National Bank, Sahara Energy, Nasdec General Trading, the African Export-Import Bank and the China Exim Bank.⁸⁹ The debts had been mostly rescheduled to be repaid in future deliveries of oil, diverting a significant number of cargoes away from the national budget.

82. In its investigations, the Panel confirmed the importance of greater transparency around oil-backed debts. In 2019, the Government of South Sudan had entered into a loan agreement with a United Arab Emirates-based trader called Nasdec General Trading, which had provided a loan facility of up to \$539 million, to be repaid through the future delivery of crude oil.⁹⁰ That loan had not been reported in any South Sudanese budget documents or expenditure reports until February 2022. A substantial portion of the loan had been paid into government accounts with First Abu Dhabi Bank in the United Arab Emirates, rather than into the designated oil revenue account.⁹¹

Oil-backed debt to finance military procurement

83. The Panel also identified efforts by the Office of the President to accrue additional oil-backed debt to finance contracts awarded to favoured businessmen.

84. In June 2021, the Government of South Sudan entered into an agreement with a South Sudanese company called Amuk for Trading and Investment Co. Ltd. and a trading company based in the United Arab Emirates called Silwana Diamond General Trading LLC.⁹² Under the three-party agreement, Amuk was contracted to supply the South Sudan People's Defence Forces with food items worth \$650 million, vastly exceeding the 15.8 billion South Sudanese pounds (SSP) (\$39 million) allocated for goods and services for the security sector in the 2021/22 budget.⁹³

85. Silwana Diamond General Trading LLC was to finance the trade with a loan secured against oil and repaid over a period of three years after a two-year grace period. A sovereign letter of guarantee had been issued by the Bank of South Sudan to facilitate the loan.⁹⁴

⁸⁷ Interviews with parliamentarians, civil society and international diplomats, March 2022. See also Obaj Okuj, "UoJ staff receive 3-month salaries, still, demand outstanding arrears", Eye Radio, 22 March 2022; and Sudans Post, "Gov't owes diplomats 24 months in salary arrears – finance minister", 20 March 2022.

⁸⁸ Voice of America, "South Sudan in Focus", audio episode, 11 March 2022. These include debts to the East African Community, IGAD and the Northern Corridor Transit and Transport Coordination Authority.

⁸⁹ IMF, first review under the Staff Monitored Programme; and approved 2021/22 budget for South Sudan.

⁹⁰ Documents obtained by the Panel; and correspondence with Nasdec General Trading.

⁹¹ Ibid.

⁹² Confidential documents obtained by the Panel. The Panel is also grateful for the cooperation of Silwana Diamond General Trading through interviews and written correspondence.

⁹³ Ibid., and approved 2021/22 budget for South Sudan.

⁹⁴ Document obtained by the Panel.

86. The Panel confirmed that Amuk for Trading and Investment was ultimately controlled by Kur Ajing Ater, a prominent South Sudanese businessman.⁹⁵ In a previous report (S/2019/301), the Panel described how another company controlled by Kur Ajing Ater, Lou for Trading and Investment, had been awarded similarly outsized procurement contracts by the South Sudan People's Defence Forces, including for food.

87. The Office of the President played a prominent role in the agreement, including the President himself, his National Security Adviser and other senior staff, several of whom had been present at the signing of the deal in Dubai, United Arab Emirates.⁹⁶ In confidential meeting minutes from a review of the 2018 contracts with Kur Ajing Ater, a senior South Sudan People's Defence Forces official complained that "there are irregularities in this contract", but that "the decision was from higher authorities so we can do nothing about it".⁹⁷

88. According to representatives of Silwana, they were ultimately unhappy with the guarantees they had received from the Government and had requested that the transaction be cancelled. Upon learning about the agreement, international institutions also pressed the Government to cancel it, as it violated a commitment to stop the accumulation of further oil-backed debts.⁹⁸ In September 2021, therefore, the sovereign letter of guarantee was cancelled.⁹⁹ Since that time, however, the Government has explored reviving the deal with other traders.¹⁰⁰

C. Proliferation of diversion mechanisms

89. Within the chaotic system of the public finances of South Sudan, political and security officials continued to find opportunities to use their power and influence to divert significant public resources for their own benefit.

90. The Panel previously reported the award of multibillion-dollar road construction contracts to Africa Resource Corporation Ltd. and Winners Construction Company Ltd. without a proper tender process (see S/2020/1141). While roads are being constructed, oversight over this vast project remains limited. Both the 2020/21 and 2021/22 budgets allocated 30 per cent of projected oil revenues to those projects,¹⁰¹ yet the spending was not reflected in accounting for the 2020/21 financial year, which recorded only SSP 3 billion in total capital expenditure.¹⁰²

91. Furthermore, in the final reading of the 2021/22 budget, Parliament claimed to have identified an unanticipated surplus of SSP 174.5 billion.¹⁰³ Members of Parliament argued that an excess payment of \$13.9 million had been made to the Sudan against the transitional financial arrangement, while the average oil price for the financial year could be adjusted up to \$100 per barrel. Parliamentarians redirected SSP 34.7 billion of that surplus to themselves.¹⁰⁴ The surplus is, however, unlikely to

⁹⁵ Interviews with former government officials and private companies in March 2022, corroborated by photographs and confidential documents obtained by the Panel. See also The Sentry, "Sanctioned South Sudanese businessmen are skirting US sanctions", October 2021.

⁹⁶ Ibid.

⁹⁷ Confidential meeting minutes obtained by the Panel.

⁹⁸ Interviews with private sector companies, former government officials and international diplomats, March 2022.

⁹⁹ Document obtained by the Panel.

¹⁰⁰ Interviews with companies, members of Parliament, diplomats and civil society, February and March 2022.

¹⁰¹ Approved 2021/22 budget for South Sudan.

¹⁰² Ministry of Finance and Planning, final outruns for the financial year 2020/21.

¹⁰³ Approved 2021/22 budget for South Sudan.

¹⁰⁴ Transitional National Legislative Assembly, third reading of the budget for the 2021/22 financial year.

be realized, as the average oil price achieved by South Sudan for the first half of the financial year was just \$75.6 per barrel.¹⁰⁵

92. The Panel understood from its interviews that South Sudanese officials had used their power and influence to channel lucrative private COVID-19 testing activity to a small number of companies allegedly owned by political elites. Since around September 2021, licensed COVID-19 testing centres had been required to collect a \$6 fee to support a harmonized electronic certificate system. According to a later report by an investigative committee from the COVID-19 task force, total fees of \$158,530 and SSP 21.8 million had been collected without legal basis or adequate accounting.¹⁰⁶

D. Gold providing off-budget funds

93. The Panel received several reports that NAS forces had continued to mine gold and to tax informal gold miners in the river systems around Wonduruba, Central Equatoria.¹⁰⁷ Representatives of NAS denied systemic involvement in the gold trade to the Panel, while acknowledging that gold was an important source of livelihoods in the region.¹⁰⁸

94. The Panel also confirmed that South Sudan People's Defence Forces military intelligence officers had sought to extort around \$250,000 from one international gold mining company operating near Gorom in mid-2021, contributing to its departure from the country.¹⁰⁹ The company, including its processing plant, was sold to the African Resource Corporation, which the Panel previously reported on in the context of road construction (see [S/2020/1141](#)).

95. According to confidential documents seen by the Panel, the South Sudan People's Defence Forces, including its military intelligence, and the National Security Service, authorized a company called Hercules Security Services Ltd. to provide security in the surrounding gold mining areas of Wonduruba, Tuliang and Katigire, where violence had recently affected efforts to engage in more systematic mining.¹¹⁰ According to the document, the authorization included permission for the deployment of armed foreign nationals and "classified security equipment".¹¹¹

VIII. Conclusions

96. As the Panel has consistently reported, South Sudanese civilians, along with many of its political, military and civil society leaders, are deeply sceptical of the peace agreement's prospects of delivering peace and stability to South Sudan without a dramatic course correction. Far from delivering transformational change to the predatory political system of South Sudan, the peace agreement has itself become a lucrative venue for elite power politics. Their warnings have only grown more urgent as the unity of key opposition signatories has frayed and individual agreements struck outside of the parameters of the peace agreement have proliferated.

¹⁰⁵ Confidential document obtained by the Panel.

¹⁰⁶ National task force on COVID-19, "Report on the genesis of the six dollar charge imposed on COVID-19 private laboratories from 6 September to 26 December 2021", 17 January 2022. Available at <https://eyeradio.org/wp-content/uploads/2022/02/COVID-19-PROBE.pdf>.

¹⁰⁷ Interviews with government officials, activists and confidential sources, February and March 2022.

¹⁰⁸ Interviews with senior NAS representatives, March 2022.

¹⁰⁹ Interviews with South Sudanese businessmen and confidential sources, February 2022.

¹¹⁰ Confidential documents.

¹¹¹ Confidential documents.

97. The consequences for the people of South Sudan are now unmistakable, as the ceasefire is repeatedly tested across much of the country, while violence intensifies, gender-related violence remains entrenched, the establishment of the Hybrid Court for South Sudan grows more distant¹¹² and critical humanitarian indicators trend firmly in the wrong direction. Urgent efforts are needed to ensure that the country's leaders are held to account not only for progress towards procedural targets, but also for the fate of their country and its people.

IX. Recommendations

98. Given persistent ceasefire violations and intensifying subnational violence in South Sudan, the Panel reiterates its recommendations that the Security Council maintain the arms embargo established on the territory of South Sudan under paragraphs 4 to 6 of Council resolution 2428 (2018) and renewed by resolution 2577 (2021).

99. The Panel also recommends that the Committee write to all Member States bordering South Sudan in order to: (a) remind them to inspect relevant cargo bound for South Sudan, in accordance with paragraph 8 of resolution 2577 (2021), and to report on those inspections to the Committee, as no inspections have been reported to the Committee by any Member State; and (b) reiterate and clarify the exemption procedures outlined in paragraph 5 of resolution 2428 (2018), with an emphasis on training for security services, as outlined in paragraph 4 thereof.

100. Further to the Council's concern for the misappropriation and diversion of public resources, the Panel also recommends:

(a) That the Committee call upon the Government of South Sudan to publicly designate and detail a single petroleum revenue account, consistent with the requirements of the South Sudan Petroleum Revenue Management Act and article 4.8.1.2. of the peace agreement;

(b) That the Committee write to all companies identified as having purchased crude oil from the Government of South Sudan since the 2015/16 financial year,¹¹³ and encourage them to publish any future oil-related payments to the Government of South Sudan, including loans secured against oil, in line with the reporting requirements of the Extractive Industries Transparency Initiative;¹¹⁴

(c) That, further to paragraph 3 of resolution 2577 (2021), the Committee receive a virtual briefing from the Public Financial Management Oversight Committee on its efforts to ensure that timely information on all revenues, expenditures, deficits and debts is made available to the public.

