



# Security Council

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## Letter dated 26 April 2023 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 [2633 \(2022\)](#) have the honour to transmit herewith the final report, submitted in accordance with paragraph 18 of the resolution.

The report was provided to the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan on 17 March 2023 and was considered by the Committee on 31 March 2023.

The Panel would appreciate it 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.

*(Signed)* Michael **Gibb**  
Coordinator  
Panel of Experts on South Sudan

*(Signed)* Mayank **Bubna**  
Expert

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## Final report of the Panel of Experts on South Sudan submitted pursuant to resolution 2633 (2022)

### *Summary*

In Western Bahr el-Ghazal State, the Panel of Experts on South Sudan met graduates of the Necessary Unified Forces waiting for news of their deployment. They had done what the peace process asked of them but had by then been left for months without pay or adequate food supplies. While increasingly frustrated and disillusioned with the process, they also remained hopeful. Few saw any viable alternatives to the political process, in which they were still proud to play a small part. They continued, therefore, to report, twice a week, for parades.

Their experience is likely familiar to many South Sudanese, whose patience, trust in the process and ability to survive have been tested in equal measure since the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan in 2018.

The date of 22 February 2023 would have marked the end of the transitional period, had it not been for the two-year extension agreed in Juba in August 2022. As the symbolic date approached, the Government issued a lengthy press statement outlining its achievements while stressing that everything would remain “business as usual” for the Government throughout the extension.

Implicit in that message was the need to allay two concerns. First, that the extension would be used to undermine the fragile power-sharing structures ahead of the implementation of the most challenging provisions of the peace agreement, notably its security provisions, constitution-drafting process and preparations for elections. Second, that “business as usual” would mean further delays, not the progress that peace once promised.

The transitional period was not supposed to last for such a long time. It was also intended to be buttressed by significant reforms that would bring security, economic stability and development, while remedying the democratic deficit of the current arrangements through a clear timeline towards elections.

As stressed by the Government in its statement of 21 February, some progress has been made. The Transitional Government of National Unity in Juba has survived, while a series of laws have started to pave the way for the constitution-drafting process and eventual elections in December 2024. The first batch of approximately 55,000 Necessary Unified Forces elements has now graduated, even if they are yet to be deployed.

At the same time, displacement is now at its highest levels since the peace agreement was signed, while food insecurity remains at its highest levels since independence. Being a woman or a humanitarian in South Sudan remains as dangerous as ever. More than two thirds of the population will need humanitarian assistance in 2023. For most, especially outside Juba, the transitional period has not brought tangible progress.

The deteriorating humanitarian situation is partly the consequence of violence. In recent years and months, most parts of the country have experienced serious clashes between well-armed forces leading to deaths, displacement, serious human rights abuses, conflict-related sexual violence and impediments to the delivery of humanitarian aid. The Panel has documented violence and abuses, including serious conflict-related gender-based violence, in Upper Nile, Jonglei and Central Equatoria

States. Much of this violence flows from the convergence of multiple weaknesses in the implementation of the peace process to date.

Efforts to weaken opposition groups, continued political reliance on local youth militias and delays in the formation of a unified national army have fragmented the security landscape, compounded by the free flow of weapons between civilians and the military. Humanitarian and economic crises have pitted communities against one another in competition for increasingly scarce resources, compounded by flooding and impediments to humanitarian relief. Those struggles have, in turn, been politicized by local and national leaders whose own fortunes often hinge on their ability to mobilize violence.

Increasingly, however, violence has also flowed from growing dissatisfaction with the political process in Juba. Delays and deteriorating humanitarian conditions have tested the patience and trust of many political and military leaders in the country's interior, who have increasingly sought to forge their own path through a transitional period that, to many, no longer feels temporary. In doing so, they have mobilized forces to contest local territory and resources, such as river checkpoints and cattle, while national leaders have found themselves less able to control and direct the violence.

Oil revenues, dispersed across an array of accounts and prone to diversion and misappropriation, have largely failed to reach the institutions that might stabilize the situation through regular salary payments, humanitarian relief and development.

Many of those findings are not contested. Much of the debate has, instead, focused on semantics. Leaders, eager to absolve themselves of command responsibility, have sought to label the violence as "intercommunal", while efforts to distinguish it from recent periods of civil war have emphasized its "subnational" features. The fragmentation of opposition groups, facilitated by government negotiators, have made it possible to claim that the signatories to the agreement have avoided direct conflict, even as their allied militias and recent comrades clash.

Efforts to control narratives, including with elections on the horizon, have also seen continued constraints on civic space, including increased harassment and detention of journalists and online activists both inside and outside South Sudan.

As the extended transitional period gets under way, "business as usual" will undoubtedly conjure a variety of expectations across South Sudan. The stability of that period will likely turn on the Government's ability to reward the patience of those who remain committed to peace, rather than those who have sought to reshape it through violence.

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\* Circulated in the language of submission only and without formal editing.

## **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 26 May 2022, with the adoption of its resolution [2633 \(2022\)](#), the Council renewed the sanctions regime until 31 May 2023.

2. By its resolution [2633 \(2022\)](#), the Security Council also extended the mandate of the Panel of Experts on South Sudan until 1 July 2023, 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 that might be engaging in the activities described in paragraph 7 of resolution [2206 \(2015\)](#), as updated in paragraph 15 of resolution [2521 \(2020\)](#) and most recently renewed in resolution [2633 \(2022\)](#).

3. On 22 June 2022, the Secretary-General, in consultation with the Committee, appointed the five members of the Panel.<sup>1</sup>

4. During the mandate period, the Panel travelled to South Sudan on several occasions, including to the capital, Juba, Upper Nile State and Western Bahr el-Ghazal State, as well as to Kenya, Uganda and the United Arab Emirates.

### **B. Cooperation with international organizations and other stakeholders**

5. While the Panel operates independently, 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. During its travels to South Sudan, the Panel requested meetings with a large number of institutions and ministries of the Government of South Sudan, as well as with State governments. The Panel was grateful for the opportunity to meet, in Juba, with the Minister of Cabinet Affairs, Martin Lomuro, and the former Minister of Defence and Veterans Affairs, as well as with the Governor of Western Bahr el-Ghazal State and the Acting Governor of Upper Nile State. The Panel also met with county commissioners and representatives of the National Security Service, military intelligence and the South Sudan National Police Service, as well as with senior figures within the South Sudan People's Defence Force, the Sudan People's Liberation Movement-Army in Opposition (SPLM/A-IO), members of the Revitalized Transitional National Legislative Assembly and other government and security sector officials. The Panel also met with a number of private companies active in South Sudan, as well as with civil society organizations, activists, humanitarian actors and organizations, journalists and religious leaders.

7. In paragraph 17 of its resolution [2633 \(2022\)](#), the Security Council emphasized the importance of the Panel holding regular consultations with concerned Member States, international, regional and subregional organizations and UNMISS.

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<sup>1</sup> See [S/2022/508](#).

8. The Panel consulted extensively with United Nations bodies and agencies in South Sudan and elsewhere. It also consulted with the security mechanisms established under the Revitalized Agreement on the Resolution of the Conflict in South Sudan.

9. The Panel sent multiple meeting requests to regional and other Member States and was able to meet, in the capitals, with representatives of the Governments of Uganda and the United Arab Emirates, as well as with representatives of the African Union in South Sudan and a number of diplomatic representations in Juba.

10. The Panel sent 44 letters to the Government of South Sudan, regional Member States and other individuals and entities and received 21 substantive responses before the drafting of the present final report.

### **C. Methodology**

11. The present report was prepared on the basis of the Panel's extensive 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. It also drew on its earlier work, including previous reports, both public and confidential, to the Security Council and the Committee.

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). It 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. Few sources were willing to be identified in the report, as many feared reprisals or harassment for having engaged with the Panel. In other cases, issues discussed carried social stigmas that the sources did not wish themselves or their families to incur. In such cases, the Panel has provided a general description of the features most relevant to their testimonies. In a few cases, where this could not be done without identifying the source, the source is referred to as "confidential".

14. The Government of South Sudan and individuals and entities identified in the context of serious allegations in the report were given an opportunity to respond to a summary of the findings, and any responses received before the publication have been annexed to the report.

## **II. Implementation of the peace agreement**

### **A. Progress towards implementation of the road map**

15. On 21 February 2023, a high-level standing committee representing the parties to the peace agreement outlined a number of achievements as the two-year extension to the transitional period, agreed in August 2022, formally got under way.<sup>2</sup> Ten important bills have been signed into law, including several critical to the constitution-drafting process and future elections.<sup>3</sup> Key security bills have been passed, with the exception of the national security bill. The removal of contentious articles from the draft, which granted the National Security Service widespread

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<sup>2</sup> See annex 1.

<sup>3</sup> Ibid.

powers of arrest, have, however, reflected a legislative process that is now able to exercise genuine scrutiny.<sup>4</sup> Several more bills are pending, while a number of international covenants have also been signed into law.<sup>5</sup> Further stakeholder consultations have been promised on the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority,<sup>6</sup> though progress towards the establishment of the Hybrid Court has been minimal, with neither the Government of South Sudan nor the African Union taking initiatives for its formation.

16. In meetings with the Panel, the Government stressed those achievements while also underscoring its resource constraints, flooding and the status of South Sudan as a relatively young country.<sup>7</sup> As such, the Government has increasingly sought to set its own priorities and reframe some of the timelines and sequencing in the peace agreement of 2018. In a meeting with the Panel, for example, the Minister of Cabinet Affairs stressed that the road map was “a process, not an event”, urging the Panel not to fixate on dates and to recognize that it was not necessary for one phase to be completed to proceed with others.<sup>8</sup>

17. The implementation of the road map is, as this implies, behind schedule.

18. There were a series of delays in the graduation of the first batch of Necessary Unified Forces elements, as well as in the allocation of positions within the middle and lower-level command structure of the armed forces. This has, in turn, delayed the deployment of the first batch, as well as the training and graduation of the second batch, which, in accordance with the road map, should have been completed by 30 November 2022.

19. The institutions required for the constitution-drafting process and formal preparations for elections still have to be constituted, as the parties are yet to submit their nominees for the National Constitution Review Committee, the Constitution Drafting Committee and the Preparatory Subcommittee,<sup>9</sup> while Parliament is yet to enact the national elections bill.<sup>10</sup> On 7 March 2023, the National Constitutional Amendment Committee suspended its work, citing a lack of resources and claiming that it had been working for nearly three years without payment.<sup>11</sup>

## B. Salary dilemmas

20. The irregular payment of government salaries has become a visible sign of frustrations with the Transitional Government, fuelling also the suspicion that it is mainly benefiting the relatively small number of elites leading the process.<sup>12</sup>

21. Since before the independence, and throughout successive peace negotiations, adding individuals to the Government’s payroll has been a tried-and-tested way of securing their support. Beyond senior political positions, however, salaries have never been meaningfully adjusted, despite their real value plummeting as the South

<sup>4</sup> Powers to arrest without a warrant were subsequently transferred to the South Sudan National Police Service. See Elvince Joshua, “Police get back the power to arrest”, *The City Review South Sudan*, 25 February 2023.

<sup>5</sup> Interviews with legislators, February and March 2023.

<sup>6</sup> Information provided by the Ministry of Justice and Constitutional Affairs.

<sup>7</sup> Meetings with government officials, Juba, January and February 2023.

<sup>8</sup> Meeting with the Minister of Cabinet Affairs, Juba, 1 February 2023.

<sup>9</sup> Interviews with legislators, February and March 2023.

<sup>10</sup> Ibid.

<sup>11</sup> See annex 2.

<sup>12</sup> See [S/2022/884](#).

Sudanese pound has depreciated and inflation has soared.<sup>13</sup> Most government salaries are now insufficient for survival. A police captain told the Panel that her 7,000 South Sudanese pounds per month (\$9) was “nothing”.<sup>14</sup> Furthermore, despite the cost of its payroll falling,<sup>15</sup> the Government has often been unable to regularly make salary payments, often accruing up to seven months of arrears.

22. As a result, members of the country’s security forces typically work in the community alongside their military duties, or resort to such activities as logging, charcoal production or roadblocks. Civil servants and government officials, similarly, increasingly use their political positions for personal gain.

23. The Government has recognized the challenge, clearing months of salary arrears.<sup>16</sup> Given their eroded value, however, raising salaries has become a priority. Doing so meaningfully, however, is almost impossible in view of current spending practices.

24. The 2022/23 budget amounts to 1.4 trillion South Sudanese pounds but carries an unfunded deficit of 560 billion pounds.<sup>17</sup> A revised salary structure, which would see pay increased for government employees and would likely be extended to include, for example, recent Necessary Unified Force graduates, has been approved; however, if implemented, it would add 526 billion pounds, almost 40 per cent, to the existing budget, while doubling the deficit.<sup>18</sup> The dramatic spending cuts required by such an increase have proved impossible to make, delaying the promised pay rises as government institutions trade blame.<sup>19</sup>

### C. Elections

25. Under the extended transitional period, elections are now scheduled for December 2024. While other short-term priorities, including security arrangements, continue to dominate the political agenda, the approaching prospect of elections has started to shape the political landscape. With the Sudan People’s Liberation Movement in Opposition (SPLM-IO) fragmented and weakened, both militarily and politically, the Government has sought to press home its advantage by reshaping key national and State-level institutions. This has already sparked significant confrontations among signatories to the peace agreement, before many of the most contentious election preparation activities have even started.