¹¹² See annex XXVII.

¹¹³ See annex XXVIII.

¹¹⁴ The Extractives Industries Transparency Initiative standard is referenced in the South Sudan Petroleum Revenue Management Act and in para. 4.8.1.14.11 of the Revitalized Agreement on the Resolution of the Conflict in of South Sudan. See <https://eiti.org/>.

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Annex I: Agreement Between the Sudan Peoples' Liberation Movement in Government (SPLM-IG) and the Sudan's Peoples' Liberation Movement/Army-In Opposition (SPLM/A-IO) Kit-Gwang on Status of Forces

AGREEMENT BETWEEN THE SUDAN PEOPLES' LIBERATION MOVEMENT IN GOVERNMENT (SPLM-IG) AND THE SUDAN PEOPLES' LIBERATION MOVEMENT /ARMY-IN OPPOSITION (SPLM/A-IO) KIT-GWANG ON STATUS OF FORCES

PREAMBLE

Whereas H.E. President Abdulfatah Elburhan Abdulrahman, Chairman of Sudan's Transitional Sovereignty Council issued his directions for facilitation of direct meetings between the Representatives of the Sudan Peoples' Liberation Movement-In Government (SPLM-IG) and Sudan People's Liberation Movement /Army -In Opposition (SPLM/A-IO) Kit-Gwang to discuss the issues under their mandate;

Whereas H.E President Salva Kiir Mayardit, General Simon Gatwech Dual and all other leaders of South Sudanese are fully cognizant of their historical responsibility at this crucial juncture of their country and determined to work together hand in hand for the sake of the South Sudanese people in pursuit of sustainable peace and stability;

Whereas the Parties shall be bound to all provisions of the Revitalized Agreement for Resolution of the Conflict in South Sudan (R-ARCSS);

Whereas the SPLM-IG and the SPLM/A-IO Kit-Gwang commend the continuous role played by the Government of the Republic of the Sudan in facilitating this process;

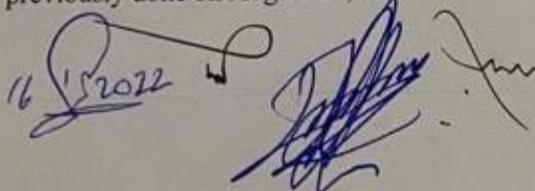
Whereas the Parties aware of the suffering of the people of South Sudan and their eagerness for realization of durable peace and stability in the country;

We the undersigned, representatives of the Sudan Peoples' Liberation Movement In Government (SPLM-IG) and the Sudan People's Liberation Movement /Army -In Opposition (SPLM/A-IO) Kit-Gwang met here in Khartoum- Sudan, thoroughly discussed, agreed and recommit as follows:

1. The Amnesty for SPLM/A-IO Kit-Gwang:

1.1. The President of the Republic of South Sudan shall issue the amnesty to the leadership and forces of SPLM/A-IO Kit-Gwang as previously done on August 8th, 2018.

16/5/2022



2. Permanent Ceasefire:

2.1. The Parties recognize and recommit themselves to the ceasefire as per Khartoum Declaration of Agreement of June 27th 2018 which came into effect on July 1st 2018. The parties shall further observe meticulously the said agreement throughout the Republic of South Sudan to ensure sustainable peace, facilitate operationalization of transitional Security Arrangements and the voluntary repatriation, resettlement, rehabilitation and reintegration of the returnees and internally displaced persons (IDPs).

3. Period of Implementation of the Agreement.

3.1. The parties agreed that the period for implementation of this agreement shall be determined by the respective Joint Security Committee which shall be formed immediately after the signing of this agreement; however it shall not exceed a period of three months. The committee shall meet to agree on its Terms of Reference, identifies the assembly areas at Manyo, Southern Malakal, Eastern Jonglei and other areas and receives lists and parade of SPLM/A-IO Kit-Gwang forces as well.

3.2. After redeployment or relocation of SPLM/A-IO Kit-Gwang forces from Magenis and following completion of the integration, police force shall be immediately deployed to provide protection and security services to the population in the area.

4. Establishment of Coordination Offices.

4.1. The SPLM-IG shall facilitate establishment of coordination offices in Juba, Malakal, and Bor towns to assist the processes of assembling and reintegration. These offices shall not be used for mobilization and recruitment purposes by the SPLM/A-IO Kit-Gwang.

5. Logistics.

5.1. The SPLM-IG shall provide the necessary logistics (food items and medicines) by the South Sudan Peoples' Defence Forces (SSPDF) through relevant mechanisms.

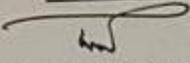
16/1/2022



6. **SPLM/A-IO Kit-Gwang High-Level Delegation to Juba.**

6.1. The SPLM-IG welcomes the visit of an advance high-level delegation of SPLM/A-IO Kit-Gwang to Juba, to further enhance trust building and ease operationalization of this agreement. SPLM-IG shall be responsible of the logistics involved.

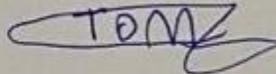
Done Here in Khartoum, Sudan on this day 16th of January 2022 and signed by:

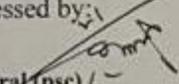

For the SPLM-IG
Hon. TUT GATLUAK MANIME
Presidential Advisor on National Security Affairs

For SPLM/A-IO Kit-Gwang 16/1/2022
General Simon Gatwech Dual
SPLM/A-IO KIT-GWANG Interim Chairman & C-in-C

For SPLM/A-IO Kit-Gwang
General Johnson Olony Thubo
SPLM/A-IO KIT-GWANG Deputy Interim Chairman & Deputy C-in-C

For SPLM/A-IO Kit-Gwang
General Thomas Mabor Dhoal
SPLM/A-IO KIT-GWANG Member of Military Supreme Council



Witnessed by:

General (psc) /
Shams-Eldien Kabashi Ibrahim
Member of Sudan's Transitional
Sovereignty Council

Annex II: Joknyang Declaration (unofficial translation)

REF: DECLARATION OF DEFECTION

Date: 04/02/2022

Press release! For immediate release!!!

With effect from today, I Maj. Gen. Tito Biel Wieh luny would like to announce my defection from the SPLM/A-IO. There are quite variety of reasons behind this exercise.

To satisfy the sympathizers, some of the reasons for the exercise are;

1. Nepotism in the SPLM/A-IO leadership. We assert that SPLM/A-IO under the leadership of Dr. Riek Machar Teny lost direction, vision and command of the forces. The movement has transformed itself to a family run-enterprise citing Ziling Kek's denial of the promotion by former chief of staff Gen. Simon Gatwech Dual at various cantonment sites.
2. Downgrading. After joining the bush, the movement chief failed to follow the former SPLM protocol as the mean promotion process, many junior officials were promoted and jumped over me through random promotion.
3. Rush to judgement. When several officials defected previously, the haters of peace doubted and suspected me to have also defected without verification and clear evidence.
4. Rivalries over positions. The movement leadership from senior officials aimed at securing positions for self and forgetting all others who help them climb the hills at with them during the struggle. Many are left at the cantonment without being visited by one of the senior party representatives.
5. Political immaturity. Things here are taken personal, everyone has a different point of view in the way they look at things. Politically, even when you alternate someone's decision, you must not go head on head with each other. You must listen to the music even when you don't like the tune.

These are just some of the reasons that made me leave, anyone who reasons the same with my point of view can understand that I left for a reason. You'll have more to read on the official release that'll be posted public on other media groups.

Thanks

Maj. Gen. Tito Biel Wieh. (Chairman and commander in chief of the Joknyang declaration.)

Annex III: 1st Lt. Gen. James Gattiek Diar, Gen Willam Gatjeth Deng and two other Generals meet President Salva Kiir Mayardit in Juba after defection from Kit-Gwang to SSPDF, March 2022



Annex IV: Press release issued by Joknyang Grouping on their Facebook page on 12 March 2022



Joknyang Declaration Notification Chamber

16 March at 16:04 · 🌐



PRESS RELEASE!!! FOR IMMEDIATE RELEASE!!!

16/03/2022.

The Joknyang Declaration administration notes with great concern the current escalation of violence in Biel Ganmachar and Tor Abieth. We offer condolences to the families of those killed in the recent fighting.

Joknyang Declaration calls for security monitoring bodies to extend the support of patrol in Biel Ganmachar & Tor Abieth. We call for that mandate authorised peace keepers to use all necessary means which include force when required in order to protect the two sides under the threat of physical violence.

We call on the SPLA-IO high command to order their forces who left Dingding & Chuoor Chiengkuay to Kaljaak in order to wage several verbal attacks against our forces and return them to dialogue.

Finally! We call on the interim government of the Republic of South Sudan to call on SPLA-IO to cease reprisals and lend their SPLM political support to deescalate such premature measures. Peace!!!

I remain;

Col. Sacristan Zoal Wal, Joknyang Declaration Spokesperson.

Annex V: Trainees at Maple Training Centre, Western Bahr el Ghazal, March 2022
Sourced from video of news interview



Annex VI: Agreement on type and size of the necessarily unified forces, 27 September 2018
 Sourced from the Transitional Security Arrangements Monitoring and Verification Mechanism



TYPE AND SIZE OF FORCES

As per Article 2.1.11.4 the PCTSA workshop have agreed on the type and size of forces as tabulated below:

| S/N | TYPE OF FORCES | SIZE | | TOTAL | |
|-----|---------------------------------|-------------|-------------|--------------|-----|
| | | PHASE 1 | PHASE 2 | | |
| 1 | Military | 6 Divisions | 5 Divisions | 11 Divisions | 60 |
| 2 | National Security Service (NSS) | 2 Divisions | 1 Division | 3 Divisions | 15 |
| 3 | National Police | 13,000 | 12,000 | 25,000 | 100 |
| 4 | State Police | 45,000 | 42,000 | 87,000 | 43 |
| 5 | Wildlife | 12,500 | 12,500 | 25,000 | 12 |
| 6 | Prisons | 16,500 | 15,000 | 31,500 | 15 |
| 7 | Fire Brigade | 6,500 | 6,500 | 13,000 | 17 |

Note: Parties to PCTSA workshop recommend the importance of drawing the VIP protection unit from the first phase of the unified trained forces.

MG Rabi Mujung Emmanuel (TGoNU).....

MG Gadhior Gatluak Koryom (SPLA-IO).....

Simon Archangelo Ngbidigi (SSOA).....

MG Tadiq Abdullahi Ibrahim

CTSAMVM Deputy Chairman

Khartoum Sudan

27 September 2018

Annex VII: Press release from SPLM/A-IO on the division of top command positions, 26 March 2022



SUDAN PEOPLE'S LIBERATION MOVEMENT
SPLM (IO)
GENERAL HEADQUARTERS



Press Release

On Friday March 25, 2022, President Salva Kiir Mayardit issued a Presidential Decree on the unification of command of the unified forces in which he relinquished three (3) positions of command in the military and two (2) in the National Police Service to the SPLM/A (IO) and SSOA. In his decree, the President also directed the Chief of Defense Forces and the Inspector General of Police to immediately implement his order. However, it is to be noted that this is a unilateral decision.

It is important to recall that on 27th September 2018, the parties agreed in the Khartoum Workshop as stipulated in the Agreement (Art. 2.1.11) that the size and composition of the forces shall be based on the ratio of 50 percent for ITGoNU and 50 percent for the opposition. Following the Khartoum workshop, IGAD and RJMEC convened 2 subsequent workshops of joint Security Mechanisms in Juba on 10th-11th May 2019 and 9th September 2019 which reaffirmed the 50:50 ratio. However, President Salva Kiir Mayardit reneged on these agreements which prompted the guarantors to intervene to resolve the matter. A dialogue is ongoing and the parties have not yet reached an agreement on the unification of command.

In light of the above, the SPLM/SPLA (IO) Political Bureau would like to state the following:

1. The unilateral decision by President Salva Kiir is a violation of the R-ARCSS, and it is a clear rejection of the on-going mediation process by the Republic of the Sudan, Chair of IGAD.
2. The SPLM/A (IO) condemns and rejects the unilateral decision.
3. SPLM/A (IO) is committed to the on-going mediation to resolve the matter.

In conclusion, the SPLM/A (IO) reiterates its commitment to the full implementation of the Agreement in both letter and spirit and looks forward to IGAD mediation to intervene in this matter.

Signed,



Riek Machar Teny-Dhurgon, PhD
Chairman and Commander-in-Chief, SPLM/SPLA (IO) and The First Vice President of the Republic
26th March 2022.



**SUDAN PEOPLE'S LIBERATION MOVEMENT
SPLM/SPLA(IO)
CHAIRMAN AND COMMANDER-IN-CHIEF**



H.E. Abdel Fattah Al-Burhan

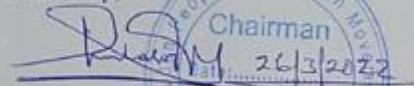
Chairman of Transitional Sovereignty Council and Chair of IGAD Assembly of Heads of State and Government
Republic of the Sudan
Khartoum

Subject: Request for Intervention of Guarantors on the Deteriorating Security Situation in South Sudan

I am writing to your excellency as chair of IGAD to bring to your attention the deteriorating situation in South Sudan. Attached is SPLM/SPLA(IO) proposal to arrest the situation.

Accept, Your Excellency, the assurances of my best regards and highest consideration.

Yours truly,


Chairman
26/3/2022

Riek Machar Teny-Dhurgon, PhD

Chairman and Commander-In-Chief, SPLM/SPLA(IO) and the First Vice President of the Republic of South Sudan
26th March 2022.

CC:

1. H.E. Salva Kiir Mayardit, President of the Republic of South Sudan
2. H.E. Uhuru Kenyatta, President of the Republic of Kenya
3. H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda
4. H.E. Dr. Abiy Ahmed, Prime Minister of Federal Democratic Republic of Ethiopia
5. H.E. Ismail Omer Guelleh, President of the Republic of Djibouti
6. H.E. Mohamed Abdullah Farmaajo, President of Federal Republic of Somalia
7. H.E. Antonio Guterres, Secretary General of the United Nations
8. H.E. Musa Faki Mahamat, Chairperson of African Union Commission
9. H.E. Dr. Workneh Gebeheyu, Executive Director, IGAD Secretariat
10. H.E. Dr. Ismail Wais, IGAD Special for South Sudan
11. H.E. Gen. Charles Tai Gituai, Interim Chairman of Revitalized Joint Monitoring and Evaluation Commission (RJMEC)
12. Representative of Troika (USA, UK & Norway)
13. Representative of European Union.



SUDAN PEOPLE'S LIBERATION MOVEMENT
SPLM (IO)
GENERAL HEADQUARTERS



SPLM/SPLA(IO) Position on Recommitment to Cessation of Hostilities Agreement and Permanent Ceasefire and Security Arrangements

The security situation in South Sudan has been deteriorating for the last few months. The systematic and persistent attacks by the SSPDF on cantonment sites, training centers and other positions of SPLM/A (IO) around the country is evident of such a deterioration and it is now a matter of serious concern. The latest of these attacks took place in Kaljaak and Mirmir in Unity State; Kuer keem, Wangkuerbi and Jiokow in Maiwut County and Wech Lual, Guol and Biot in Longechuk County of Upper Nile State.

On 24th March 2022, the SSPDF through its spokesperson, Maj. General Lul Ruai Koang, declared to its ranks and file and to the general public that the SSPDF is officially at war with the SPLM/A (IO) (press statement attached). Consequently, the SSPDF has intensified its attacks on the SPLM/A (IO) positions following that declaration. It should be noted that these actions, among others, constitute clear violations of the Cessation of Hostilities signed on December 21, 2017 and Permanent Ceasefire Agreement signed on June 27, 2018.

The security arrangements is the backbone of the Agreement and therefore must be fully implemented. The eight (8) month Pre-Transitional Period was extended twice (first by 6 months and then 100 days), bringing it to seventeen (17) months in total. Two years into the transitional period, we still have not implemented the pre-transitional tasks, particularly the security arrangements (the unification and graduation of forces) Article 2.2.1. These were supposed to be the prerequisites for the formation of the RTGoNU. The SPLM/A (IO) reluctantly agreed for the formation of RTGONU before the graduation of the unified forces hoping that once in government, we might help to generate the political will and encourage our partner to prioritize the implementation of the agreement, but this has not been the case.

On Friday March 25, 2022, President Salva Kiir Mayardit issued a Presidential Decree in which he stated to have relinquished three (3) positions of command in the military and two (2) in the National Police Service to the SPLM/A (IO) and SSOA. This was a unilateral decision on his part. [See SPLM/A (IO) press release]. This, coupled with the declaration of war by the Spokesperson of the SSPDF on 24th March (see press release) has clearly demonstrated not only the lack of political will to implement the Agreement but the intention to abrogate it, from the part of our partner, ITGONU.

The SPLM/A (IO) sees no alternative to R-ARCSS to bring stability and peace in the country. The people of South Sudan are already suffering from economic hardships and insecurity. Therefore,

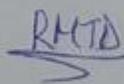
RMTD



we request, as a matter of urgency, the intervention of IGAD and other international partners to prevail on President Salva Kiir not to take this country back to war (Article 1.4.2.).

The SPLM/A (IO) is proposing the following as the way forward, focusing on ending the current escalation of violence;

1. There must be an immediate ceasefire and withdrawal of the SSPDF from the areas forcefully taken from the SPLM/A (IO) namely; Mirmir, Wath-Thiech, Joknyang in Unity State, Turu, Jlokow in Upper Nile State and all other areas violently occupied by the SSPDF in violation of the CoHA signed on December 21, 2017 and the Permanent Ceasefire and Security Arrangements. (Article 2.1.)
2. There is an urgent need to investigate all violations of the Cessation of Hostilities Agreement, beginning with the most recent ones, and ensure that those responsible are held accountable.
3. The SSPDF must immediately desist from executing its pending planned attacks on SPLM/SPLA(IO) cantonment sites and training centers throughout the country.
4. The ITGoNU must immediately stop facilitation of military defections as these undermine the Security Arrangements in Chapter 2 of the R-ARCSS (Article 2.1.).
5. The SSPDF must refrain from offensive, provocative and hostile propaganda, recruitment from cantonment and training centers, mobilization, deployment and movement of forces.
6. The SSPDF must ensure that all forces under their command or influence should comply with the provisions of CoHA, Permanent Ceasefire, and Transitional Security Arrangements.
7. The SSPDF must ensure that demilitarization of major cities and towns is carried out with immediate effect.
8. IGAD is urged to urgently intervene and resolve the stalemate on the unification of command which should pave way to the graduation of the Necessary Unified Forces (NUF) that have been under training for the last three years.
9. Graduation of forces that are currently in the training centers must be carried out with immediate effect.
10. Organization of Phase 2 must be carried out as a matter of urgency so that there is no gap between the graduation of the NUF and the commencement of the training of the members of forces in Phase 2.
11. Financial incentives must equally be provided to all the trainees and instructors in the training centers as opposed to the current practice of paying only ITGoNU components.
12. Food, shelter and medicines for the cantonment sites and Training Centers must be sufficiently provided for a decent wellbeing of the forces.
13. National Transitional Committee (NTC) must be revamped and restructured to guarantee its effectiveness in carrying out its mandate of coordination and facilitation of the implementation of the Agreement. It is envisaged that such an overhaul shall ensure that the current role of the leadership of the NTC in recruiting and facilitating defections, using funds meant for the implementation of the Agreement, is halted so as to save the Peace Agreement from collapsing.

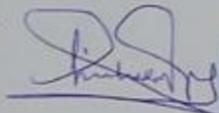



14. Funding to and disbursement of funds from NTC should be made adequate for the task, regular and transparent.
15. The ITGONU to refrain from the use of state media against other peace partners and avail political and civic space to enable the freedom of expression and association.
16. Last but not least, the ITGoNU must demonstrate political will by actions and respect the R-ARCSS as the roadmap to addressing the root causes of the conflict. It must therefore recommit itself to the implementation of the Agreement in both letter and spirit.

The details of the proposed way forward should be discussed by the parties under the auspices of the IGAD mediation.

Finally, SPLM/SPLA(IO) reiterates its commitment to full implementation to R-ARCSS.

Signed,



Riek Machar Teny-Dhurgon, PhD
Chairman and Commander-in-Chief, SPLM/SPLA(IO)
Juba, South Sudan
26th March 2022.

Annex IX: Aircraft used for transport of forced recruits in Lakes and Unity States

Confidential first-hand source

Aircraft identified as South Sudanese commercial charter plane operated by South Sudanese company Tor Air Aviation



Lakes State, July 2021



Rubkona airstrip, Unity State, January 2022

Annex X: SPLA-IO letter to Bentiu IDP camp's leadership seeking cooperation in identifying and moving deserters from the camp to Dingdin SPLA-IO cantonment site, 7 February 2022

DATE: 02/02/2022

TO: Hon- THAYAK WTEYAK
C-H-C
R/ CAPT. GATLUON BOL -
R/ CAPT. BOL YOH
BEST REGARDS

1- FOR YOUR INFORMATION THAT, KINDLY ESTEEMED OFFICE TO REQUESTING ABOUT SOLDIERS WERE IN IDP CAMP. ALL WE WANT THEM TO BE REPORT THEMSELVES TO DINGDIN CANTONMENT SITE WHEN THERE IS ANY PERSON WANT TO GO POC FOR HIS WORK SHH BECK RETURN WITH DOCUMENT NOTED. (2) THE ABOVE IS FOR YOU ACKNOWLEDGEMENT. NB. PLUS THOSE WHO WERE WORKING IN ORGANT, AND LET THEM REPORT THEMSELVES TO THIS END.