26. In October 2022, the Political Bureau of the Sudan People’s Liberation Movement (SPLM) party terminated the membership of the First Vice-President, Riek Machar, leader of SPLM-IO, and that of the party’s former Secretary-General, Pagan Amum, now leader of the Real Sudan People’s Liberation Movement.<sup>20</sup> Soon after,

<sup>13</sup> Before 2015, the South Sudanese pound was pegged at 2.96 pounds to \$1; however, in March 2023, \$1 traded at around 800 pounds.

<sup>14</sup> Interview with a police captain, Western Bahr el-Ghazal State, February 2023.

<sup>15</sup> Despite employing a relatively large number of people, the total cost of the government payroll in the approved budget for 2022/23 is only around \$248 million at the current exchange rate.

<sup>16</sup> See International Monetary Fund (IMF), *Republic of South Sudan: 2022 Article IV Consultation and Second Review under the Staff-Monitored Programme*, IMF Country Report, No. 22/266 (2022).

<sup>17</sup> Approved budget for the 2022/23 financial year.

<sup>18</sup> Interviews with legislators, Juba, October 2022. See also Keji Janefer, “Economic cluster approves half a trillion budget for civil servants’ pay”, *The City Review South Sudan*, 8 November 2022.

<sup>19</sup> See, for example, Keji Janefer, “Delayed ratification of pay increase for organized forces not deliberate, Kumba says”, *The City Review South Sudan*, 8 March 2023.

<sup>20</sup> See annex 3.

the SPLM Interim Secretary-General, Peter Lam Both, ordered the dissolution of both SPLM-IO and the Real Sudan People's Liberation Movement.<sup>21</sup>

27. The SPLM brand remains a potent political symbol in South Sudan. Reluctant to surrender this political asset ahead of elections, SPLM-IO has therefore argued that SPLM comprised three factions, none of which can be unilaterally dismissed.<sup>22</sup>

28. Following the dismissal of Messrs Machar and Amum, however, the membership of the National Liberation Council and the Political Bureau, two of the highest organs of SPLM, were swiftly rejuvenated and expanded to include influential political and military figures close to the President, Salva Kiir Mayardit. Those bodies are responsible for setting the party's policies and regulations ahead of elections. Their membership now includes the National Security Advisor, Tut Gatluak, the Minister of Presidential Affairs, Barnaba Marial Benjamin, the Lakes Governor, Rin Tuenny Mabor, and a businessman and presidential special envoy, Benjamin Bol Mel.<sup>23</sup>

29. Presidential powers have also been used to reshape executive and legislative institutions at the State level. In June 2022, for example, the Deputy Governors of Upper Nile and Jonglei States and the Chief Administrator of the Ruweng Administrative Area in northern Unity State were all replaced by presidential decree.<sup>24</sup> Their replacements were explicitly instructed to "bring back" members of other political parties to SPLM and told that "it was [their] duty to make sure that people of [their] States or administrative areas are united as followers and members of SPLM".<sup>25</sup>

30. In Jonglei State, the State parliamentary speaker and most senior SPLM-IO representative in the State, Amer Ateny Alier, was also dismissed by presidential decree,<sup>26</sup> leading opposition groups to boycott the reopening of the State assembly.<sup>27</sup> The SPLM-IO-appointed Commissioner of Twic County, Deng Tong, was similarly dismissed by presidential decree in January 2023,<sup>28</sup> while powerful State Governors have also used their powers to marginalize political opponents in Lakes<sup>29</sup> and Eastern Equatoria States.<sup>30</sup>

31. SPLM has also sought to increase its grass-roots mobilization significantly, coupled with efforts to disrupt the political activities of opposition parties. According to the recently amended Political Parties Act, a party must have at least 500 registered members in two thirds of 10 States and administrative areas to be registered for the elections.<sup>31</sup>

<sup>21</sup> Telephone interview with an SPLM official, November 2022. See also annex 4.

<sup>22</sup> Telephone interviews with representatives of the Sudan People's Liberation Movement in Government (SPLM-IG) and SPLM-IO, November 2022. See annex 3.

<sup>23</sup> Interviews with government officials and politicians, December 2022. See also annex 5; Radio Tamazuj, "Kiir unveils SPLM leadership structure", 7 December 2022.

<sup>24</sup> Presented on South Sudan News Broadcast, June 2022, on file with the Panel. See also Sudans Post, "Kiir revokes appointment of Upper Nile Deputy Governor, Ruweng Chief Administrator", 4 June 2022.

<sup>25</sup> South Sudan News Broadcast, June 2022, on file with the Panel.

<sup>26</sup> Sudans Post, "Activist decries 'blatant violation' of peace deal after Kiir removed top SPLM-IO lawmaker", 6 January 2022. Video press conference by State-level SPLM-IO representatives held on 5 January 2023, on file with the Panel.

<sup>27</sup> See annex 6.

<sup>28</sup> Decree presented on South Sudan News Broadcast, on file with the Panel. See also Charles Wote, "Kiir fires 14 officials in Jonglei and Unity States", Eye Radio, 4 January 2023.

<sup>29</sup> Reports from international and national observers in Lakes State, January 2023. Interview with a government official, January 2023.

<sup>30</sup> Radio Tamazuj, "Governor Lobong indefinitely suspends Kapoeta South County commissioner", 15 February 2023.

<sup>31</sup> See South Sudan, Political Parties Act (2012) Amendment Act (2022), sect. 7.

32. In Unity State, in September 2022, the Governor, Joseph Monyтуil, who is also the SPLM State Chair, announced an “extraordinary mobilization and recruitment of new members to join SPLM”.<sup>32</sup> Since then, several SPLM-IO members in Koch County have defected to SPLM.<sup>33</sup> Interviews conducted by the Panel suggest that several defections resulted from intimidation and threats, including of confiscation of cattle herds.<sup>34</sup>

33. Over several months, security forces in Northern Bahr el-Ghazal disrupted SPLM-IO political events and detained prominent opposition members and activists on allegations of affiliation with the South Sudan United Front/Army of Paul Malong (SSi.008),<sup>35</sup> while in Tonj North County, SPLM-IO members of the State parliament were temporarily detained by the South Sudan People’s Defence Forces, reportedly for distributing paraphernalia from their party.<sup>36</sup> In Raja County, Western Bahr el-Ghazal State, the SPLM-IO-nominated County Commissioner accused the local SPLM Chair of trying to register Sudanese traders as South Sudanese nationals in order to boost party registrations.<sup>37</sup>

#### **D. Talks with non-signatory armed groups**

34. In January 2023, the Government agreed to resume the Rome peace talks with non-signatory armed groups.<sup>38</sup> Talks had been suspended since the Government’s withdrawal in November 2022. The announcement coincided with the visit of the Pope, the Archbishop of Canterbury and additional religious leaders to South Sudan between 3 and 5 February 2023. The Community of Sant’Egidio, which hosts the talks, aims to resume meetings in Rome in March 2023.<sup>39</sup> Mr. Malong (SSi.008) has been granted an exemption to the travel ban by the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan to facilitate his participation.

35. Opposition groups welcomed the resumption of talks but questioned whether the Government’s intentions were genuine or simply an effort to stall for time while it sought to fragment and pursue opposition groups militarily, while preparing the ground for an election win.<sup>40</sup>

36. Others have questioned whether the resumed talks should now be expanded to better reflect the shifting opposition landscape. Mr. Amum, of the Real Sudan People’s Liberation Movement, and Mr. Malong (SSi.008), of the South Sudan United

<sup>32</sup> Social media post by the Press Secretary to the Governor of Unity State.

<sup>33</sup> See annex 7. In December 2022, additional SPLM-IO representatives in Koch County claimed to have defected to SPLM. See Juba Echo, “55 opposition members cross over to Kiir’s SPLM in Unity State”, 17 January 2023.

<sup>34</sup> Interviews with journalists and youth representatives in Koch County, January 2023. Corroborated by reports of international observers in Unity State, January 2023.

<sup>35</sup> Interviews with a local politician, civilian observers and local activists, November–December 2022. Corroborated by reports from international observers, social media posts and photographs on file with the Panel.

<sup>36</sup> Interview with the victim, February 2023. Corroborated by reports from international observers and government officials, and social media posts by a community elder. For additional allegations of political harassment in Warrap State, see annex 8.

<sup>37</sup> Interviews with county officials and civil society organizations, January 2023. Corroborated by reports from humanitarian operators and international monitors.

<sup>38</sup> Statement by the Office of the President, 28 January 2023, on file with the Panel.

<sup>39</sup> Interview with the Community of Sant’Egidio, February 2023.

<sup>40</sup> Telephone interviews with leaders of non-signatory armed groups, February 2023. See also Alhadi Hawari, “Malong, Cirillo groups voice reservations over Rome talks resumption”, Eye Radio, 30 January 2023.

Front/Army, which has itself recently split,<sup>41</sup> told the Panel that “talks should be inclusive of all opposition”.<sup>42</sup>

37. Parliamentarians have called for the inclusion in the Rome peace talks of Simon Gatwech (SSi.002) and Johnson Olony, given their influence on violence and instability in Upper Nile State.<sup>43</sup> Representatives of the Agwelek forces led by Mr. Olony have, however, stated that they were content to continue to pursue the separate agreement between SPLM-IG and SPLM/A-IO Kit-Gwang on status of forces with the Government.<sup>44</sup>

38. The Chair of the South Sudan People’s Movement/Army, Stephen Buay, retains influence and some military capability in parts of Unity State, in particular around Mayom. Mr. Buay told the Panel that he did “not mind whether they include us or not”, but indicated little interest in ceasefire negotiations with the President’s Government at present.<sup>45</sup>

## E. Conflict with the National Salvation Front

39. In parallel with the suspension and resumption of the Rome peace talks, the Government’s conflict with the National Salvation Front has ebbed and flowed across southern Central Equatoria State, often centred in and around the Yei region.

40. The conflict remains asymmetrical, with many National Salvation Front units operating semi-autonomously and with limited supply. As a result, there have been few direct confrontations between their forces and the South Sudan People’s Defence Forces. Both sides have, instead, largely targeted civilian populations perceived to be supportive of the other side.

41. Government forces have targeted Equatorian minorities, traditional chiefs, civil society activists, humanitarians, lawyers and others perceived to be sympathetic to the National Salvation Front.<sup>46</sup> Government soldiers have burned homes, looted property and arbitrarily detained or killed civilians, including elders.<sup>47</sup> Sexual violence, including rapes and gang rapes of women and minors, has also been reported near South Sudan People’s Defence Forces barracks, checkpoints and internally displaced persons settlements.<sup>48</sup>

42. Similarly, the National Salvation Front counteroffensive has included beatings and abductions of civilians, including local chiefs and humanitarians working in areas

<sup>41</sup> Sudans Post, “Dickson Gatluak officially installs himself SSUF/A leader, unveils interim leadership”, 6 February 2023.

<sup>42</sup> Telephone interviews with leaders of non-signatory armed groups, February 2023.

<sup>43</sup> Interview with legislators, Juba, January and February 2023. See also Chol Makol, “Lawmaker wants Olony and Gatwech included in Rome peace talks”, *The City Review South Sudan*, 9 February 2023.

<sup>44</sup> James Atem, “Olony: I’m ‘not interested’ in Rome peace talks”, *The City Review South Sudan*, 17 February 2023.

<sup>45</sup> Telephone interview with Stephen Buay, February 2023.

<sup>46</sup> Interviews with city society representatives, humanitarians and lawyers, by telephone and in Juba, July–December 2022. Corroborated by reports from international observers and civil society representatives.

<sup>47</sup> Reports from international observers, humanitarian monitors, civil society groups and a journalist, February 2022–February 2023.

<sup>48</sup> Interviews with a humanitarian organization, December 2022. Corroborated by reports from international observers, human rights monitors and civil society organizations. See also Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism, “CTSAMVM report 2023/02: SGBV incident in Central Equatoria State”, 16 January 2023.

under government control, as well as road ambushes and attacks on logging and road construction operations.<sup>49</sup>

### III. Security arrangements

#### A. Graduation and deployment of the Necessary Unified Forces

43. On 14 January 2023, South Sudan completed the graduation of the first batch of Necessary Unified Forces elements with a ceremony in Bentiu, Unity State.<sup>50</sup> This marked an important step towards the implementation of the transitional security arrangements.

44. The peace agreement of 2018 prescribed the unification of a professional and cohesive security sector from the disparate armed elements of its various signatories. This was to start with the creation of a necessary unified force tasked with maintaining stability during the transitional period, before assessing other eligible recruits on the basis of the identified security needs of the country.