BRIG. Gen. SIGA.
James Kuen Puot Tot -
SECTOR 2 CHIEF FOR M-1 SPLA-IO



BENTIU IDP YOUTH FORUM

SECTOR 2 BLOCK 12 (YOUTH CENTRE OFFICE)

Youth forum's office

DATE 25/1/2022

Ref: Press statement on the rampant arrest and child adaption in IDP camp by the forces

The leadership of the youth forum would like to condemn the rampant arrest and child adaption by the army forces in IDP camp, pupils, students are being taken out to unknown locations without the notice of their parents therefore we call upon the legal authorities to take precautions in stopping the concern by the youths in IDP camp since it's an ongoing process now for couple of weeks, we also call upon the peace mediators, media houses to explore it out to the authorities concern to be aware of the evil practice exerted on the communities living in IDP camp Bentiu

Youth forum comprises of thirty two youth groups and its establishment in 2016 was aiming at advocacy on the issues facing youth in IDP camp therefore as we continue receiving the complaint from the various groups pertaining the rampant arrest and adaption of school pupils who are supposed to be concentrating by now at their various studies in IDP is noted as a major threat since most of the students are undergoing through a difficulty moment and others gone missing due to the same reasons so we urge all the youths, Community Leadership, Humanitarian partners, communities themselves to take their time in reporting any case pertaining raise concern by the youths to the center for more documentations and follow up of such cases happening if at all.

The youth leadership are ready for any concern and issues affecting peace and unity in IDP camp and must be raise to the concern authorities without comprises

Thank for reading and advocating as well for this concern threat.

Chairman of the youth forum

Kalany bolies kueth

SIGNATURE.....

DATE: 25/01/2022

0929352831

0917078697



Annex XII: Letter from sanctioned individual Santino Deng Wol (SSi.004) outlining request for a previous recruitment drive in Warrap State, 24 October 2018

- 57 -

From: Ground force com Date 24/10/2018
To: mas-com manyang nung, mobilization com
warrap states
info: mobilization com GOGRIAL STATE
info: TIGER DIV- com
info: Governor GOGRIAL STATE
info: " TWIC STATE
info: " TONG STATE
info: SSPBF

045/10/2018 @ Brief all your team of mobilization
in Greater WARRAP STATE AND GOGRIAL STATE AND
TWIC STATE, according to the document I produced
to you, to mobilize all our SSPBF old soldiers
and assemble them in one place @
in this mobilization of our scattered soldiers
over all areas of Greater WARRAP-ELGIZAL, now
any cow or bull shall be taken from any
soldier found and his home @
regarding recruits, no any young men shall be join
Army except the people must come by himself
to recruited in Army @
regarding problem of food to you, we are
working on it to find a contractor who will
supply your food @

Above is for your information

Toby GH
No. 001 mnd
Date 25/10/2018

Annex XIII: Letter from Leer County Commissioner, Unity State, on coordinated attacks by armed youth on Koch and Mayendit Counties from 15 and 16 February 2022





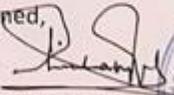
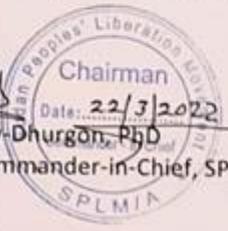
SUDAN PEOPLE'S LIBERATION MOVEMENT
SPLM (IO)
GENERAL HEADQUARTERS

Press Release

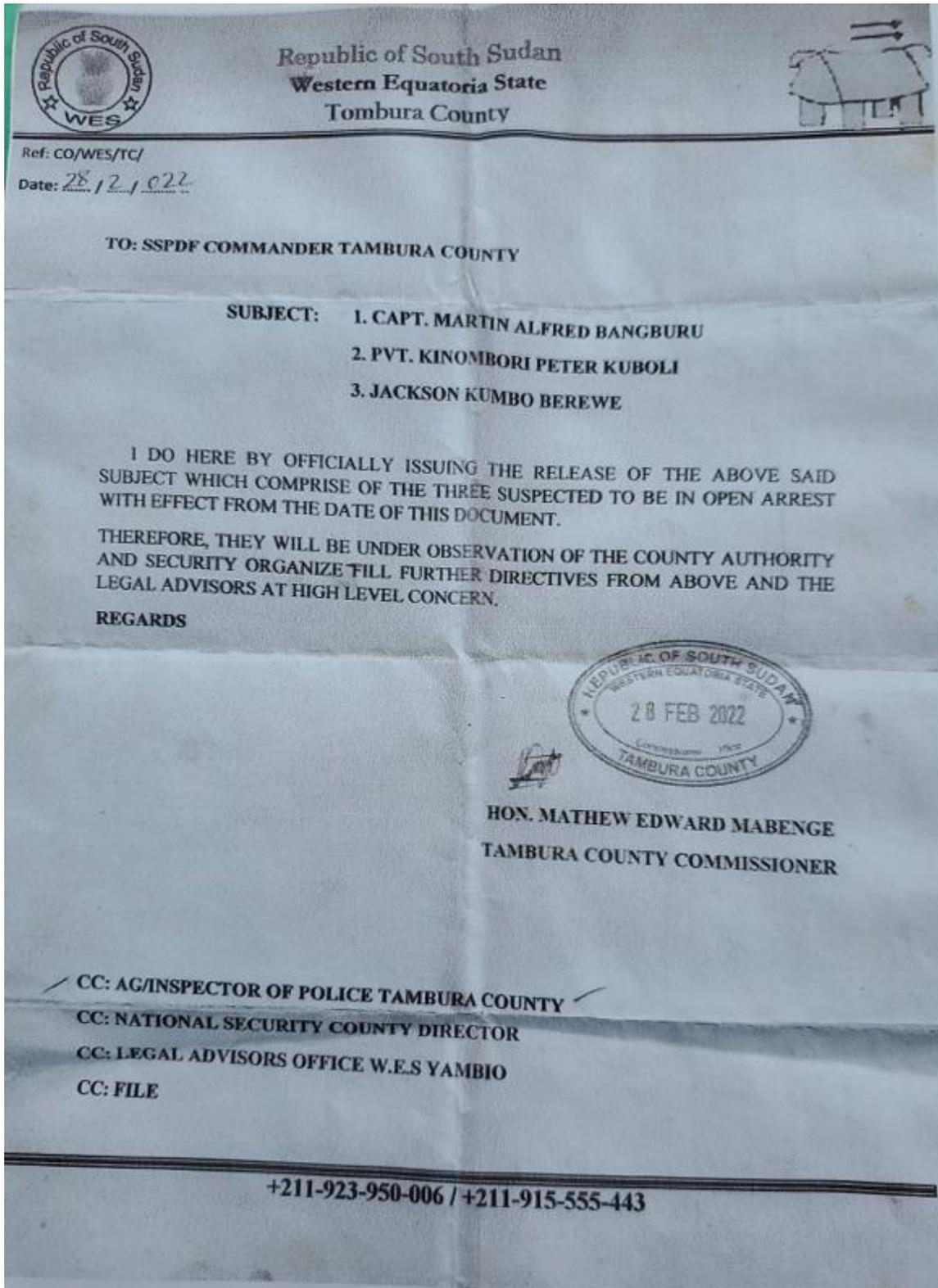
The SPLM/SPLA(IO) Political Bureau (PB) met on Tuesday 22nd March 2022 to discuss reports from SPLM/SPLA(IO) security mechanisms components namely JDB, JTSC, JMCC, SDRS Board, CTSAMM, SSM as well as the National Transitional Committee (NTC) and Reconstituted Joint Monitoring and Evaluation Commission (RJMEC). The PB evaluated and noted the dysfunctionality of these mechanisms in the implementation of the Agreement (R-ARCSS).

Deeply concerned by the ongoing attacks on SPLM/SPLA(IO) cantonments and Training Centers in Kaljak and Mirimir in Unity State and in Jekou in Upper Nile State, the PB approved the suspension of participation of SPLM/SPLA(IO) in the security mechanisms' meetings pending the resolution of the issues raised, at the political level.

In conclusion, the Political Bureau condemns in strongest terms possible the systematic attacks of the SPLM/SPLA(IO) forces and reiterates its continuous commitment to full implementation of the R-ARCSS.

Signed, 

Chairman
Date: 22/3/2022
Riek Machar Teny-Dhurgon, PhD
Chairman and Commander-in-Chief, SPLM/SPLA(IO) and the First Vice President of the Republic.
22nd March 2022

Annex XV: Letter by Tambura County Commissioner Mathew Mabenge ordering the release three individuals implicated in Tambura violence, 28 February 2022



Annex XVI: Petition from local community to investigate the extrajudicial killing ordered by Warrap Governor Aleu, 20 November 2021



APUK PADOC COMMUNITY IN JUBA



Date: 20th Nov, 2021

To: Acting Chairperson of South Sudan Human Rights Commission (SSHRC)
Hon. Justice Nyuol Justine Yaac.

SUB: PETITION AGAINST GOVERNOR OF WARRAP STATE, HON. ALEU AYIENY ALEU OVER EXTRA JUDICIAL KILLING OF TWO INNOCENT PERSONS FROM APUK-PADOC COMMUNITY ON DATE 12TH NOV, 2021.

Dear Hon,

With due respect and honor, we are hereby writing to your esteemed office for the above mentioned subject. Below is the summary of what had transpired:

- On 9th Nov, 2021, three persons by names;
A) **Majok Mawan Thuc Lual**
B) **Dol Manyang Dol**
C) **Lual Gur Abui**

They were found taking tea at Awul market, Tonj North County upon their coming from Akop Payam (Apuk-Padoc area).

An hour later, a notorious officer by name Capt. Madut Akol Lual who is in charge of Special Forces stationed at Awul came in with a Toyota pickup full with soldiers sieged and arrested them, took them to nearby forest according to eyewitness. They were seriously tortured and forced to accept false accusations of being thieves.

Therefore, notorious officer Capt. Madut Akol Lual informed the Governor of Warrap State, that he captured thieves; immediately Governor Aleu gave order to Capt. Madut Akol Lual on phone call while in Juba to execute gubernatorial

1



Tel: +211 925 555 812
+211 911 831 111
Email: apcinjuba@gmail.com

Location: Juba- Soth Sudan

-
2. On 12th Nov, 2021, Capt. Madut Akol Lual fired squad two persons by names **Majok Mawan Thuc Lual and Dol Manyang Dol**, (their photos are attached in Military Uniforms and nakedness after being killed), but **Lual Gur Abui** was cut-off from rope when these two guys were shot. He still alive but in half dead condition in prison of their custody.