45. Uncertainty remains around the total number of graduated forces, as well as their current status. Both the lower and upper estimates identified by the Panel significantly exceed the 50,000 troops expected to be screened, trained and graduated as part of the first batch of Necessary Unified Forces elements, reflecting the fact that many graduates were drawn from outside the formal screening and training process.<sup>51</sup>

46. Despite having graduated months ago, most forces remain in and around their training centres, though poor conditions have led to hundreds of deaths and thousands of desertions.<sup>52</sup> As many graduates do not receive regular salaries, most spend much of their time working in the local community.<sup>53</sup> Those graduates that have been deployed appear to have integrated into pre-existing military units, rather than unified into a new national force.<sup>54</sup>

47. One key reason for the delays is political. While the parties agreed to the unification of the top command structure in April 2022, they have not finalized a similar agreement on its lower echelons.<sup>55</sup> One senior officer told the Panel that “doing things in good faith is still an issue”.<sup>56</sup> While the Sudan People’s Liberation Army in Opposition (SPLA-IO) has questioned the Government’s commitment to the process, government officials have accused SPLA-IO of holding back its arms and main fighting forces, presenting untrained forces unfit for service instead.<sup>57</sup>

<sup>49</sup> Reports from international observers, civil society representatives and human rights monitors, February 2022–January 2023. See also Keji Janefer, “Adil links holdout groups to chiefs’ abduction in Yei”, *The City Review South Sudan*, 2 December 2022; Radio Tamazuj, “Yei River County: 14 abducted health workers released after more than 2 weeks”, 15 September 2022; and Sudans Post, “ARC resumes construction of Juba-Yei highway after attack”, 29 January 2023.

<sup>50</sup> Interviews and statements from government officials, corroborated by reports from international observers, January 2023.

<sup>51</sup> See annex 9.

<sup>52</sup> See [S/2022/884](#).

<sup>53</sup> Interviews with Necessary Unified Forces graduates at three training sites in two States, February and March 2023. Corroborated by reports from international monitors, November 2022–January 2023.

<sup>54</sup> International monitors and ceasefire monitors confirm that some early graduates from ceremonies in Central Equatoria State have been deployed as part of pre-existing military units, likely to Warrap State, though the location of their deployment has not been confirmed.

<sup>55</sup> An initial agreement reached in March 2023 allocates 60 per cent of positions to the Government, 30 per cent to SPLA-IO and 10 per cent to the South Sudan Opposition Alliance.

<sup>56</sup> Interview with a senior South Sudan People’s Defence Forces officer, January 2023.

<sup>57</sup> Interviews with SPLA-IO commanders and senior SPLM officials, January and February 2023.

Government officials have also cited the need to arm and equip graduated forces as a reason for the delays.<sup>58</sup>

48. In March 2023, the President unilaterally removed the prominent SPLM/A-IO-nominated Angelina Teny, the wife of the First Vice-President, Mr. Machar, as Minister of Defence and Veterans Affairs. In a separate decree, he reallocated the Ministry of Defence and Veterans Affairs to the Government, while allocating the Ministry of the Interior to SPLM/A-IO. A spokesperson for the President stressed that his aim was to ensure that security forces were under the command of a single person and that his decisions were not undermined by others.<sup>59</sup> SPLM/A-IO condemned the decree, claiming that it had not been consulted and that the decree represented a violation of the peace agreement.<sup>60</sup>

49. Without a middle command structure, and with training centres still occupied by elements of the first batch of the Necessary Unified Forces or abandoned, little progress has been made towards screening and training the second batch intended to bring their number up to the agreed strength of 83,000.

50. In parallel with the graduation of Necessary Unified Forces elements, both the Government and SPLA-IO have continued recruitment and encouraged defections. The Koch County Commissioner, Gordon Koang, launched a forceful recruitment campaign in Unity State in December 2022,<sup>61</sup> while in Panyijiar County, also in Unity State, several senior SPLA-IO officers defected to the South Sudan People's Defence Forces.<sup>62</sup> Additional forced recruitment exercises by SPLA-IO, including of children and humanitarian workers, were reported within the Bentiu internally displaced persons site in January 2023.<sup>63</sup>

## B. Women in the Necessary Unified Forces

51. Women are an important element of the Necessary Unified Forces, not least in the context of efforts to confront the sexual and gender-based violence often perpetrated by members of the security forces.

52. Six of 11 training centres have claimed to graduate some female forces. This ranges from a few dozen women, in some training centres, to as much as 35 per cent of all graduates in Western and Northern Bahr el-Ghazal States. International observers and South Sudan People's Defence Forces commanders have, however,

<sup>58</sup> Interview with government official, Juba, February 2023, and recently graduated Necessary Unified Forces elements. See also Keji Janefer, "No deployment of forces without arms-Makuei", *The City Review South Sudan*, 24 February 2023.

<sup>59</sup> Press interview with the Minister of Cabinet Affairs, 13 March 2023. Video on file with the Panel.

<sup>60</sup> See annexes 10 and 11.

<sup>61</sup> Interviews with youth representatives from Koch County, a State government official, a human rights activist and journalists in Unity State, January 2023. Corroborated by reports from international observers, December 2022.

<sup>62</sup> Interview with a journalist in Unity State, January 2023. See also Juba Echo, "Over 1,600 opposition officers defect to SSPDF in Unity State", 18 January 2023.

<sup>63</sup> Interviews with a senior State government official, humanitarian operators, journalists and civil society representatives, January and February 2023. Corroborated by reports from international monitors, January 2023, and photographs on file with the Panel. See also Juba Echo, "SPLA-IO accused of forceful recruitment of displaced civilians in Unity State", 23 January 2022; and Juba Echo, "Mother pays ransom to secure release of son from SPLA-IO captivity in Unity State", 26 January 2023.

confirmed that there were no verified numbers for female forces, in particular outside Central Equatoria State.<sup>64</sup>

53. The Panel interviewed 37 women who had trained and graduated as part of the Necessary Unified Forces at three training centres, in two States. Female recruits were mostly between 32 and 48 years of age, although the Panel was also told that some were considerable younger and some older. Few of the female recruits with whom the Panel spoke had been issued uniforms, as those had been given only to the recruits who participated in graduation ceremonies. At one training centre visited by the Panel, three women held the rank of brigadier in the police, while the others were held the rank of colonel or below.

54. Women played an active role, on all sides, during the civil war in South Sudan. While some were engaged in front-line combat, most were engaged in support functions. Several of the women with whom the Panel spoke, however, confided that they had no relevant military experience before joining the Necessary Unified Forces.

55. The women described poverty and hardship, with few opportunities open to women in many parts of South Sudan. Some women had therefore enlisted simply because they were promised food and a job and saw no viable alternatives. Others had enlisted because their spouses had enlisted. Several interviewees suggested that some girls between 15 and 17 years of age had been forcibly recruited into the Necessary Unified Forces, later becoming the wives of male officers.

56. Like many members of the Necessary Unified Forces, the women with whom the Panel spoke described very challenging conditions at their training centres. They complained about a severe lack of food, medicines, soap and sanitary products. “There is no sleeping mat, there is no food, there is no medicine, there is nothing”, said one SPLA-IO officer.

57. Officers responsible for the medical unit at one training centre complained that they had no sanitary products, no medical gloves, and lacked even basic first aid equipment. Access to medical facilities outside the training centre was also difficult because of flooding and poor roads. The Panel was told of several cases of women who had miscarried because of inadequate medical treatment.

58. Forces allied with the Government confirmed that they received monthly salaries of between 3,000 and 7,000 South Sudanese pounds but stressed that they could not live on that amount. At one training centre, female forces belonging to SPLA-IO confirmed that they had not received salaries. Most of their time was, therefore, spent trying to survive by working in the local community. Some women sold charcoal, with pits for making charcoal observed by the Panel all around the training centre. Other women cut and sold grass for thatching. At one training centre, a female recruit described losing an eye while cutting grass, while another had her leg amputated after an infection, but was then dismissed from the forces without compensation.

59. Some women also spoke, more generally, of hunger and desperation compelling them into sexual relationships with male officers, although those were described as consensual. “We are hungry and there is no food. We are suffering, and the situation forces us to be with these men just to survive.”<sup>65</sup>

60. Several women had given birth, sometimes twice, during their three years at the training centre. Some had been abandoned by their husbands as a result, while some male officers reportedly refused to take responsibility for children conceived as a

<sup>64</sup> Interviews with international monitors, civil society representatives, and a senior South Sudan People’s Defence Forces commander working with women in the security sector, February 2023.

<sup>65</sup> Interview with a female graduate at a training centre, January 2023.

result of such relationships. The Panel met several women who slept with their babies and young children, without sleeping mats, on the floor of cramped spaces with other female forces.

61. The women spoke with great frustration of ongoing delays in their deployment, especially as conditions at their training camps continued to deteriorate. At the same time, they spoke with pride of belonging to something meaningful and the expectation of a job in future. They described the bonding experience that they had all shared over the past years and a commitment to serving their country. Most remained hopeful, noting also that there were no better options available to them. At one of the training centres visited by the Panel, hardly any women had deserted. “Our spirits have not broken. We are still staying here. ... We the women are tired of this war, we want peace. We are not deserting. ... We have suffered too long to give up now”.<sup>66</sup>

#### IV. Subnational violence

62. Subnational violence remains a challenge to peace and security in South Sudan, with serious incidents recorded in most parts of the country outside Juba and threatening to engage multiple signatories to the peace agreement. Displacement is, partially as a result of that violence, at its highest levels since the agreement was signed, while the delivery of humanitarian aid is frequently impeded.<sup>67</sup>

63. Much of the subnational violence reflects the convergence of multiple compounding weaknesses in the peace process to date. Government efforts to weaken opposition groups and reward individuals able to command local military strength have fragmented the political and security landscape. Flooding, displacement and a humanitarian crisis have left communities impoverished and disillusioned by the peace process, intensifying violent competition for scarce resources and mobilizing community militias that are politicized by elites. The failure to create a unified national army has left the national Government unable or unwilling to intervene effectively.

##### A. Humanitarian impact of subnational violence

64. The humanitarian impact of this subnational violence has been substantial, compounding the effects of flooding, past violence and an economic crisis.

65. Projections now indicate an increase in acute food insecurity for up to 7.76 million South Sudanese in early 2023, with more than 1.4 million children under five years of age expected to suffer from acute malnutrition.<sup>68</sup> This surpasses levels of food insecurity experienced during both the 2013 and 2016 conflicts.<sup>69</sup> The number of people needing humanitarian support is also projected to climb,<sup>70</sup> with more than two thirds of the population already in need of such assistance. Despite those

<sup>66</sup> Ibid.

<sup>67</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “South Sudan: humanitarian snapshot”, January 2023; and United Nations, Office for the Coordination of Humanitarian Affairs, “South Sudan: humanitarian access snapshot”, December 2022.

<sup>68</sup> Integrated Food Security Phase Classification, “South Sudan: acute food insecurity situation malnutrition October–November 2022 and projections for December 2022–March 2023 and April–July 2023”, 3 November 2022.

<sup>69</sup> Office for the Coordination of Humanitarian Affairs, statement to the Security Council on the humanitarian situation in South Sudan, 6 March 2023 (S/PV.9274).

<sup>70</sup> United Nations, Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview: South Sudan 2023* (2022).

conditions, humanitarian workers continue to be targeted<sup>71</sup> and to report bureaucratic and access impediments,<sup>72</sup> including the targeting of food convoys.<sup>73</sup>

66. The effects of subnational violence are also typically felt well beyond its most intense phase. Despite a reduction in violence in 2023, for example, food security in Fashoda, Panyikang, Fangak and Pigi, all in the greater Upper Nile region, remains deeply affected. Humanitarians have reported “persistent barriers to river transportation” and indicated that at least 161,000 people had been driven into phase 4 (emergency) and 5 (famine) conditions as at February 2023, owing to the lingering impacts of conflict.<sup>74</sup> Humanitarians confirmed that they were still being harassed and robbed by militias operating along the Nile River in February 2023.<sup>75</sup>

67. Under such conditions, the lives of women and children in South Sudan also remain marked by coercion, exploitation and violence. These dynamics are pervasive and transcend age, location and political affiliation.<sup>76</sup> Approximately 2.8 million people are at risk of gender-based violence in 2023, a 9 per cent increase from 2022.<sup>77</sup>

68. Such violence occurs against a backdrop of alleged progress on women’s rights in South Sudan. Specialized courts to address sexual and gender-based violence have, for example, started to operate.<sup>78</sup> Many women, however, have noted that the alleged progress, whether political, social or in terms of security, remains superficial and restricted to Juba.<sup>79</sup> Additional justice mechanisms, such as gender-based violence courts and mobile courts, also remain ineffective in the eyes of many<sup>80</sup> and do not hear cases of sexual abuse and violence conducted by soldiers during major conflict events.

## B. Greater Upper Nile region

69. Since July 2022, the greater Upper Nile region, including Upper Nile and Jonglei States, has witnessed some of the most intense fighting in South Sudan.

70. The populations of the region are among the most food-insecure in the country and remain heavily affected by successive years of flooding.<sup>81</sup> With the resulting loss of cattle, livelihoods and influence over local administrative affairs, communities that

<sup>71</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “South Sudan: humanitarian access snapshot”, January 2023.

<sup>72</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “South Sudan: humanitarian access snapshot”, December 2022. Several official government statements highlighting bureaucratic impediments are also on file with the Panel.