Look, how wrong the procedures were made;

A) The execution of these two innocent citizens was unfair and amounted to extra Judicial killing which is against the supreme law of the country?

B) The victims were not taken to court of law, so that they are convicted based on whatever crime they might committed.

C) Our brothers were being accused of theft yet no materials evidence was found in their hands (**cow, money, goat/sheep, chicken or foodstuff**)

D) Given the fact that these victims were soldiers of **Division 11, based in Majak-Tiit Military Division HQRS**, Warrap State, thus, Division authorities were not informed.

D) The parents and the Executive Chiefs of the victims were not informed.

E) The victims were humiliated at the last minutes of their execution by stripping them naked of their Military Uniforms, thrown at the roadside, the families of victims were also denied the right to take the remains for burial.

Therefore, we believed such actions are inhuman, and sectional oriented policies. This is a small kind of cold war from Governor Aleu by targeting Apuk-Padoc Community using his powers of Governorship. Where in Transitional Constitution of Republic of South Sudan of 2011, which allowed innocent people to be fire squad?

Our recommendations and way forward:

We members of Apuk-Padoc Community within and Diaspora do hereby appealing to your Commission to do the followings;

1. We are requesting your Commission to fully investigate the matter by forming the independence committee of inquiry to visit the area of incidence to witness and investigate the real matter on the ground.
2. We are appealing to your commission to engage the authority concern to lift the immunity of Governor Aleu in order to stand trial.



3. We are appealing to human Rights Commission to rescue the life of remained survivor Mr. Lual Gur Abui to be given legal service i.e. Visitation by family members, arranged him in court of law and counsel him of trauma.
4. We are also appealing to your office to engage authority concerned to apprehend the accused Capt. Madut Akol Lual, who executed the gubernatorial orders on phone.
5. We requested the withdrawal of special forces in Awul Payam of Tonj North County, which is being manipulated and turned sectional against one community of greater Akop – particularly Apuk-Padoc - as **Awul** is the only Payam in Tonj North County with military base.
6. Find the attached photos of the deceases before and after killing.

Therefore, we members of Apuk- Padoc community, kindly appealing to your commission to let justice prevail now; since **“justice delay, justice deny”**.

Below is the list of people who signed this petition.

Thanks.



Annex XVII: Note Verbale issued by the Embassy of Uganda in preparation for a leaders' retreat to discuss and resolve outstanding disputes related to the R-ARCSS, 15 February 2022



EMBASSY OF THE REPUBLIC OF UGANDA – JUBA

Tel: +211 926 503 330 / +211 911 633 332

Email: ugandaembassy.juba@yahoo.com

Email: juba@mofa.go.ug

In any correspondence on

This subject please quote **UEJ/ADM/06/22/05**

P.O. Box 66

Juba, South Sudan

NOTE VERBALE

The Embassy of the Republic of Uganda presents its compliments to the Ministry of Foreign Affairs and International Cooperation of the Republic of South Sudan and has the honor to forward an invitation from **His Excellency, Yoweri Kaguta Museveni**, extended to **Her Excellency, Madam Rebecca Nyadeng De Mabior**, Vice President of the Republic of South Sudan for Youth and Gender Cluster to attend in person, the Leaders Retreat scheduled from 3rd to 4th March 2022 at Commonwealth Speke Resort, Munyonyo, Kampala.

The Embassy wishes to forward to the esteemed Ministry to forward the attached herewith invitation to its highest intended destination.

The Embassy of the Republic of Uganda avails itself of this opportunity to renew to the Ministry of Foreign Affairs and International Cooperation of the Republic of South Sudan the assurances of its highest consideration.



Juba: 15th February 2022

**The Undersecretary
Ministry of Foreign Affairs and International Cooperation
Republic of South Sudan.**

CC. **Office of the Vice President for Youth and Gender Cluster
Republic of South Sudan**



THE REPUBLIC OF UGANDA

Your Excellency,

I extend warm and fraternal greetings to you and the people of South Sudan.

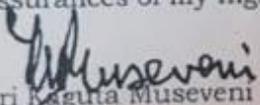
The Government of the United Kingdom, Norway, and Wilton Park are organising a "Leaders Retreat" for the Leaders of the Republic of South Sudan. Accordingly, they have requested me to convene the Leaders Retreat as the Guarantor to the Peace Process.

The Leaders Retreat will help us discuss and resolve the critical outstanding challenges impeding the implementation of the Peace Process.

I, therefore, take this opportunity to invite you to attend in person, the Leaders Retreat that will take place from 3rd to 4th March, 2022 at the Commonwealth Speke Resort Munyonyo, Kampala.

I look forward to receiving you in Kampala.

While wishing you a Prosperous New Year, please accept, Excellency, the assurances of my highest consideration.


Yoweri Kaguta Museveni

PRESIDENT OF THE REPUBLIC OF UGANDA

PO/11

10th February, 2022

Her Excellency Madam Rebecca Nyandeng De Mabior
**VICE PRESIDENT OF THE REPUBLIC OF SOUTH SUDAN FOR
YOUTH AND GENDER CLUSTER**

Annex XVIII: Joint Communiqué on the Visit of H.E. Abdel Fattah Al Burhan, Chairman of the Sovereign Council of Sudan, 18 March 2022



Joint Communiqué on the Visit of H.E. Abdel Fattah Al Burhan, Chairman of the Sovereign Council of Sudan to the Republic of South Sudan

1. The Ministers of Foreign Affairs of the Republic of South Sudan and the Republic of Sudan have the honor of issuing this joint communiqué on behalf of their respective Heads of State, H.E. President Salva Kiir Mayardit and H.E. President Abdel Fattah al-Burhan, after their meeting in Juba on March 18th, 2022 concerning regional peace and security.
2. As a guarantor of the South Sudan Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), H.E. President Burhan submitted to President Kiir a proposal for the unification of the necessary unified forces, including the command structure, for the SSPDF, SPLA-IO and SSOA. President Kiir welcomed the proposal as reflecting President Burhan's military acumen and his commitment to lasting peace in South Sudan.
3. With this essential security sector issue agreed upon, the Presidents turned to South Sudan and Sudan's bilateral relations. With peace and security as prerequisites to socio-economic advancements, the Heads of State committed to establishing and extending stability nationally and regionally across the Horn of Africa. They expressly agree to focus on cooperation along the borders of our two independent republics.
4. As a starting point for this cooperation, Presidents Salva Kiir and H.E. Abdel Fattah al-Burhan agreed to set a model of peace through the development of unitized oil fields, including in the Abyei area. They have charged their respective Foreign Ministries to operationalize committees for cross-border development that will elaborate the details of this cooperation to rebuild the historic bridges between our countries.
5. The Presidents take this opportunity to encourage the citizens of South Sudan and Sudan to make our diversities become a source of enrichment and strength for both countries. South Sudan and Sudan will revive the ancient economic, political and cultural cooperation that made our Nile Valley civilizations prosperous as far back as the Kushite Kingdom, which unites our people in a common origin.
6. *Done on the 18th of March 2022, in Juba, South Sudan.*

--- End ---

Annex XIX: Outstanding issues relating to the Rome Negotiations and Agreed Agenda of the Rome Initiative

In Panel interviews with leading opposition figures, several key areas of ongoing disagreement were outlined and identified as obstacles to progressing negotiations with the Government.

1. The nature of the conflict: Disagreement on whether the root cause of the South Sudan conflict is political or ethno-political. SSOMA views the conflict in South Sudan as ethno-political and wishes for it to be described in these terms

2. Borders and boundaries: Disagreement over whether 1 January 1956 Administrative Borders (acknowledged in the 2011 constitution) should be used as the reference to resolve internal border disputes, and over the role of chiefs in resolving land and boundary issues

3. The constitution-making process: Disagreement over who should ratify a new permanent constitution. For SSOMA, the Constitution must be subjected to a popular referendum, while the Government wishes for the Transitional National Legislative Assembly to ratify.

4. Security Arrangements: SSOMA wishes to create a new security sector in South Sudan, drawn from all the 64 tribes. The Government wishes to adhere to article 2.2.1 of the peace agreement for security arrangements.

Agreed future agenda for the Rome Initiative

After convening in Rome, under the auspices of the Community of Sant'Egidio, from 15th to 18th of July 2021, the RTGoNU and the SSOMA Real SPLM and SSOMA SSUF/A, agreed as follows:

First meeting – September 2021

Considering that no military solution can bring lasting peace and stability (DOP 1 and 2) to the country, security sector reform (DOP 12 and 13) will be addressed in order to guarantee security for all and enhance the trust among the parties.

Security sector reform:

1. Organization and restructuring of defense, other organized forces, national security, and law enforcement agencies on non-partisan and non-political basis.
2. Division of tasks and responsibilities among the different defense forces, other organized forces, national security service, and law enforcement agencies.
3. Participation to the transitional security architecture and arrangements.

Political and governance (DOP 3)

1. Coexistence in a multi-ethnic state (DOP 4 and 5).
2. Federalism (National, state, and local governance arrangements and physical arrangements).
3. Referendum for the constitution.
4. Addressing the issue of the social contract between the people and the state.
5. Land issues and land grabbing (DOP 9).

Second Meeting – October 2021

Economic and Social Issues

1. Anti-corruption and accountability system of management of national resources (DOP 8)
2. Impact of oil production and other resources and sustainability.
3. Economic recovery plan, resettlement of refugees and IDPs as a peace dividends.
4. Sharing of oil and other resource revenues (DOP 10).
5. Labor, public service, and social justice.

Justice:

1. Truth and reconciliation commission (DOP 11).
2. Amnesty and Transitional justice.
3. National census and elections.

Third Meeting – November 2021

1. Peace agreement between SSOMA SSUF and Real SPLM with R-TGoNU.
2. Implementation matrix of the agreement
3. Constitutional making process

The Community of Sant'Egidio will propose a roadmap about humanitarian issues during one of the aforementioned three sessions.

Done in Rome, Italy on 18th July 2021

For the RTGoNU



For the SSOMA SSUF/A and Real SPLM



For the Community of Sant'Egidio



Annex XX: Government of South Sudan announces purchase of 150 police vehicles, 21 March 2022

 **Government Of South Sudan** 15h · 

Government Of South Sudan purchases over 150 new vehicles for the police forces



 47  13 comments  8 shares

Annex XXI: APCs in possession of SSPDF Tiger Division in Juba, February 2022
Retrieved from video of news broadcast announcing their deployment to Warrap State.