<sup>73</sup> Reports from international observers, February 2023. See also Lasuba Memo and Chany Ninrew, “Bandits loot relief food en route to Pibor”, Eye Radio, 23 February 2023; and Moyo Jacob, “At least ten killed in Mangala boat attack”, Eye Radio, 23 February 2023.

<sup>74</sup> Presentation to the Food Security and Livelihoods Cluster, 8 February 2023.

<sup>75</sup> Interviews with humanitarians and military observers, February 2023.

<sup>76</sup> [A/HRC/52/26](#).

<sup>77</sup> United Nations, Office for the Coordination of Humanitarian Affairs, *Humanitarian Needs Overview: South Sudan 2023*.

<sup>78</sup> United Nations Development Programme, “South Sudan’s gender-based violence court inaugurated during #16DaysOfActivism”, 3 December 2020.

<sup>79</sup> Interviews with female representatives from government, military, civil society and international agencies, February 2023.

<sup>80</sup> Interviews with civil society representatives and an international legal observer, February–March 2023. Sheila Ponnice, “Civil society rues burden of toothless GBV court”, *The City Review South Sudan*, 24 November 2022; and Alex Bullen, “GBV cases on the rise, only 40 perpetrators convicted since 2020”, *The City Review South Sudan*, 22 February 2023.

<sup>81</sup> Famine Early Warning Systems Network, “High levels of food insecurity persist amid conflict and humanitarian access constraints”, 23 January 2023.

were historically organized to fight for power at the national level<sup>82</sup> have instead turned on each other. This violence has, in turn, been politicized by both local commanders and national political figures, who have facilitated proxy militias while also claiming an inability to curtail violence.<sup>83</sup>

71. In its interim report (S/2022/884), the Panel detailed the origin of the violence in the failed Kit-Gwang alliance among Mr. Gatwech (SSi.002), Mr. Olony and Thomas Mabor Dhul. Initial clashes around Tonga and Megeinis spread and took on an ethnic dimension as Mr. Olony shelled Mr. Gatwech's forces, SPLA-IO forces and Nuer civilians from well-armed river barges. The resulting mobilization of Nuer youth militias, including those under the influence of Makuach Tut, a Nuer "prophet", led to serious violence and multiple attacks in the Shilluk heartlands of Fashoda County.

72. In November 2022, fighting continued in and around Fashoda, including, on 30 November 2022, when Nuer militia attacked Aburoc, the site of a large internally displaced persons camp. A significant number of civilians, mostly women, children and older people, were killed,<sup>84</sup> and 6,000 to 8,000 civilians were reportedly forced to flee.<sup>85</sup>

73. As the violence spread, the Government evacuated the Shilluk king, Reth Kwongo Dak Padiet, to Juba on 1 December 2022.<sup>86</sup> Shortly thereafter, on 7 December, the President announced the deployment of elements of the South Sudan People's Defence Forces to stabilize the region.<sup>87</sup>

74. Following the announcement, Nuer youth militias started to withdraw southward, where SPLA-IO forces clashed with them as well as with remnant Nuer forces under Mr. Gatwech's command, including over control of lucrative checkpoints along the Nile.<sup>88</sup>

75. Estimates suggest that between the start of the conflict, in August 2022, and December 2022, nearly 90,000 civilians were displaced in northern Jonglei and Upper Nile States.<sup>89</sup> In December 2022 alone, approximately 10,000 displaced persons were

<sup>82</sup> Hannah Wild, Jok Madut Jok and Ronak Patel, "The militarization of cattle raiding in South Sudan: how a traditional practice became a tool for political violence", *Journal of International Humanitarian Action*, vol. 3, art. No. 2 (2018).

<sup>83</sup> See also Joshua Craze, *The Periphery Cannot Hold: Upper Nile since the Signing of the R-ARCSS* (Geneva, Small Arms Survey, 2022).

<sup>84</sup> Interviews with civil society organizations, humanitarians, and security sector personnel, November and December 2022.

<sup>85</sup> Interview with international observers and humanitarians, February 2023. See also Agenzia Fides, "Upper Nile: more than six thousand people forced to flee after the assault on the Aburoch reception camp", 6 December 2022; and United Nations, Office for the Coordination of Humanitarian Affairs, "Upper Nile, flash update No. 1", 10 December 2022.

<sup>86</sup> Yiep Josph, "Shilluk King evacuated to Juba as security deteriorates in Upper Nile", *The City Review South Sudan*, 2 December 2022.

<sup>87</sup> Obaj Okuj, "Military operation against armed militia under way in Chollo kingdom – SSPDF", Eye Radio, 8 December 2022. See also Keji Janefer, "President Kiir makes bold promise to secure Chollo land", *The City Review South Sudan*, 28 November 2022.

<sup>88</sup> The Tonga checkpoint, for example, generates around \$625 per barge per passing, according to a recent project study by the International Peace Information Service on the political economy of roadblocks in South Sudan in May 2021. Reports of international observers in Upper Nile State and Juba, December 2022. See also Sudans Post, "Fresh fighting erupts in Tonja as Gatwech accuses Machar's forces of attack", 5 December 2022.

<sup>89</sup> According to the Displacement Tracking Matrix for South Sudan of the International Organization for Migration, 49,250 civilians are estimated to have been displaced as a result of conflict-related events in Fangak, Canal/Pigi and Panyikang. An additional 22,000 to 40,000 are estimated to have been displaced in Fashoda. See, for example, United Nations Children's Fund (UNICEF), "Thousands of children forced to flee escalating violence in South Sudan", press release, 12 December 2022.

registered at various locations in and around Kodok, including at the UNMISS temporary operating base, with about 1,400 entering the Malakal protection of civilians site.<sup>90</sup>

76. The link between the violence in Upper Nile State and the weakness of the national political process is particularly clear, given its origin in the Government's efforts to split and weaken SPLM/A-IO through defections.

77. Furthermore, both the Government and SPLA-IO played facilitating roles during various phases of the violence. Both forces allowed militias free passage through their territories on several occasions. Mr. Olony's barges, for example, regularly moved through South Sudan People's Defence Forces-controlled territory,<sup>91</sup> and SPLA-IO accused the South Sudan People's Defence Forces of authorizing Agwelek forces to attack its bases around Tonga.<sup>92</sup> SPLA-IO forces are, in turn, accused of helping White Army fighters to cross the Nile near Diel.<sup>93</sup>

78. South Sudan People's Defence Forces commanders in the region, possibly content to see potential opponents weaken each other, claimed that they had directives from Juba not to engage the White Army for fear that it included SPLA-IO elements, as any engagement might violate the ceasefire agreement.<sup>94</sup>

79. Efforts by national leaders to frame the violence as "intercommunal" and "tribal" may also have emboldened civilian militias and exacerbated violence against civilians, while allowing political and security elites to deny command responsibility, in spite of facilitating the militias' movements.<sup>95</sup>

80. In December 2022, for example, some State officials claimed that they were unable to resolve the conflict in Upper Nile State and had no authority over the forces operating in the State.<sup>96</sup> The President also stated that he was unable to stop the conflict in Upper Nile State,<sup>97</sup> before clarifying his statement after domestic critics questioned his commitment to stability in the area.

### C. Sexual violence following an attack on Aburoc

81. In Upper Nile State, the Panel interviewed a girl of 17 years of age who described weeks of sexual abuse while a captive of the White Army.

82. Rape and sexual violence remain sensitive subjects in South Sudan. In addition to trauma, it often brings shame, as well as other problems for the family, such as a lower "bride price". This is one of the reasons sexual violence has been weaponized so extensively as part of the conflict. For the same reasons, detailed personal accounts of sexual violence are rare. The Panel, therefore, has chosen to include the following personal account, which has been anonymized to protect the source and others involved. While the Panel could not corroborate every detail, the account is consistent

<sup>90</sup> Interviews with humanitarian actors and civil society groups, December 2022.

<sup>91</sup> Interviews with international observers and security personnel, December 2022–January 2023.

<sup>92</sup> Interviews with members of SPLA-IO, January 2023.

<sup>93</sup> Interviews with international observers, internally displaced persons, government officials and South Sudan People's Defence Forces officials, December 2022–March 2023.

<sup>94</sup> Interviews with South Sudan People's Defence Forces commanders, January 2023.

<sup>95</sup> Interviews with journalist and humanitarian operators, December 2022 and January 2023. Report by an Upper Nile conflict analyst, December 2022, on file with the Panel.

<sup>96</sup> Elshiekh Chol, "We're helpless, says Upper Nile government on crisis in Chollo kingdom", 6 December 2022.

<sup>97</sup> Staff writer, "I can't stop those fighting in Upper Nile", says President Kiir", Eye Radio, 7 December 2022 (full speech on file with the Panel). See also No. 1 Citizen Daily, "Kiir clarifies 'I can't stop fighting in Upper Nile' remark", 8 December 2022; and annex 12.

with numerous independent accounts of that episode of violence in the greater Upper Nile and is considered credible by the Panel.<sup>98</sup>

83. The Aburoc internally displaced persons camp is located in Fashoda County, in north-east Upper Nile State. On 30 November 2022, after several days of fighting near the camp, it was attacked by the White Army.

84. The girl described being separated from her family as panic spread while the attack unfolded and the whole camp dispersed. She was captured by a group of men with heavy weapons, who she witnessed killing older people, men and young boys while shouting “where are your men?”.

85. The following day, she described the attackers distributing captured civilians and cows among themselves. Armed men took three or four women, while some also took children as young as three years old. The girl with whom the Panel spoke was taken by a Nuer man. She then described being moved south, as part of a large group of captured civilians and cattle, before stopping in Wau Shilluk. There she believes that she saw the Nuer “prophet” Makuach Tut, who had played a major role in mobilizing the young Nuer people.

86. After walking for around five more days, they reached a village in Panyikang County, on the west bank of the Nile. The following morning, men in military uniform transported them across the river, together with cattle, to Diel, where they met other abducted civilians.

87. While in Diel, the girl described being subjected to violent sexual slavery along with other captured women and girls, including being raped by multiple men, other forms of sexual assault and extended physical and verbal abuse. She described the regular gang rape of at least one other young girl, of 16 years of age. Several of the perpetrators wore uniforms. She also described rapes perpetrated against men, other women and children as young as 7.

88. The girl described spending around 15 days in Diel, before walking for about 3 days to a village where her abductor, who now described her as his wife, started constructing a tukul for them to live in. She was still being regularly raped and beaten.

89. Another resident in the village helped her and several captured boys to escape by walking to a location where they were assisted by the Relief and Rehabilitation Commission of South Sudan, which brought them to the UNMISS protection of civilians site in Malakal. There she was reunited with her family. She remained reluctant to tell her family about her experiences, concerned about the shame, and described finding it difficult to sleep at night.

#### **D. Greater Pibor Administrative Area**

90. Violent clashes between local community militias in Jonglei State in December 2022 displaced nearly 30,000 people from the Murle-dominated Greater Pibor Administrative Area, also resulting in widespread destruction and serious human rights violations, including scores of killings and the abduction of women and children.<sup>99</sup>

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<sup>98</sup> Serious allegations against named individuals have been removed where they could not be corroborated.

<sup>99</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “Violent clashes in South Sudan intensify the humanitarian situation”, press release, 29 December 2022; and UNMISS, “UNMISS and international partners gravely concerned about escalating violence in greater Jonglei”, 28 December 2022.

91. Starting in early December 2022, after months of escalating tensions, major non-Murle communities in Jonglei State, including the Lou Nuer and smaller groups of Jikany and Gawaar Nuer, as well as various Dinka Bor groups, including the Dinka Twic from Twic east County and the Dinka Nyarweng from Duk County, engaged in joint mobilization in the Akobo, Uror, Nyerol and Duk regions of northern and western Jonglei State.<sup>100</sup> Later in the month, armed Lou Nuer and Dinka allies launched major offensives against Murle positions in central Jonglei State and on key towns on the road to Pibor,<sup>101</sup> burning several Murle villages to the ground.<sup>102</sup>

92. This, in turn, triggered defensive mobilizations, as well as parallel attacks and cattle raids by young Murle people into Nuer territory.<sup>103</sup> Heavy weaponry, including machine guns, rocket-propelled grenades and anti-tank weapons, were used in the fighting.<sup>104</sup>

93. The abduction of women and children and cattle raids by White Army forces continued into January 2023, even as several thousand Nuer and allied forces eventually withdrew from the Greater Pibor Administrative Area and moved westward towards Bor town.<sup>105</sup>

94. Food insecurity in Jonglei State remained among the worst in South Sudan over the past year, further exacerbated by serious flooding. Phase 4 (emergency) conditions persist across most of southern Jonglei State, with pockets of phase 5 (famine) conditions in Jonglei State and the Greater Pibor Administrative Area.<sup>106</sup>

95. Those conditions do not, however, fully explain the extent of the violence and abuses, including attacks on humanitarian compounds,<sup>107</sup> and why women and children were abducted, raped and sold and drinking boreholes systematically contaminated or destroyed.<sup>108</sup>

96. Some local analysts and government officials have therefore sought to explain the violence as the consequence of large swathes of the Jonglei State population suffering from long-running political exclusion, leaving them feeling that they have little to lose in the face of failed grass-roots dialogues.<sup>109</sup>

<sup>100</sup> Reports from humanitarian organizations and international observers in Jonglei State, December 2022.