Governor Aleu Ayieny Aleu pictured with APCs in Juba, stating in the interview that they are to be deployed to Warrap, February 2022



Annex XXII: Image of APCs under SSPDF control in Lakes State in December 2021
Sourced from video of news broadcast dated December 2021



Annex XXIII: Tygra Armoured Personnel Carriers

The Panel has not been able to determine where the armoured personnel carriers procured by South Sudan in 2021 and 2022 were sourced from. The Panel has assessed, however, that they most closely resemble the “Tygra” model which has also previously been identified in both Libya¹¹⁵ and Kenya.¹¹⁶

There are some minor variations across the vehicles observed in South Sudan, as well as between these and images supplied by various manufacturers. According to manufacturers, however, there are multiple models of the Tygra, which is developed as a modification of the Toyota Landcruiser chassis.

While some minor variations can be identified, the Panel considers that the APCs observed with the South Sudan National Police Service in Juba (annex XX) and with the SSPDF Tiger Division in Juba (annex XXI) are likely the 2017 or 2018 model, while at least one of the vehicles identified in Lakes State (annex XXII) may be an earlier model.



Original Tygra model, as depicted by one manufacturer



2017 Tygra model, as depicted by one manufacturer

¹¹⁵ UN Panel of Experts on Libya, Final Report, June 2017, (S/2017/466)

¹¹⁶ Defence Web, “Kenyan police acquire Tygra APC,” 17 July 2018:

<https://www.defenceweb.co.za/land/land-land/kenyan-police-acquire-tygra-apc/>



2018 Tygra model, as depicted by one manufacturer

Source: Mezcal Security Vehicles: <https://www.mezcalarmor.com/Armored-Personnel-Carriers/>
Images are for reference only, as the Panel has not identified the supplier of the vehicles to South Sudan.

Minor variations can be identified between supplier images and vehicles observed in South Sudan



Vehicles identified in South Sudan

Tygra models as depicted by various manufacturers



Lakes State, South Sudan



Manufacturer image

Annex XXIV: National Intelligence and Security Service (Ethiopia), “NISUC Graduates Senior Members of South Sudan Intelligence Officers”



NATIONAL INTELLIGENCE AND SECURITY SERVICES

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NISUC Graduates Senior Members of South Sudan Intelligence Officers



LATEST NEWS

- NISUC Graduates Senior Members of South Sudan Intelligence Officers
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- Intelligence and Security Chief vows to eliminate terrorist groups, their creeds from Ethiopia
- Taskforce Apprehends 57 Suspects for Economic Sabotage, Money Laundering to Support Terrorist TPLF, Shere
- NISS says federal, regional governments teams up to neutralize TPLF soon
- Security Agencies commend Stakeholders' Contribution for Peaceful Election
- Intelligence, Security organizations underway consultation and pass different resolutions on Current security situations
- Ethiopia, Russia agree to bolster cooperation in Intelligence, Security Sectors

National Intelligence and Security University College (NISUC) has trained and graduated senior Intelligence officers of South Sudan National Security Service in fields of Intelligence and security .

It is part of the National Intelligence and Security Service (NISS) and its South Sudan counterpart the National Security Service (NSS) agreement to collaborate in areas of regional security issues and capacity building disclosed during the graduation ceremony.

Director General of NISS, Temsgen Tiruneh speaking at the graduation Ceremony that Ethiopian and South Sudanese Intelligence and Security Services were jointly undertaking activities to exchange information, counter terrorism , control trans boundary crimes , protect illicit financial flows and maintaining the regional peace and security based on previous agreement between two organizations.

According to the Director General, NISS has strengthen its cooperation with different regional, continental and International security and intelligence agencies to jointly avert security threats. The successful accomplishment of the training of south Sudanese National Security members indicates the strong cooperation of both countries, the Director General stated. He also calls South Sudanese graduates to make practical the experience acquired during the training.

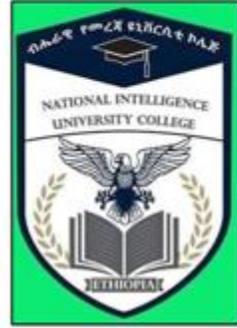
The Director General also expresses that exerted efforts has continued to make the National Intelligence and Security University College (NISUC) a center of excellence for Intelligence, security and strategic fields of studies in East Africa and whole African Continent. Other african countries also increase their demand to train officers in NISUC , he underscored.

Annex XXV: Training of South Sudan's National Security Service officers in Ethiopia, February 2022

Director General Temesgen Tiruneh (NISS, Ethiopia) and Director General Akol Koor Kuc (National Security Service, South Sudan)







Annex XXVI: Amendment to Agreement on oil and related economic matters between the Republic of South Sudan and the Republic of Sudan, dated 26 December 2016

2. Article 4.4.1 of the Original Agreement shall be amended to read as follows:

The GoRSS shall transfer to the GoS a finite sum of three billion and twenty eight million United States Dollars (USD 3.028 Billion) as a transitional financial arrangement (TFA) which the GoRSS will pay in accordance with the payment procedures in Article 5 of the Original Agreement on Oil and Related Economic Matters on the basis of a rate of fifteen United States Dollars per barrel (USD 15.00/bbl). However,

Page 1 of 2

If the actual sale price of Nile Blend or Dar Blend Crude Oil FOB Port Sudan in any month ranges from USD 20 to USD 30 per barrel then GoRSS shall pay USD 6 per barrel;

If the actual sale price of Nile Blend or Dar Blend Crude Oil FOB Port Sudan in any month is more than USD 30 and up to USD 40 per barrel then GoRSS shall pay USD 9 per barrel;

If the actual sales price of Nile Blend or Dar Blend Crude Oil FOB Port Sudan in any month is more than USD 40 and up to USD 50 per barrel then GoRSS shall pay USD 10.50 per barrel;

If the actual sales price of Nile Blend or Dar Blend FOB Port Sudan in any month is more than USD 50 per barrel, then GoRSS shall pay USD 15 per barrel;



REPUBLIC OF SOUTH SUDAN
The President

PRESS STATEMENT

Delivered at Government Secretariat Juba, South Sudan - 28/03/2022

Ladies and gentlemen of the Press

Good afternoon:

I come before you today to affirm my government commitment to peace in our country. In many of my public remarks, I have pledged that I would not deliberately return this country to war and I remain committed to this pledge.

That said, there are challenges we need to confront honestly as a people along with our partners to maintain total peace and bring prosperity to our people.

One challenge that has paralysed our progress is the negative narrative cultivated during the war about the Government. This same negative narrative has depicted many senior government officials in bad light. For those who followed events in our country, they know that this narrative has external dimension, but it is mostly rooted in our internal political competition, which was and still driven by personal ambition that does not factor the best interest of the country into consideration.

We are all aware that in the period between 2013 and 2016, many atrocities were committed by both sides in the war. These unfortunate events were investigated by eminent personalities like President Obasanjo who submitted his report to the African Union. His report found allegations of war crimes and crimes against humanity. Within the country, Justice John Wol Makech and his team also

The President

investigated this dark chapter in our country and came up with the report that contradicted some of President Obasanjo's findings.

Not only that, this situation inflamed by several individuals wrote books on the issue of atrocities committed during the war in our country. While we cannot entirely deny that crimes were committed to some extent, majority of the books in circulation today contain unreliable information that we know is being used when discussing South Sudan.

Ladies and Gentleman of the Press,

I am aware of the fact that for our country to move forward, we as the people must confront what took place during the war by telling the truth about it. That is the reason why I directed the Ministry of Justice and Constitutional Affairs in my New Year's address to establish the Commission for Truth, Reconciliation and Healing as stipulated in the Revitalized Peace Agreement. The establishment of Truth and Reconciliation is also demanded by our National Human Rights Commission.

The objective of this Truth and Reconciliation Commission is to receive and document complains and eyewitness reports of the victims of the tragic events in both 2013 and 2016.

Personally, it is in my best interest for the people of South Sudan, especially the victims, to know exactly what took place during those two unfortunate events. Having said this, I would like to state that we are aware of, and acknowledge the views of those who see the establishment of Hybrid Court for South Sudan as the priority. However, we also strongly believe prioritizing punitive justice will take away from the goal of reconciliation, which is what is needed the most in our country.

Ladies and Gentlemen of the Press,

The President

The Government do not deny, minimize or shy away from prosecuting those who committed crimes. We have demonstrated this through our actions. We have prosecuted people and imposed considerable prison sentences to those who were found guilty, including our own soldiers.

I am also mindful that what we have done and the position we have taken on issues related to human rights violations are not shared by some of our partners. At times, this creates a situation where our views are misrepresented in the reports compiled by them. This situation cannot serve the interest of the victims who suffer the atrocities, if any, it politicizes their victimhood. For us as the Government, we believe that more can be achieved if we can work collectively with our partners to strengthen the capacity of our institutions. We do not believe that it is helpful for each party to work independently.

Providing capacity building and technical assistance locally in areas related to human rights protection for example, can go a long way in improving the situation. This path can deliver more results than the current reports written independently by our partners and circulated internationally with the sole goal of applying pressure on the Government. The Government is open to genuine partnership that addresses real challenges, but it equally objects to any attempt to undermine its work by those who choose to operate outside established institutions.

With all we are going through, real cooperation with our partners is an ideal path for us. For instance, we are faced with prevailing insecurity in certain parts of the country, driven mostly by cattle-rustling, inter-communal violence, flooding, food security issues induced by climate change. These are areas where we can collaborate to achieve desired results for the people. We also need this real partnership in the implementation of the Revitalized Peace Agreement, which we are committed to implement despite the challenges we face.

Ladies and gentleman of the press,

The President

The Revitalized Peace Agreement we are implementing is an ambitious document. This fact is often discounted by those who think it should be implemented overnight. The full implementation of this agreement cannot be done without having a sustained dialogue among the parties. In the process of dialogue, we as parties to the agreement at times hit minor bumps on the road.

In light of this, I would like our people to consider the recent SPLM-IO Political Bureau Resolution that came out from its meeting held on 11-14 of March 2022, and other communications they have shared with the public as part of sustained dialogue I just mentioned. These kinds of conflicting positions are expected in the implementation of a complex Agreement like ours. To ensure that no one panics from these, I am assuring you that the implementation of the Revitalized Peace Agreement is on track. We all consider this Agreement as the path to our stability and I am committed to working with our partners to implement it.

For the implementation of the Revitalized Peace Agreement to be genuine, we need transparency on the root causes of the conflict. It is for this reason that I am directing the National Security Service and its partner, the BRL Law Firm to declassify all information about the conflict's genesis in their possession (intercepts, audios and personal accounts).

This is very important so that the people of South Sudan know the truth and judge for themselves from the position of this knowledge. We must say the truth, because genuine reconciliation has its basis on it. This will also support the process of healing in our country.

Having said that, I need to state clearly that those who may be implicated by the declassified information that is going to be released are guaranteed presidential

The President

pardon. So, there is no cause for alarm over this. All we are interested in is for the public to know the truth about the background of the conflict in our country.

I hope after the release of this information, we can all move forward with permanent peace building that will create harmony and prosperity in our country. Thank you, ladies and gentlemen of the press.

I am going to take 2 or 3 questions before we end this session.

A handwritten signature in black ink, appearing to read 'Salva Kiir', written over a faint circular watermark of the President of South Sudan.

Salva Kiir Mayardit
President,
Republic of South Sudan
Juba, South

Annex XXVIII: Companies known to have purchased cargoes of South Sudanese crude oil

Source: Marketing Reports produced by the Ministry of Petroleum of the Republic of South Sudan; correspondence with trading companies; and other confidential documents

| | | shutdown/no data | | | | | | | | | |
|-------------------|---------|------------------|---------|---------|---------|---------|---------|---------|---------|---------|-------------------|
| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 (partial) |
| China Oil | 15 | | 9 | 3 | 2 | | | | | | |
| Unipecc | 15 | | 19 | 39 | 8 | | | | 1 | | |
| Vitol | 8 | | 5 | 3 | | | | | 1 | | |
| PetroNile | 4 | | | | | | | | | | |
| Arcadia | 1 | | 3 | | | | | | | | |
| Tri-Ocean | 1 | | | | | | | | | | |
| Glencore | | | 5 | 3 | 2 | | | 7 | | | |
| Trafigura | | | 4 | 5 | 6 | 8 | 3 | | 1 | | |
| Zhenhua Oil | | | 1 | | | | | | | | |
| Petrodiamond | | | | 1 | | | | | | | |
| Sahara Energy | | | | | | | | 7 | 5 | | 3 |
| BB Energy | | | | | | | 3 | 2 | 4 | 8 | 2 |
| Litasco | | | | | | | | | 4 | | 1 |
| Addax | | | | | 2 | 4 | | | 1 | 1 | 4 |
| NASDEC | | | | | | | | | 2 | 1 | |
| Trinity | | | | | | | | | 8 | 2 | 1 |
| EuroAmerican | | | | | | | | | | 2 | |
| Pacific Petroleum | | | | | | | | | | | 1 |

Annex XXIX: Response of Angelo Davido (via interpreter) to Panel, further to allegations in paragraphs 52

**Tambura County
Western Equatoria State
South Sudan**

22nd March 2022

To: David Biggs
Senior Committee Secretary,
Security Council Committee Established
Pursuant to resolution 2206 (2015)
Concerning South Sudan

From: Angelo Davido
The former Head of armed youth formed to
Protect community from forces loyal to Paramount chief and
James Nando

Introduction

Angelo Davido is my name and I am hailed from Azande Community, I am a farmer and a former member of the Arrow boy vigilante group that was formed in 2007 to protect our community from LRA atrocities. Since the defeat of the LRA, I have been engaged in farming, hunting, and honey harvesting to earn living. In January 2020, Tambura Paramount Chief and the current Tambura County Commissioner Hon Mathew Mabenge convened a meeting at the paramount chief house I was in attendance of the meeting. The agenda was to form an armed group made up of brave Azande youth with the intention to mobilize resources through robbery to strengthen the capacity of the Azande community and to one day drive out the Balanda ethnic group from Western Equatoria State.

When I refused to be part of the project citing how Azande and Balanda have lived for many years and have intermarried, they started to target me and my family and subsequently my house was attacked twice between April 2021 to July 2021, they killed my son, my goats and shop looted, they destroyed my honey stored in a drums, burnt down my houses as well as of those close to me, all these happened when I was for a hunting and honey harvest mission. When I came from hunting expedition, I mobilized the youth in Sanakpuro Boma and the affected Bomas like Bazande, Bangaru, and Nabiama to protect the community from the aggressive actions of the armed youth loyal to Tambura Paramount Chief and Nando forces.



The conflict in Tambura is caused by the Avungara Azande ruling clan who are the minority but very influential as they control all affairs of Tambura County. My refusal to support their ideas as well as other sections of the Azande community being marginalized by the Avungara loyal clan precipitated the conflict targeting those of us who refused to be part of their project. So, this is how I became the leader of the armed youth and we only engaged in fighting with the forces of Nando and Paramount chief and never targeted civilians. Nando and Paramount chief forces were in civilian dresses and those who lost their lives were seen and counted as civilians, meanwhile, all civilians were displaced before the various attacks and were all hosted at Ministerial Complex, UNMISS camp, St. Mary Catholic Church, and Tambura SSPDF Barracks as well as those we sheltered at our base in Nabiama.

Responses to the enquiry demanded

| | Enquiry | Response |
|---|--|---|
| 1 | An attack and burning of the house of an Azande chief in Tambura in July 2021 | On the 17 th July 2021, the armed youth loyal to Tambura Paramount Chief, Mr. Mboribamu Baabe Renzi and James Nando attacked Sanakpuro Boma for the second time. Sanakpuro Boma is where, I am hailed from. After the attackers burnt down houses, looted food items and destroyed civilians source of livelihood before they fled the scene, I decided to mobilize youth in the area to persuade the attackers, only to find that the attackers camped at the paramount chief palace with the looted items they looted from Sanakpuro Boma, upon seeing us they immediately begun to exchange fire and the withdrew and ran in disarray from the Paramount chief house. The angry youth started to burn down grass thatched houses on the compound of the Paramount Chief |
| 2 | Fighting, on 6 September 2021 near the Ministerial Complex in Tambura, which lead to at least 18 civilian deaths and significant displacement | The fighting near Ministerial Complex in Tambura was an attack on joint forces of Maj Gen James Nando and the armed youth loyal to Tambura Paramount Chief Mr. Mboribamu Baabe Renzi who |



| | | |
|---|--|---|
| | | <p>camped at Renzi Primary School and Nando with his deputy Brigadier Justin Binzei were staying at Jemma Nunu's house. The reported 18 civilians to have been killed in the attack is untrue. The Attack was as the result of Nando and paramount chief forces targeted burning of houses and killing of civilians based on their ethnic background on the 2nd and 4th of September at Sananguse and Zangia respectively. Those killed in the fighting near Ministerial Complex were members from the forces of Nando and Paramount Chief not civilians. Civilians were hosted in the Ministerial Complex which was well secured with fence and those killed from that fighting from both sides were killed outside the fence. All our forces that engaged in Tambura violent conflict were in civilian clothes.</p> |
| 3 | <p>Fighting, on 21 September 2021, with forces under the command of SSPDF General James Nando, leading to at least five civilian casualties</p> | <p>The fighting that occurred on the 21st September 2021 was the last fighting between our armed youth and the joint forces of Nando and paramount chief, on that day Nando forces went to Andaya Bundu residential areas and begun to demolish houses and vandalize people's property based on their ethnic background and affiliation to Balanda ethnic group as well as targeting civilians in the IDPs camp based on their ethnic background. This act compelled us to engage them to cease from destroying peoples' property. It is not true that some civilians were killed, those who were displaced prior to the violent confrontations were living in the IDPs camp unless the said civilians left the IDPs camp and joined the Nando and</p> |



| | | |
|---|---|--|
| | | Paramount Chief forces to fight them since all of us fighting were all in civilians' clothes |
| 4 | The rape and killing of a young girl, by forces under your command, on 17 June 2021 in Source Yubu | The alleged raping and killing of a young girl by the armed youth loyal to me is untrue. On the 17 th June 2021, the joint armed youth loyal to Nando and Paramount Chief left their base from Source Yubu with an intention to go to attack Namutina the SPLA-iO base, reaching Bangaru and Naita Bomas they started to burn down civilians houses and property and looting goats and chickens. On their way back, they fell in our ambush where they incur losses and were scattered, those who proceeded to Source Yubu begun to burn houses indiscriminately, raping, looting and shoot anyone they would see on the road. The armed youth I commanded never targeted civilians based on their ethnic background unlike Nando and Paramount Chief forces that could not spare any Balanda and their associates as well as some of Azande who did not support the fight. I am hailed from Azande community and many Azande and Balanda took shelter in my area Nabiama and were being protected by my armed youth. The armed youth under my command never targeted civilians at all and were from both Balanda and Azande who do not support the idea by the Avungara of driving out the Balanda from Tambura. |

Angelo Davido 
Tambura County
Western Equatoria State - South Sudan

Date: 5th April, 2022

Coordinator Michael Gibb
Panel of Expert on South Sudan
Extended pursuant to Security Council resolution 2577 (2021)

Dear Coordinator,

Reference is made to your letter dated 23rd/ March, 2022 with Reference: *S/AC.57/2022/PE/OC.27* highlighting about Resolution 2428 (2018) and most recently renewed by resolution 2577 (2021) mandating the Panel to report on the conflict in South Sudan, including by providing information on individuals “responsible for or complicit in, or have engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan” or “have the purpose or effect of expanding or extending the conflict in South Sudan.” Hence recommending, I confirm and clarify the circumstances of allegations surrounding my name mentioned in the report of Panel of Experts on South Sudan.

I Patrick Raphael Zamoi was the First Governor appointed to establish an infant Western Equatoria State during the time of the CPA (comprehensive Peace Agreement) of 2005 to 2006, and was appointed in 2015 as Governor of WES before States were split into 28 giving birth to Gbudue State where I also served as the first Governor and eventually came the creation of Tambura State where I was assigned to establish the infant State from scratch before the dissolution and reverting back to 10 States in the early 2020s; I governed within the principle of inclusivity, humanity and respect for the rights of the people of the State in general and did my best to prevent bombardments of citizens.

First and foremost, allow me the latitude to register my appreciations to you the UN Coordinator and your Panel of Experts for invoking the renowned doctrine of Common Law referred to as ‘Natural Justice’ that emphasizes the principle of fair hearing which I believe aligns with the mandate of the Panel to reach out to the persons alleged to be a party to crimes committed. Right to a Fair Hearing is one of the fundamental rights that are guaranteed by the principles of natural justice, as enshrined in the various UN Conventions and Bill of Rights pertinent to Human Rights. I applaud you and your team of Panel of Experts for this noble gesture of reaching out to me for clarity.