<sup>101</sup> Reports from international observers in Jonglei State, December 2022. See also Radio Tamazuj, “Violence broke out in Pibor – official”, 25 December 2022; and Wol Mapal, “56 killed in ethnic violence in Pibor Administrative Area”, Eye Radio, 27 December 2022.

<sup>102</sup> Radio Tamazuj, “Villages destroyed as fighting intensifies in Pibor”, 26 December 2022.

<sup>103</sup> Ibid.

<sup>104</sup> Greater Pibor rapid assessment conducted by a joint team of several humanitarian organizations. Report obtained by the Panel, January 2023.

<sup>105</sup> Reports from international observers and humanitarian organizations, December 2022 and January 2023.

<sup>106</sup> Famine Early Warning Systems Network, “Surge in conflict in western Upper Nile displaces thousands, driving emergency (IPC phase 4) outcomes”, December 2022. See also Integrated Food Security Phase Classification report, “South Sudan: IPC acute food insecurity and acute malnutrition analysis, October 2022–July 2023”, 3 November 2022.

<sup>107</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “Humanitarian Coordinator a.i. in South Sudan condemns the killing of three aid workers”, 11 January 2023. Photographs obtained by the Panel, January 2023. Corroborated by additional reports from humanitarian organizations, January 2023.

<sup>108</sup> Reports obtained from several humanitarian operators in Jonglei State, January–February 2023. Video footage obtained by the Panel, January 2022. See also UNICEF, “UNICEF statement on abducted women and children in Pibor”, press release, 13 January 2023.

<sup>109</sup> Moderated discussions including senior Jonglei State and Greater Pibor Administrative Area representatives at the national and State levels. See Radio Miraya, “Nationwide discussion on peacebuilding”, episode 2150, 17 January 2022; and Radio Miraya, “Sanctions for those fuelling violence in Jonglei – The Round Table”, episode 2147, 14 January 2023.

97. The Lou Nuer, for example, believe that they have not been adequately represented politically despite their wartime contributions to SPLA-IO. They remain disconnected from the current Governor of Jonglei State, Denay Chagor, a Lou Nuer appointed in 2020 with no real constituency in the area<sup>110</sup> and perceived by many as beholden to the President. According to interviews with government officials obtained by the Panel, Lou Nuer mass mobilizations appeared to have been driven by several influential local spiritual leaders, such as Dak Kueth.<sup>111</sup>

98. Similarly, for the Murle, the creation of the semi-autonomous Greater Pibor Administrative Area in 2020 has not delivered the benefits that they expected, as southern Jonglei State has experienced some of the worst food insecurity in the whole country.

99. The same dynamics have reduced the ability of the elite representatives of those communities, including within the national Government, to manage and de-escalate violence. Violence in Jonglei State intensified and persisted despite multiple attempts at grass-roots diplomacy by national and international counterparts.<sup>112</sup> Government officials struggled to understand and resolve the fighting,<sup>113</sup> while State parliamentarians issued only statements condemning the violence.<sup>114</sup> The First Vice-President, Mr. Machar, did not make any public statements about the violence.

## E. Cattle-related violence in Central Equatoria State

100. Although cattle-linked violence is deeply entrenched in South Sudan, its recent intensity, persistence and spread marks a substantial deterioration in stability nationwide. Evidence collected by the Panel indicates that government forces, or their associated militias, have become increasingly embroiled in cattle-related violence, leading to a further breakdown in relations between many communities and the Government.<sup>115</sup>

101. Central Equatoria State has been the site of some of the most intense cattle-related violence during the reporting period, including in Mangala Payam and in Kajo Kaji.

102. Cattle herders and their cattle have increasingly migrated into the Equatoria States from Jonglei State, leading to rising tensions between local communities,<sup>116</sup> many of which are primarily agricultural, and newly arriving armed Dinka Bor pastoralists. While the size and ownership of herds are rarely discussed publicly in South Sudan, Panel interviews suggest that many of the migrating herds are linked to political and security elites, who are able to draw on security forces to protect their

<sup>110</sup> Joshua Craze and Ferenc David Marko, “Death by peace: how South Sudan’s peace agreement ate the grass roots”, African Arguments, 6 January 2022.

<sup>111</sup> Ibid. See also, for example, Small Arms Survey, “Reaching for the gun”, Sudan Issue Brief, No. 19, April 2012; John Young, *Popular Struggles and Elite Co-optation: The Nuer White Army in South Sudan’s Civil War* (Geneva, Small Arms Survey, 2016); and Radio Miraya, “Sanctions for those fuelling violence in Jonglei – The Round Table”, episode 2147, 14 January 2023.

<sup>112</sup> Reports from international observers in Jonglei State, November 2022–January 2023.

<sup>113</sup> Interview with national representative from Pibor, January 2023. See also Wol Mapal, “Jonglei official: we are unable to arrest ‘wild, heavily armed’ raiders”, Eye Radio, 13 January 2023; and Radio Miraya, “Nationwide: understanding the unfolding violent situation in Greater Pibor and Jonglei”, episode 2143, 5 January 2023.

<sup>114</sup> See annex 13.

<sup>115</sup> See annex 14.

<sup>116</sup> See, for example, S/2021/566, S/2022/468 and S/2022/689.

cattle.<sup>117</sup> The herds migrate in pursuit of better grazing land, as well as to escape flooding and the threat of raiding in Jonglei State. Their presence is now one of the main grievances of Equatorian communities against the national Government.<sup>118</sup> Many believe that the presence of Dinka pastoralists in the region has become a mechanism for occupation and land-grabbing.<sup>119</sup> At least two presidential decrees, issued in April 2015<sup>120</sup> and October 2017,<sup>121</sup> respectively, as well as several calls by State authorities,<sup>122</sup> have unsuccessfully called for the eviction of cattle herders.

103. Violence between members of the native Bari community and armed Dinka Bor pastoralists emerged in Mangala Payam in Central Equatoria State in December 2022, building to a confrontation on 15 December 2022 in which at least 16 people were killed and several injured.<sup>123</sup> Elements of the South Sudan People's Defence Forces were deployed to de-escalate the situation, but reportedly also aided Dinka Bor herders.<sup>124</sup>

104. Government sources suggest that thousands of civilians were displaced in the immediate aftermath of the fighting<sup>125</sup> and that several villages were burned.<sup>126</sup> On 24 December 2022, a government delegation travelled to Mangala to inspect the area.<sup>127</sup> The following day, elements of the South Sudan People's Defence Forces shelled several islands in the Nile, where displaced Bari civilians had sought refuge.<sup>128</sup> A South Sudan People's Defence Forces spokesperson stated that the attacks had been justified because the Mangala community was harbouring National Salvation Front rebels.<sup>129</sup> The statement drew condemnation from the Bari community.<sup>130</sup> The National Salvation Front also denied having any presence in Mangala or involvement in the violence.<sup>131</sup> The South Sudan People's Defence Forces spokesperson subsequently stated that the South Sudan People's Defence Forces

<sup>117</sup> Interviews with international and national monitors, civil society and humanitarian organizations, January–March 2023. Videos of security forces recovering cattle that they identify as the property of named security sector official are also on file with the Panel.

<sup>118</sup> Interviews with civil society representatives, December 2022–February 2023. See annexes 15 and 16.

<sup>119</sup> See annex 15. See also Lakes State Media, “Are Jieng cows being used as pretext for another Kokora 2?”, 10 January 2023; and South Sudan Eagle Media, statement by former Juba City Mayor, 4 January 2023, on file with the Panel; And reports by humanitarian operators, January 2023.

<sup>120</sup> Sudan Tribune, “South Sudan President issues decree separating cattle camps from farmland”, 8 April 2015.

<sup>121</sup> David Manyang Mayar, “South Sudan President tells cattle keepers in Equatoria to go home”, VOA Africa, 30 October 2017.

<sup>122</sup> No. 1 Citizen Daily, “Adil orders immediate evacuation of Jonglei herders after 9 killed”, 25 June 2022; and Staff writer, “Adil gives herders 72-hour ultimatum to leave for their areas”, Eye Radio, 14 November 2022.

<sup>123</sup> Reports from international observers and humanitarian organizations, December 2022.

<sup>124</sup> Ibid. See also interview with a journalist covering the incident, December 2022; and Sudans Post, “Top lawmaker says government soldiers involved in latest attack on villagers in Central Equatoria”, 17 December 2022.

<sup>125</sup> Radio Tamazuj, “Mangala clashes leave 3,000 displaced, says chief”, 22 December 2022. See also Radio Tamazuj, “Mangala remains deserted as calm slowly returns: chief”, 5 January 2023.

<sup>126</sup> Ibid. See also reports by international observers and humanitarian operators, January 2023.

<sup>127</sup> See annex 16.

<sup>128</sup> Ibid. See also reports by international observers and humanitarian monitors, December 2022 and January 2023. Statement by a senior Bari community representative and a former government official, 4 January 2023.

<sup>129</sup> Radio Tamazuj, “At least 5 rebels killed on Christmas Day clashes in Mangala: army says”, 27 December 2022.

<sup>130</sup> See annex 16. See also South Sudan Eagle Media, interview with the former mayor of Juba on the situation in Mangala, 3 January 2023, on file with the Panel.

<sup>131</sup> See annex 17.

operation in Mangala had been “[put] on hold until further notice”,<sup>132</sup> but also warned community leaders against giving “directives” on military affairs.<sup>133</sup>

105. Similarly, on 2 February 2023, at least 29 civilians from Equatoria,<sup>134</sup> including four humanitarians<sup>135</sup> and one woman, were killed by armed Dinka Bor pastoralists in Kajo Kaji, reportedly in collaboration with some elements of the South Sudan People’s Defence Forces.<sup>136</sup> The killings escalated a cycle of revenge attacks in and around Kajo Kaji that had previously included the killing of a local chief and attacks on Dinka Bor cattle herds by an Equatorian community militia in January 2023.<sup>137</sup>

106. The State government described the killings on 2 February as “[savage] house-to-house murder of innocent unarmed civilians” that had included rounding up civilians from homes and water points and “[killing them] together in groups”.<sup>138</sup> South Sudanese religious figures called the killings “a massacre”.<sup>139</sup>

107. Much as in Mangala, local allegations of land-grabbing by the Dinka Bor herders were soon voiced in Kajo Kaji. The National Salvation Front, for example, described an intentional “killing spree to displace people to occupy their land”.<sup>140</sup> There was a reported escalation in online hate speech following the killings.<sup>141</sup> In a speech to the local community, the Vice-President, Wani Igga, himself from Central Equatoria State, stated that the pastoralists in Kajo Kaji were “wizards” and “witches” who could be dealt with by “[pinching] their noses”.<sup>142</sup>

108. The killings also had a substantial humanitarian impact. Assessments conducted by various humanitarian organizations indicated that approximately 3,480 households, or around 10,100 individuals, had been displaced by mid-February 2023, creating large refugee movements into neighbouring Uganda.<sup>143</sup> Food items were also looted, homes were burned, and a large number of displaced persons reported “mistreatment” by the cattle keepers, including sexual violence.<sup>144</sup>

109. National and local authorities issued several conflicting statements announcing the deployment of forces to Kajo Kaji to relocate Dinka Bor herders forcefully,<sup>145</sup> while also claiming that a presidential order to remove pastoralists had already been

<sup>132</sup> No. 1 Citizen Daily, “SSPDF freezes response to Mangala slaughter until further notice”, 9 January 2023.

<sup>133</sup> No. 1 Citizen Daily, “Troop withdrawal isn’t community business: SSPDF”, 11 January 2023.

<sup>134</sup> Reports of international observers, February 2023. Humanitarian assessment report obtained by the Panel, March 2023. See annex 18.

<sup>135</sup> See annex 19.

<sup>136</sup> Field assessments and interviews conducted by humanitarians and international observers, reviewed by the Panel, February–March 2023. See also UNMISS, “UNMISS strongly condemns deadly violence in Kajo Kaji Central Equatoria State”, 5 February 2023; and annexes 18–23.

<sup>137</sup> Sudans Post, “25 cows shot dead to revenge killing of community chief”, 24 January 2023. Video of armed young people killing cattle in Kajo Kaji, January 2023, on file with the Panel.

<sup>138</sup> See annex 20.

<sup>139</sup> L. Memo, “Archbishop Welby aggrieved by Kajo-Keji ‘massacre’”, Eye Radio, 4 February 2023. See also Radio Tamazuj, “‘My husband died in vain’ – VP Nyandeng laments”, 5 February 2023.

<sup>140</sup> See annex 22.

<sup>141</sup> Sudans Post, “Watchdog ‘disturbed’ by war of words on social media over Kajo Kaji killings”, 5 February 2023.

<sup>142</sup> Ibid. See also Sudans Post, “VP Igga claims herders behind Kajo Kaji killings are ‘witches’ seeking to overthrow Kiir from power”, 9 February 2023.

<sup>143</sup> Humanitarian rapid assessment reports, 6 February 2023 and 18 February 2023, on file with the Panel.

<sup>144</sup> Ibid.

<sup>145</sup> Sudans Post, “Army commanders ordered to oust cattle herders from Central Equatoria”, 15 February 2023. See also the statement by the Office of the President, 10 February 2023.

completed.<sup>146</sup> Some local community members claimed that deployed forces were focused on protecting armed Dinka Bor pastoralists rather than civilians.<sup>147</sup> Pastoralists reportedly engaged in further attacks in several locations in Kajo Kaji even as they were escorted out under South Sudan People's Defence Forces protection.<sup>148</sup>

## F. Reduced subnational violence in Lakes State

110. Lakes State provides one prominent counterpoint to the prevalence of subnational violence in South Sudan, as violence in the State has dropped during the reporting period.<sup>149</sup> Many have attributed this to law enforcement by the Governor, Rin Tueny Mabor, which is characterized by swift and sweeping military operations that often bypass legal safeguards. As a result, his popularity has soared among a segment of the State's population. Others have claimed that his successes have come at too high a cost.<sup>150</sup>

111. Mr. Tueny Mabor became Governor in June 2021, promising to rid the State of killings, raiding and road ambushes.<sup>151</sup> He was among the first to receive new armoured personnel carriers and other military equipment.<sup>152</sup> His strategy encouraged local officials and senior officers in various security organs to use lethal force and the death penalty to subdue violence.<sup>153</sup> This mandate was extended also to the county level, which local county commissioners considered as an endorsement of extrajudicial killings.<sup>154</sup>

112. Under his governorship, the number of extrajudicial killings and unlawful detentions in Lakes State has climbed. Between April and May 2022, for example, at least 15 people were executed by security forces on orders of the Governor or local county commissioners.<sup>155</sup> Dozens of arrests and arbitrary detentions have also been documented<sup>156</sup> and, according to one civil society organization, at least 18 detention facilities remain operational.<sup>157</sup> Victims of arbitrary detention, torture and extrajudicial

<sup>146</sup> Radio Tamazuj, “‘Wizards who killed people in Kajo Kaji are anti-government’, VP Wani Igga”, 8 February 2023.

<sup>147</sup> Interviews conducted with local community members by international observers, obtained by the Panel, February 2023. See also The Dawn, “Evicted cattle herders await screening at Kaya Bridge”, 15 February 2023, article on file with the Panel.

<sup>148</sup> Interviews with local civil society members, February 2023. Interviews with local community members by international observers also reviewed by the Panel, February 2023.

<sup>149</sup> Annual and quarterly briefs on violence affecting civilians, produced by the Office of the United Nations High Commissioner for Human Rights between January 2020 and December 2022.

<sup>150</sup> Interviews conducted with civil society and human rights representatives, a journalist, national monitors and government officials, May–October 2022. Social media statements by community members, on file with the Panel.

<sup>151</sup> Press statement by Lakes State Governor's Press Unit, 20 July 2021. See also South Sudan Broadcasting Corporation, “Governor Rin Tueny Mabor's instructional communication to the organized forces”, Facebook, 10 June 2022.

<sup>152</sup> See S/2022/359. See also South Sudan Broadcasting Corporation, “16th May SPLA Day celebration in Rumbek”, Facebook, 16 May 2022.

<sup>153</sup> Interviews with human rights monitors, June 2022. See also Lakes State Media, Welcoming of new Governor General Rin Tueny Mabor, 21 June 2021.

<sup>154</sup> Interviews with human rights monitors and community members, June 2022. Reports of international observers, June–September 2022.

<sup>155</sup> Data collected by human rights monitors, reviewed by the Panel, June 2022. Interviews with human rights monitors in Lakes State, June 2022.

<sup>156</sup> Data collected by human rights monitors, obtained by the Panel, June 2022. Reports from international observers, July–November 2022. See also Charles Wote, “Activist documents 62 unlawful proxy arrests in Lakes State”, Eye Radio, 8 February 2022.

<sup>157</sup> Interview with representative of a civil society organization, June 2022.

killings have included local chiefs,<sup>158</sup> civilians<sup>159</sup> and members of various security organs.<sup>160</sup> Despite those campaigns, Lakes State also experienced an increase in cattle raids and violence in early 2023, in particular along its borders with Warrap and Unity States.<sup>161</sup>

## V. Arms

### A. Procurement of armoured personnel carriers

113. On 28 December 2022, the President attended a ceremony at the South Sudan People's Defence Forces military headquarters, in Bilpham, Juba, formally dispatching a battalion of between 700 and 750 troops to participate in the East African Community's regional force to the eastern Democratic Republic of the Congo.<sup>162</sup>

114. Several photographs from the ceremony depict at least 10 armoured personnel carriers.<sup>163</sup> These vehicles are distinct in both design and colour from those purchased in violation of the arms embargo in late 2021 or early 2022 and detailed in the Panel's final report (S/2022/359). They are also distinct from those known to have been purchased by the South Sudan People's Defence Forces prior to the imposition of the arms embargo by the Security Council with resolution 2428 (2018).<sup>164</sup>

115. The Panel has identified a commercially available vehicle that matches those observed in South Sudan and is often marketed as the Titan-S.<sup>165</sup> It is a highly modified and armoured version of a commercially available civilian vehicle. In marketing material, the design in question is labelled as a 2019 design.<sup>166</sup> As several companies appear to sell the vehicle in question, however, the Panel has not been able to confirm the supply chain by which the vehicles entered South Sudan.

116. The Panel did not receive responses to its request for assistance from three relevant Member States. No inspection reports have been submitted by Member States further to paragraphs 7 to 10 of resolution 2428 (2018) since its adoption and subsequent renewals.

<sup>158</sup> Statement by community members, 30 January 2023, on file with the Panel. See also annex 24; Charles Wote, "Lakes government probes torture of paramount chief by soldiers", Eye Radio, 30 January 2023; and Radio Tamazuj, "4 SSPF soldiers arrested for torture of Yirol East chief", 2 February 2023.

<sup>159</sup> Reports of human rights observers, and interviews with civil society representatives, June–November 2022. See, for example, Northern Corridor Morning Post, "Lakes State government detained teachers at Rumbek's Panda Military Barracks", Facebook, 23 June 2022; and Radio Tamazuj, "12 teachers arrested for rejecting salary arrears without increments in Lakes State", 21 June 2022.

<sup>160</sup> See annex 24. Interviews with community and family members of victims and reports from national and international observers and human rights monitors, June–September 2022. Social media posts reviewed by the Panel, May 2022.

<sup>161</sup> Reports of international monitors, February–March 2023. See also Radio Tamazuj, "11 suspected cattle raiders arrested in Panyijiar county", 20 February 2023; and Radio Tamazuj, "Rumbek North, Tonj East clashes death toll rises to 151", 7 March 2023.

<sup>162</sup> See S/2022/884. See also Sudan Tribune, "Kiir flags battalion size for DRC peacekeeping mission", 29 December 2022.

<sup>163</sup> See annex 25.

<sup>164</sup> See S/2016/70.

<sup>165</sup> Independent experts in the armoured personnel carrier manufacturing sector have corroborated the identification.

<sup>166</sup> Marketing material from one known manufacturer, on file with the Panel. Another company, however, has told the Panel that the design in question was, in its view, an imitation of an earlier design that it had developed around 2010.

117. Several companies in the armour industry told the Panel that it was common for companies to copy the designs of competitors or to simply resell vehicles with new logos and branding.<sup>167</sup> Some also noted that it was common for companies to reincorporate and change their names, both as a result of frequent legal action within the industry and as a means of evading sanctions. In some cases, the Panel was told that companies might use fake branding to evade detection. “Putting that logo and symbol on there is all a way of redirection because they don’t want to get caught up in sanctions”.<sup>168</sup>

118. A supplementary budget of \$6.69 million was allocated to the deployment of the South Sudan People’s Defence Forces contingent to the East African Community force.<sup>169</sup> Original South Sudan People’s Defence Forces documents reviewed by the Panel indicate that troops deployed as part of the mission are being paid in line with current South Sudan People’s Defence Forces salary scales.<sup>170</sup> As such, salaries likely account for only a fraction of the allocated funds.<sup>171</sup> South Sudan People’s Defence Forces officials have stated that funds were mostly allocated to “equipment”.<sup>172</sup>

119. While all the paraded vehicles are mounted with heavy weapons, the Panel has not been able to determine whether those were mounted before or after import into South Sudan. Regardless, as under resolution 2428 (2018), the provisions of which were most recently renewed in resolution 2633 (2022), all Member States are directed to prevent the supply of “arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned”, the Panel considers the import of the military vehicles to be a violation of the arms embargo, as no exemption request was submitted for their import.

## B. Riverine forces

120. The riverine forces of South Sudan have become an increasingly prominent component of the country’s military forces in recent years, including as a consequence of increasing threats to mobility on the Nile. In February 2023, for example, members of the Riverine Unit participated in military operations in Gondokoro, Central Equatoria State.<sup>173</sup>

121. In April 2022, Lieutenant General Garang Ayii Akol, who is also Co-Chair in the Joint Defence Board, was appointed as commander of the riverine forces.<sup>174</sup> He can be seen in photographs and videos released by the riverine forces testing various components of their fleet throughout 2022. The fleet includes several boats with sophisticated navigational equipment.<sup>175</sup> Three sources with knowledge of the fleet told the Panel that many of those boats had been significantly refurbished in stages between 2020 and 2022, including with new imported navigational equipment and

<sup>167</sup> Interviews with employees of companies in the vehicle armouring industry, January–March 2023.

<sup>168</sup> Telephone interview with an employee of a vehicle armouring company, February 2023.

<sup>169</sup> See, for example, Obaj Okuj, “South Sudan joins Kenya in sending troops to DR Congo”, Eye Radio, 5 December 2022.

<sup>170</sup> Confidential document on file with the Panel.

<sup>171</sup> Under official pay scales, a lieutenant colonel earns 9,466 South Sudanese pounds per month, a captain 8,580 pounds and a lieutenant 8,419 pounds, while a private earns 2,534 pounds. See annex 26.

<sup>172</sup> Alex Bullen, “SSPDF: Lul speaks on deployment money, but questions abound”, *The City Review South Sudan*, 11 January 2023.

<sup>173</sup> See annex 27.

<sup>174</sup> Statement by the Office of the President, April 2022, on file with the Panel. See also Emmanuel Akile, “Full list: Kiir unifies command structure”, Eye Radio, 13 April 2022.

<sup>175</sup> See annex 28.

motors.<sup>176</sup> Satellite imagery studied by the Panel is consistent with the claim, indicating that the patrol boats were first docked in Juba in May 2021, growing from 5 to 11 seaworthy boats by July 2021, with confidential sources confirming the procurement of parts for several additional boats as well.<sup>177</sup>

122. Panel interviews have also confirmed that, in recent years, the military of South Sudan, including its riverine forces, has met with foreign Governments<sup>178</sup> and collaborated with private businesses to advance its military and technical capabilities. The Panel has seen several proposals and contracts for the supply of additional military equipment but has not been able to confirm delivery in those cases.<sup>179</sup> In March 2023, Mr. Akol was put in charge of all South Sudan People's Defence Forces procurement.<sup>180</sup>

## VI. Civic space

123. During the reporting period, South Sudanese authorities continued to target civil society activists, journalists and media outlets, protesters, lawyers and human rights defenders across the country, as well as in the region.<sup>181</sup> Those events not only constitute serious human rights abuses in their own right but also represent a serious challenge to the prospect of free and fair elections.

124. The disruption of online activities perceived to be critical of the Government has come under increased scrutiny. South Sudanese authorities have attempted to limit material available online by preventing journalists from recording events<sup>182</sup> and by warning against the "misuse" of freedom of expression.<sup>183</sup> In some cases, government authorities have also targeted individuals producing prominent online content.

### A. Special operations against activists

125. Between 4 and 5 February 2023, Morris Mabior Awikjok, a South Sudanese refugee and activist living in Kenya, was taken from his home in Nairobi and returned to Juba.<sup>184</sup>

126. Mr. Mabior Awikjok is a South Sudanese activist believed to have been driven into exile following his criticism of Akol Koor, the Director of the internal arm of the

<sup>176</sup> Interviews with confidential sources with knowledge of the fleet, March 2023.

<sup>177</sup> Ibid. Satellite images on file with the Panel.

<sup>178</sup> See annex 29.

<sup>179</sup> Interviews conducted with private companies, December 2022 and March 2023. Social media posts seen by the Panel, December 2022–March 2023.

<sup>180</sup> Alhadi Hawari, "Chief of Defence Force reshuffles SSPDF command", Eye Radio, 4 March 2023.

<sup>181</sup> See annexes 30, 31 and 32.

<sup>182</sup> Daniel Garang Dent, "Journalists told not use phones for covering events", The Radio Community, 13 October 2022.

<sup>183</sup> Emmanuel Akile, "Deputy Minister of ICT cautions against abuse of freedom of expression", Eye Radio, 17 November 2022.