Reading Paragraph four (4) of your letter which puts in the context that *‘interviews conducted by the Panel and documents obtained by the Panel indicate that I in the capacity of former Governor of defunct Tambura State played a prominent role in the organized violence and abuses that took place in Tambura since June 2021,’* without making available such documents and the so called interviews conducted is a mockery to good conscience that the Panel of Experts reduced their noble principle of neutrality and engaged itself into buying transactional propaganda peddled by the very curtails whose hands are not clean. Prior to receiving this letter; I was already aware through last year’s press briefing by the current Governor of WES, his press secretary and his then Minister of Information-WES to media houses to South Sudan Broadcasting Corporation where the Governor made it categorical that the incoming UN Panel report had settled down on five Azande culprits namely; Jemma Nunu Kumba, Tambura current Commissioner, Tambura Paramount Chief, James Nando and myself, and insinuating clearly that the first phased letters shall be directed to three



individual Azande namely Jemma Nunu Kumba, Tambura Paramount Chief and myself Patrick Raphael Zamoi. So the question lingering in one's mind is "*Is it the Panel of Experts who write press briefing for the State Governor, his press secretary and then Minister of Information while the Governor writes a report for the Panel of Experts?*" On observing the report of the Panel of Experts on South Sudan conflict and the usual press briefing of the current Governor; there is no difference and on the contrary the two are consistently similar and this raises the question of impartiality on the part of the Panel as the Mischief of bias is clearly demonstrated, and this therefore; entails that the Panel of Experts obtained its report more probably from UNMISS who favors the SPLM-IO as was reported by the British lawyer STEVEN KAY, QC on the evidence of 2013 attempted coup during his press conference in Juba on 1st April 2022. UNMISS has never been impartial in the conflict of South Sudan and this without doubt include the unfortunate events that occurred and continue to occur in Tambura where UNMISS one time back decided unilaterally to withdraw its protection forces from Mabilia and Ezo leaving the ground open for SPLM IO to commit the atrocities in Tambura.

Allow me to remind the Panel of Experts on South Sudan that in February 2020, the President of the Republic of South Sudan reverted 32 defunct States back to the original 10 States and recalled all 32 Governors with me inclusive; and this gesture was done in the spirit of implementing the revitalized peace agreement of 2018, ever since that time I have not had any assignment. Tambura was plunged into turmoil in June 2021 during the regime of IO Governor who should be held accountable not the other way round unless the Panel of Experts on South Sudan has taken side as clearly portrayed by the current Governor in his usual press briefing who happened to have full knowledge and knew the content of the report as early as last year before the report was released officially. How would the Panel of Experts' report categorize my involvement as prominent? This report is a syndicate of falsehood and conspiracy of propaganda choreographed by networks that are obvious against truce and justice. It sounds very unfortunate of the noble mandate of the UN Panel of Experts on South Sudan to believe in propaganda which in a good conscience view is clear sign of nurturing impunity and using propaganda as the basic foundation upon which the Panel's report evolve. I did not take direct, indirect or prominent part in the massacre that happened under a different regime who happens to be head of security at state level.

Paragraph five of your (5) letter used the term "alleged" as opposed to paragraph four which used the term "prominent" that on '*13th April 2019, while I was the Governor of the defunct Tambura State, four Balanda men were killed on my order at my residence.*' This grave allegation indicates that the Panel of Experts' on South Sudan unfortunately relied on Eye Radio as its' bases of developing credible and verifiable report instead of going beyond relying on the Eye Radio but the reverse which some of personnel in Panel of Experts' seem to be struggling to accept as fact is that there was an attempted assassination on my life in my own residence by a senior officer with the rank of a Colonel who entered with loaded AK47 and started shooting to my direction though my guards wanted to repulse this renegade Colonel, I made sure he wasn't shot at, UNMISS Officials came and took photographs of the aftermath bullet holes on the wall of my residence and subsequently this renegade Colonel was detained by the National Security service for interrogation; how does this reality get twisted with propaganda translating to killing four balanda men on my order at my residence? The Panel of Expert on South Sudan should have undertaken more research to enrich their report by probably conducting interviews with State established bodies such as the Criminal



Investigation Department (CID), National Security (NS) besides engaging the mobile high court Judge, inquiring with sobriety from this doubting agent UNMISS or even availing the soldier or soldiers to whom such orders were given for execution of the four Balanda men at my residence! There was no such a thing of ordering the killing of four Balanda men at my residence and that is a complete fallacy.

Additionally, there has never been civilian killed by Government forces in the defunct Tambura State during my tenure in office unless those trapped in confrontation with rebels, rebels activities in the outskirts of the defunct Tambura State became rampant that didn't give chance to the citizens who are predominantly farmers to carry out their routine agricultural farming activities and sometimes these rebels committed numerous abuses against the citizens such as rape, looting and killings, though as Government mandated to protect its citizens, before most of confrontation we used to call upon CTSAMM (Ceasefire and Transitional Security Arrangement Monitoring Mechanism) to pass messages to the rebels to evacuate and retreat to their bases; but when such calls were not adhered to by the rebels there were operational confrontations of the government forces and that of rebels that resulted into inflicting number of casualties on either sides, if the names mentioned in the letter were the victims of such confrontations, then the Panel of Expert on South Sudan were in hurry with the report it would have gone further to enrich and establish if indeed these persons whose names mentioned in the letter were civilians or rebels. On our side of Government, the Government force too had casualties but we didn't go on publishing names because we understand the rule of engagement in confrontational operations against enemies.

It's obvious that the Panel source of information is one sided and does not reflect any neutrality as demanded of it and has failed dismally to benefit from obtaining information from all sides because of bias and favoritism. The resolution establishing the UN Panel of Experts on South Sudan conflict was seen as a blessing to advancing the rights of two categories of victims therefore; the ones whose lives were/unfortunately destroyed and those accused as a result of propaganda, an institution that was entirely conceived and founded on the basis of equality, neutrality shouldn't be seen relying and reproducing some of write-ups appearing in its report is that of political opponents' propaganda write ups once tabled before the National Dialogue Commission for scrutiny. Fiction and propaganda shouldn't be the material evidence in criminal or legal proceedings for accusation and selective persecution.



Hon. Patrick Raphael Zamoi
Former Governor

Cc: President of the Republic of South Sudan;
Cc: Ministry of Justice & Constitutional Affairs;
Cc: Chief of Staff -SSPDF



Republic of South Sudan
Transitional National Legislative Assembly
Office of the Speaker

11th April, 2022

Mr. David Biggs
Senior Committee Secretary,
Security Council Committee Established Pursuant to Resolution
2206 (2015) Concerning South Sudan
United Nations Headquarters
New York, USA

Dear Mr. Biggs,

Subject: Response to the Questions from the Panel of Experts on South Sudan.

It is my utmost pleasure to write to you concerning your questions on the crises in Tombura, Western Equatoria State. I wish to express my gratitude to the Panel of Experts on South Sudan for having given me the opportunity to present my perspective in relation to the allegations. I believe in sustainable Peace and security in my beloved Country South Sudan since peace is a fundamental public good that can benefit both the ruled and the rulers. In light of this I believe it is in the interest of everyone that local communities should coexist in peaceful environment, for the country to prosper. As one of the leaders of the country, it is my responsibility to uphold the above statement.

Please find below my responses to your questions:

Question One.

I have no knowledge what so ever that Gen. James Nando was accommodated in any of my property in Tombura and I am hearing this for the first time. My house in Tombura was being taken care of by a lady who has been a caretaker of the house during my absence for the purposes of keeping it clean. On receipt of your letter, I reached out to the lady to establish the facts related to your questions. According to her “She has no recollection of accommodating Gen. James Nando in the property”. She further stated that, “she fled the house for safety in the UN Protection Camp in late August 2021 when rival clashes intensified and the area became unsafe for her to live in”. She returned only when the situation became calm. She also reported to me that, during the conflict period the whole area was deserted due to insecurity. All the reports from UNMISS, JDB, IGAD, Faith based group confirmed that Gen. James Nando stayed with his forces at Renzi Primary School. I have also reached out to Gen. James Nando to conform this allegation but he said he never stayed in my house.

Question Two.

In regards to the details about the nature of the alleged meetings that took place in my property between Gen. James Nando, Commissioner Mathew Mabenge and Chief Mboribamu Baabe Renzi, I wish to inform the panel that, the last time I was in Tombura was in June, 2021 when I headed a high level delegation to Tombura as directed by the President to attain to the conflict with the aim of resolving the problem. Therefore, I am not aware of such meetings or its nature. Again, the caretaker of my property has further reported that, ‘Gen. James Nando, Commissioner Mabenge and Chief Mboribamu never held any meeting in the house. Since she has been in control of the property and that the area was deserted.

Question Three:

In terms of the alleged material and financial support to a group called Community Patriotic Front, this has come to me as a real surprise. I have no knowledge of such group of its existence. Therefore, I have not supported such group in any form.

Note:

Please allow me to express my concerns and views on these serious allegations in the report associating me with incitement and financial supports to the group of Community Patriotic Front. I have taken these allegations seriously and would wish to understand more how these were associated with my personality. I am always known in the country as Peace loving leader, and this has taken not only me but the country by surprise. Please note that, I was once a governor of Western Equatoria State and during my tenure as state governor, the communities coexisted peacefully. I feel this issue is a witch-hunt and politically motivated with the aim to tarnish my image and reputation as one of the few female leaders at the apex of the leadership of the Country. I also know very well that, my society as well as the global community is highly patriarchal, hence the related chauvinistic attitude will always come to play against any woman who rises to power as this poses great challenge to the male folks. So I am not surprised such concocted allegations are labeled against me.

Incitement by nature refers to an act that encourages another person or group to commit a criminal offence, which could be through hate speeches advocating for violence. I would be pleased if the Security Council Panel of Experts would present some incidences that I have been quoted inciting a group against another one particularly in the case of Tombura to substantiate these malicious claims.

I take these allegations very seriously because they are meant to tarnish my reputation as a female leader in the Country and coerce me into submission. And I also believe the principle of Access to Justice does not segregate but is a right for all. So, I wonder why these allegations were not shared with me to hear my reactions to them or not shared with the national government before they were presented to the Security Council. It is also interesting to note that, the report is partly base on the public statement made by the governor without considering that, the Governor Alfred Futuyo of Western Equaatoria himself is a Balanda and an SPLM-IO whose impartiality in the conflict is questionable. Hence, the credibility of the report is also questionable.

In view of this, I request that, members of the Security Council Panel of Experts on South Sudan could consider a face to face meeting with me so to have more

clarifications on those claims in order that all of us including the public at large have a better understanding of the claims.

In conclusion, I urge the, the Panel of Experts to carry out their work with utmost honesty and impartiality. This is for the best interest of the Country and for the reputation of the Security Council. Once again, I am grateful to have this communication with the Security Council Panel of Experts on South Sudan and I look forward to more engagement with the Panel whenever need arises.

Thank you and please accept the assurance of my highest regards



Right Honorable Jemma Nunu Kumba
Speaker,
Transitional National Legislative Assembly
Republic of South Sudan, Juba

Cc: President-Republic of South Sudan

Cc: Minister of Justice & Constitutional Affairs

Cc: File