<sup>184</sup> Interviews with confidential sources with first-hand knowledge of the case, February 2023. See also Emily Chebet, "Puzzle of missing South Sudanese national abducted from his Nairobi home by alleged police officers", Citizen Digital, 8 February 2023; Citizen TV Kenya, "South Sudanese activists allegedly arrested in Nairobi", video, YouTube, 8 February 2023; annexes 33, 34 and 35; Nyagoah Tut Pur, "South Sudanese refugee goes missing in Kenya", Human Rights Watch, 19 February 2023; and Front-line Defenders, "Arbitrary arrest and detention of human rights defender Morris Mabior Awikjok", 10 February 2023.

National Security Service, including on his Facebook page, which has a significant following.<sup>185</sup>

127. On 4 February 2023, armed Kenyan security agents, in collaboration with at least one South Sudanese agent, broke into Mr. Mabior Awikjok's home in Nairobi.<sup>186</sup> His telephones, his laptop and his family's travel documents were confiscated, and he was handed to South Sudanese national security agents.<sup>187</sup> Kenyan authorities justified the arrest by accusing Mabior of being a terrorist suspect.<sup>188</sup> On 5 February 2023, Mr. Mabior Awikjok was flown to Juba and moved to a National Security Service detention facility.<sup>189</sup>

128. In the days following Mr. Mabior Awikjok's detention, his family members in Kenya faced online harassment from National Security Service operators<sup>190</sup> and were temporarily forced into hiding after receiving several threats.<sup>191</sup>

129. Evidence of overseas operations conducted by the security forces of South Sudan is visible in financial documents. A government audit of International Monetary Fund (IMF) funds released in 2020, for example, includes allocations to finance "external activities", including \$1.3 million for attachés of the Intelligence Bureau, a branch of the National Security Service.<sup>192</sup>

## B. Increase in cyberattacks

130. In February 2023, the social media sites of two major South Sudanese media outlets, Radio Tamazuj and Sudans Post, as well as the private page of at least one senior editor, were hacked.<sup>193</sup> Pages were defaced across multiple platforms, and some content was deleted.

131. No perpetrators have been identified or have claimed responsibility. Both outlets, however, observed an increase in cyberattacks in the days following their reporting of high-profile security incidents in South Sudan.<sup>194</sup>

132. The attacks mirror a broader trend observed by a range of South Sudanese civil society activists and organizations. According to a recent study conducted by South Sudanese civil society organizations, "impersonation", social media hacking and "reputational" attacks are the most common forms of cybercrime in the country, with a recent increase noted.<sup>195</sup>

<sup>185</sup> Facebook posts reviewed by the Panel. Evidence of mediation attempts between Messrs. Mabior Awikjok and Koor, obtained by the Panel, February 2023. Interview with a mediator, February 2023.

<sup>186</sup> Interviews with confidential sources with first-hand knowledge of the case, February 2023. Legal documents filed with the East African Court of Justice, February 2023, on file with the Panel.

<sup>187</sup> Ibid.

<sup>188</sup> Ibid.

<sup>189</sup> Interviews with South Sudanese activists in the region, security sector personnel and commercial actors, February 2023.

<sup>190</sup> Social media posts and other materials reviewed by the Panel, February 2023.

<sup>191</sup> Interviews with confidential sources with first-hand knowledge of the case and civil society actors, February 2023.

<sup>192</sup> National Audit Chamber, Audit of the rapid credit facility of November 2020 from the International Monetary Fund, 9 September 2021.

<sup>193</sup> Interview with Sudans Post's editor-in-chief, February 2023; Radio Tamazuj, "Alert: Radio Tamazuj official Twitter handle hacked", 16 February 2023; and Sudans Post, "Yakani decries cyberattacks on Sudans Post, Radio Tamazuj", 18 February 2023.

<sup>194</sup> Interviews with journalists and editors, February and March 2023.

<sup>195</sup> Interview with a South Sudanese cybersecurity expert, February 2023.

133. The National Security Service, the National Communications Authority and the Ministry of Information and Postal Services have worked together to strengthen Government's control over the Internet and online information flows. In recent months, senior representatives from both the Authority and the Ministry have forged new regional partnerships to improve their capabilities, consolidate the Government's grip on the Internet infrastructure and work collaboratively on cybersecurity threats.<sup>196</sup>

## VII. Public resources

### A. Oil revenues

134. Oil production in South Sudan has recovered to around 150,000 to 160,000 barrels per day<sup>197</sup> despite flooding still affecting production in Upper Nile State. Oil continues to account for more than 90 per cent of government revenues and almost all exports, while also backing most of the Government's external borrowing.<sup>198</sup>

135. While its oil dependence makes South Sudan vulnerable to price shocks, the oil price has been well above the \$75 per barrel assumed in the 2022/23 budget. The Government is therefore likely to exceed its budget target of \$1.6 billion in gross oil revenues for the 2022/23 financial year.<sup>199</sup>

136. The Government of South Sudan has advanced a number of public financial management reforms intended to stabilize the economy and improve oversight, including in the context of its joint Public Financial Management Oversight Committee and an IMF staff monitored programme. In this context, the 2022/23 national budget was submitted and approved in a timely fashion, while quarterly expenditure reports have improved transparency in government spending. A series of audits, including that of the country's external debt, have also provided a clearer picture of public finances. The Government successfully reduced its dependence on borrowing from the Central Bank and international oil traders for some periods, notably while receiving funding from the IMF Rapid Credit Facility, but reverted to such borrowing after those funds were exhausted.<sup>200</sup>

137. Despite the clear economic dimension to many of the challenges faced by South Sudan, however, the robust oil revenues are generally not available to address shortfalls. The misappropriation and diversion of public resources not only continues to fuel political competition but also deprives the Treasury of the resources needed to address the ongoing humanitarian crisis, fund the implementation of the peace agreement and stabilize the country through regular salary payments and development.

<sup>196</sup> Reports filed by the South Sudan Broadcasting Corporation, 29 November and 20 December 2022; Alan Burkitt-Gray, "South Sudan and Djibouti sign fibre interconnection agreement", Capacity Media, 27 September 2022; Douglas Mubiru, "East African Chiefs of Defence Intelligence meet in Kampala", New Vision, 19 November 2022; UBC Television Uganda, "EAC Defence – Chiefs of defence intelligence discussed regional security risks", video, YouTube, 18 November 2022; and Kenneth Kazibew, "Eastern Africa military intelligence chiefs meet in Kampala", Nile Post, 18 November 2022.

<sup>197</sup> South Sudan, Ministry of Finance and Planning, quarterly macroeconomic update for the first quarter of the 2022/23 financial year.

<sup>198</sup> Ibid. See also the approved budget for the 2022/23 financial year.

<sup>199</sup> Approved budget for the 2022/23 financial year.

<sup>200</sup> See IMF, *Republic of South Sudan: 2022 Article IV Consultation and Second Review of the Staff Monitored Programme*; and Bank of South Sudan, "Statistical bulletin", November 2022.

138. Structural weaknesses in the management of public resources in South Sudan facilitate such diversion and misappropriation, coupled with a political culture that encourages it.<sup>201</sup> One minister allegedly told a company that he had to make some money quickly, as he did not know for how much longer he would be in office.<sup>202</sup> Senior South Sudanese officials, including the Vice-President, Mr. Igga,<sup>203</sup> and the new Managing Director of Nilepet,<sup>204</sup> the State-owned oil company, have both highlighted corruption as a major challenge.

## B. Structural weakness

139. A first structural problem is the growing cost of the Transitional Government of National Unity itself, which consumes much of the formal budget, while a second is the vast amount of resources diverted into fragmented off-budget spending largely immune to effective oversight. Those pressures combine to create a vicious circle, encouraging officials to borrow money to plug gaps, only to find that costly loan repayments create still bigger gaps in the future.

140. The Government's own figures for the first quarter of the current financial year illustrate those challenges clearly. The Government reported gross oil revenues of around \$840 million between July and September 2022, more than twice what had been budgeted.<sup>205</sup> Despite such windfall, however, recorded government expenditure totalled \$242 million, just 75 per cent of what had been budgeted for the period.<sup>206</sup> More than 85 per cent of that on-budget total, around \$210 million, was spent on running a handful of the most prominent political and security institutions, several of which received much more than their budgeted allocation.<sup>207</sup> During the period, ministries controlled by the Government spent roughly four times more than ministries allocated to opposition groups.<sup>208</sup>

141. By contrast, the accountability, education and health sectors each received less than 30 per cent of their budget allocated for the period, with combined spending of just under \$15 million.<sup>209</sup> During the same period, \$21.1 million was spent on Parliament alone. National monitors of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism have, reportedly, not received salaries for 10 months, while the National Transitional Committee has been asked to vacate its offices in Juba over unpaid rent.<sup>210</sup> In March 2023, the National Constitutional Amendment Committee also suspended its activities, citing unpaid salaries.<sup>211</sup>

<sup>201</sup> See also annex 36.

<sup>202</sup> Interview with a private sector company, February 2022.

<sup>203</sup> No. 1 Citizen Daily, "Dr. Igga slams ministries against corruption and discrimination", 24 February 2023.

<sup>204</sup> Mathiang Makuach, "Makeny looks up to Petronas in bid to revamp Nilepet", *The City Review South Sudan*, 6 March 2023.

<sup>205</sup> Ministry of Finance and Planning, quarterly macroeconomic update for the first quarter of the 2022/23 financial year.

<sup>206</sup> *Ibid.*

<sup>207</sup> Namely, the Ministry of Finance and Planning, the Ministry of Presidential Affairs, the Ministry of Cabinet Affairs, the Ministry of Foreign Affairs, Parliament, the Council of States, the Ministry of the Interior and the security sector, including police and prisons.

<sup>208</sup> Calculations made by the Panel, based on reported budget allocations in the quarterly macroeconomic update for the first quarter of the 2022/23 financial year.

<sup>209</sup> Ministry of Finance and Planning, quarterly macroeconomic update for the first quarter of the 2022/23 financial year.

<sup>210</sup> Sheila Ponnie, "Peace deal in fresh test as CTSAMVM, NTC plunge in cash crisis", *The City Review South Sudan*, 3 March 2023. Document also on file with the Panel.

<sup>211</sup> See annex 2.

### C. Costly borrowing

142. Furthermore, despite the underspend against the budget, the Government boosted its revenues further during the quarter by engaging in extensive borrowing. Documents from the Ministry of Finance and Planning make it clear that the large oil revenues were not just a result of higher prices but also an arrangement to borrow approximately \$200 million from “oil companies ... to settle outstanding government obligations and agreed to pay back with no interest rate end of December 2022”.<sup>212</sup> The Government also borrowed \$205 million from the National Investment and Development Bank between July and December 2022, although it is unclear whether that was the same oil advance or an additional loan.<sup>213</sup> The Government also borrowed and additional 62 billion South Sudanese pounds (\$100 million) from the Central Bank of South Sudan during the same period.<sup>214</sup>

143. Such loans are also costly. The Government’s borrowings from the National Investment and Development Bank totalled \$925 million as at October 2020 and had cost more than \$33 million in fees and interest.<sup>215</sup> It is unclear who the beneficial owners of the bank are, but its board of directors includes several former government officials.<sup>216</sup> South Sudan currently owes external creditors around \$2.57 billion, of which around \$2 billion is owed to commercial creditors.<sup>217</sup> The interest rate on such commercial debts often exceeds 10 per cent, with various fees often consuming an additional 1 to 3 per cent.<sup>218</sup>

### D. Off-budget spending

144. The difference between the Government’s known revenues and what is accounted for in terms of on-budget spending is explained by diversions into off-budget spending, over which there is little meaningful oversight.<sup>219</sup> Two ongoing diversions account for a large proportion of the off-budget spending.

145. The first diversion is the ongoing in-kind payment of oil to the Sudan. South Sudan has, historically, paid the Sudan between 19,000 and 28,000 barrels of oil per day. This has covered fees for the use of Sudanese pipelines and facilities, as well as contributions towards the \$3.028 billion debt agreed at independence. This debt, however, was cleared around March 2022, more than halving the amount of oil that South Sudan would need to transfer to cover the remaining fees. The transfers, however, have continued with only a minimal reduction.<sup>220</sup> According to the Ministry of Finance and Planning, South Sudan allocated the Sudan almost 2 million barrels of oil between July and September 2022, worth in the region of \$200 million (122 billion South Sudanese pounds).<sup>221</sup> A rough calculation based on the quantities

<sup>212</sup> Ministry of Finance and Planning, quarterly macroeconomic update for the first quarter of the 2022/23 financial year. Estimate by the Panel, based on data in the update.

<sup>213</sup> Confidential documents on file with the Panel.

<sup>214</sup> Bank of South Sudan, “Statistical bulletin”, November 2022. Loan repayments for that same quarter totalled \$80 million, according to reporting by the Ministry of Finance and Planning.

<sup>215</sup> Confidential documents on file with the Panel.

<sup>216</sup> Board of Directors, on file with the Panel.

<sup>217</sup> Debt summary published by the Ministry of Finance and Planning; and E&Y Stock take of External Debt of the Government of South Sudan, draft report, dated December 2022. See annex 37.

<sup>218</sup> Confidential loan documents on file with the Panel. Confirmed, however, by E&Y Stock take of External Debt of the Government of South Sudan, draft report, dated December 2022.

<sup>219</sup> A similar gap is also evident in accounts from previous financial years.

<sup>220</sup> Interviews with government officials, October 2022–March 2023, corroborated by reporting by the Ministry of Finance and Planning.

<sup>221</sup> Ministry of Finance and Planning, quarterly macroeconomic update for the first quarter of the 2022/23 financial year, dated September 2022.

of oil lifted by the Government during that period suggests that South Sudan only owed the Sudan around \$65 million in fees (40.6 billion South Sudanese pounds).<sup>222</sup> The approved budget of South Sudan estimates a total payment of 92 billion South Sudanese pounds to the Sudan, for the entire year.<sup>223</sup> As such, during the first quarter of the 2022/23 financial year, South Sudan already paid the Sudan more in-kind oil than was planned for the entire financial year.

146. Those payments are tied to the ongoing negotiations between the Governments of the Sudan and South Sudan over a revenue-sharing agreement that expired in 2019.<sup>224</sup> The Ministry of Petroleum of South Sudan, led by an SPLM-IO-appointed minister, has, however, largely been excluded from the negotiations.<sup>225</sup> Those have been led instead by the President's National Security Advisor, Mr. Gatluak, who also enjoys a close relationship with Sudanese officials, including in the context of his role as the chief mediator of the Juba Agreement for Peace in the Sudan, signed between the Government of the Sudan and several rebel groups in August 2021.<sup>226</sup> Most recently, negotiations have been led by Mr. Bol Mel, a businessman who was recently appointed by the President as his Presidential Special Envoy for Special Programmes,<sup>227</sup> as well as to the SPLM Political Bureau.<sup>228</sup> Previous agreements, including the most recent, from 2016, were signed by the Minister of Petroleum of South Sudan.<sup>229</sup>

147. South Sudan has likely paid the Sudan excess fees of more than \$500 million since March 2022.<sup>230</sup> Those public funds are not clearly accounted for in either South Sudan or the Sudan and are instead diverted into highly informal financial arrangements managed directly by senior South Sudanese and Sudanese elites that appear to exclude both the Ministry of Finance and Planning and Ministry of Petroleum of South Sudan.<sup>231</sup> Interviews conducted by the Panel also indicate that a small part of the overpayment may be offset by sorghum transfers from the Sudan to South Sudan.<sup>232</sup> Those have likely been allocated to the South Sudan People's Defence Forces, which have engaged in their own extensive off-budget procurement of both food and vehicles.<sup>233</sup>

148. The second diversion is the oil-for-roads programme, through which South Sudan allocates oil revenues directly to road construction. The Panel has previously described the programme in some detail, but it remains the single largest destination of public funds in South Sudan.<sup>234</sup> During the first quarter of the 2022/23 financial year, the Government allocated \$174.8 million in oil revenues to that programme, considerably more than had been budgeted and almost equal to its spending on the

<sup>222</sup> See annex 38.

<sup>223</sup> Approved budget for the 2022/23 financial year.

<sup>224</sup> Agreement on file with the Panel.

<sup>225</sup> Interviews with confidential sources, December 2022–March 2023.

<sup>226</sup> Ibid.

<sup>227</sup> Announcement by the Office of the President of South Sudan, on file with the Panel.

<sup>228</sup> Ibid. See also L. Memo, "S. Sudan, Sudan talks over oil transit fees cordial-official", Eye Radio, 1 March 2023.

<sup>229</sup> Agreements on file with the Panel.

<sup>230</sup> IMF estimated that excess fees had totalled \$246 million by the end of June 2022. See IMF, *Republic of South Sudan: 2022 Article IV Consultation and Second Review of the Staff Monitored Programme*. The Panel's calculations suggest excess fees of \$131 million between July and September 2022.

<sup>231</sup> Interviews with confidential sources, November 2022–March 2023.

<sup>232</sup> Ibid.

<sup>233</sup> Interviews with government sources, international observers, and civil society, October–December 2022.

<sup>234</sup> See [S/2020/1141](#) and [S/2021/365](#).

entire national budget combined.<sup>235</sup> While the oil-for-roads programme is now nominally part of the budget, no detailed reporting on its expenditure is provided.

149. Government documents indicate that much of the oil-for-roads programme is administered by ARC Resource Corporation, which is also widely linked to the Presidential Special Envoy, Mr. Bol Mel.<sup>236</sup> There are clear conflicts of interest inherent in a senior presidential envoy benefiting from large government contracts while also leading government negotiations on oil revenues with the Sudan.

150. Such conflicts of interest are not restricted to road construction, and the Panel has identified several companies with ties to South Sudanese political and security elites. Documents reviewed by the Panel indicate that subcontracting and the use of proxy shareholders are increasingly being used to hide elite ties to companies benefiting from lucrative government contracts.<sup>237</sup>

## E. Fragmented public finances

151. The remainder of undocumented funds go some way towards explaining how off-budget military procurement, incentivized defections, special security operations and other such activities are financed. Ad hoc expenditure is typically authorized directly by senior government officials and paid out of an array of government bank accounts that receive public funds, including loans.<sup>238</sup>

152. Oil from South Sudan is predominantly sold to a relatively small number of international traders. Each month, the Government allocates two to three cargoes of 600,000 barrels of its oil to bidding traders.<sup>239</sup> The highest bidders are supposed to be allocated the cargoes, but several traders complained that the process was not always transparent.<sup>240</sup>

153. Several traders also noted that they were expected to provide South Sudanese government delegations with costly travel, accommodation and entertainment allowances whenever they were allocated cargoes.<sup>241</sup> Traders also reported pressure from government officials to provide advance payments, often in excess of \$20 million, ostensibly for salary payments, in order to secure cargoes.<sup>242</sup> Panel interviews suggest that salary payments were often cited as the reason for borrowing from multiple lenders during the same period.<sup>243</sup>

154. Between January and April 2022, only six traders purchased oil from the Government of South Sudan.<sup>244</sup> All but one had previously purchased cargoes from

<sup>235</sup> See annex 39.

<sup>236</sup> Interviews with government officials, civil society and journalists, July 2022–March 2023. Social media posts and other open-source material reviewed by the Panel. See also statements by the President, including Yiep Joseph, “Kiir warns criminals as Juba-Terekeka road breathes to life”, *The City Review South Sudan*, 12 December 2022; and No. 1 Citizen Daily, “Bol Mel gives residents of Aweil East 25 km feeder road”, 8 March 2023.

<sup>237</sup> Interviews with South Sudanese politicians, private sector actors and civil society, August 2022–March 2023. Corporate documents on file with the Panel.

<sup>238</sup> Interviews with government officials, October 2022–March 2023, corroborated by expenditure documents on file with the Panel.

<sup>239</sup> Based on data made available by the Ministry of Petroleum, including in marketing reports.

<sup>240</sup> Interviews with commodity traders, September 2022–February 2023.

<sup>241</sup> Ibid.

<sup>242</sup> Ibid.

<sup>243</sup> Interviews with companies, September 2022–February 2023. Reflected also in loan documents reviewed by the Panel.

<sup>244</sup> Confidential document on file with the Panel.

the Government. The bulk of payments now appears to be directed to the Government's account with the Federal Reserve Bank of New York.<sup>245</sup>

155. From there, however, funds are typically transferred to an array of government accounts with commercial banks. The Panel has identified government accounts with commercial banks in Kenya, Uganda and the Persian Gulf.<sup>246</sup> Individual ministries and institutions, including the National Security Service, the National Revenue Authority and Nilepet, also operate their own accounts with commercial banks in the region. In January 2023, the Central Bank of South Sudan ordered all commercial banks to close the accounts held by government ministries and institutions.<sup>247</sup>

156. From those accounts, transfers are made to government accounts with the Central Bank of South Sudan, including through the transportation of cash.<sup>248</sup> Direct transfers, however, are also made from the commercial accounts referred to in the previous paragraph. The use of multiple bank accounts, with a wide array of officials able to authorize transfers from each, complicates oversight and makes a range of unbudgeted transfers possible. Several recent government audits have identified a large number of irregular and ineligible transfers worth millions of dollars from a range of government accounts.<sup>249</sup>

157. The Panel has reviewed numerous documents authorizing direct unbudgeted transfers from multiple government accounts to individuals and companies for everything from "special operations" to health care.<sup>250</sup>

## F. Gold and timber

158. Gold and timber remain important components of the illicit economy in South Sudan, in particular at the subnational level. The Panel has documented the continued illicit exploitation of gold and timber across the Equatoria States, as well as in Western Bahr el-Ghazal State, by both middle- and lower-ranking political and security officials, as well as armed opposition groups.

159. Insecurity, predatory security actors and economic challenges in those regions have combined to curtail substantial investment in both mining and forestry. As a result, both sectors are now largely informal and unregulated. Several companies that had made investments have been driven out of the country.<sup>251</sup> With few resources made available by the national Government, State-level officials and military personnel have pursued private deals with a range of new companies outside formal structures.<sup>252</sup>

160. Efforts to capitalize on that trade are therefore often opportunistic and focused on the provision of security and illegal checkpoints along key transportation routes, as well as some occasional direct participation in artisanal mining, logging, charcoal production and trade.

<sup>245</sup> Interviews with companies, September 2022–February 2023.

<sup>246</sup> Interviews with confidential sources, August 2022–March 2023, corroborated by various expenditure documents and loan documents reviewed by the Panel.

<sup>247</sup> See annex 40.

<sup>248</sup> Interviews with confidential sources, August 2022–March 2023.

<sup>249</sup> See, for example, National Audit Chamber, Audit report on the Rapid Credit Facility from the International Monetary Fund; Audit report on the second tranche of the Rapid Credit Facility from the International Monetary Fund; and Report of the Auditor General on the accounts of 2 and 3 per cent share of net oil revenue of oil-producing States and communities for the period 2011 to 2020, March 2021.

<sup>250</sup> Documents on file with the Panel. See also annex 41.

<sup>251</sup> Panel interviews with companies and civil society, August 2022–February 2023.

<sup>252</sup> Ibid. Corroborated by documents on file with the Panel detailing payments to State government officials and security sector actors.

161. Timber, now mostly *Azelia africana* and *Khaya* spp., has continued to finance both the South Sudan People's Defence Forces and opposition groups, including through checkpoints, security payments and direct participation in the logging and charcoal trade. State-level officials have alleged that senior South Sudan People's Defence Forces commanders, as well as soldiers under their command, have facilitated illegal logging through the provision of both security and logistics.<sup>253</sup> Documents seen by the Panel indicate that companies have paid fees to local political and security actors in exchange for permission to cut and transport trees.<sup>254</sup> Interviews, documents and trade data indicate that almost all timber harvested in South Sudan is exported, informally, to Uganda, from where it is shipped on to international markets, including India and Viet Nam.<sup>255</sup>

162. Gold mining remains largely artisanal, with State-level officials in both Central and Western Equatoria States also pursuing exploration and production deals with smaller companies.<sup>256</sup> Near Raja, in Western Bahr el-Ghazal State, thousands of artisanal miners, including from neighbouring countries, have reportedly converged on deposits, while clashing with companies that have sought deals with local officials.<sup>257</sup> Officials, security actors and foreign traders compete to purchase gold from artisanal miners, with gold also functioning as a replacement hard currency to facilitate cross-border trade.<sup>258</sup> Almost all gold from South Sudan is traded informally, including across the border to Kenya, the Sudan and Uganda, as well as to the United Arab Emirates through Juba.<sup>259</sup>

## VIII. Conclusion

163. Recent Necessary Unified Force graduates who spoke to the Panel hoped that their deployment would mean the start of "a new life".<sup>260</sup> While some progress has been made towards the implementation of the peace agreement, delays continue to test the patience of those who remain hopeful that it will eventually deliver relief from insecurity and humanitarian hardship. The patience of many has already been exhausted, however, before several of the most contentious and potentially combustible provisions of the peace agreement have even started, such as drafting the constitution, formalizing political boundaries and conducting a census.

## IX. Recommendations

164. The Panel recommends that the Security Council Committee established pursuant to resolution [2206 \(2015\)](#) concerning South Sudan:

<sup>253</sup> Interviews with parliamentarians and senior opposition figures, March–May 2022. See also Doru Peninnah, "SSPDF commander be changed to stop illegal logging in Kajo Kaji, CES Speaker", Eye Radio, 24 April 2022; and Doru Peninnah, "Soldiers accused of aiding illegal logging in Kajo Kaji", Eye Radio, 23 April 2022.

<sup>254</sup> Confidential documents on file with the Panel.

<sup>255</sup> Interviews with companies, civil society and parliamentarians, September 2022–February 2023. Confidential documents on file with the Panel showing exports to Uganda. Trade data obtained by the Panel.

<sup>256</sup> Interviews with companies, civil society and journalists, September 2022–February 2023.

<sup>257</sup> Ibid.

<sup>258</sup> Ibid.

<sup>259</sup> Ibid.

<sup>260</sup> Interviews with recent Necessary Unified Forces graduates at a training centre, February 2023.

(a) Call upon the Government of South Sudan to prioritize efforts to hold perpetrators of conflict-related sexual violence, including within the ranks of the country's security forces and civilian militias, fully accountable;

(b) Also call upon the Government of South Sudan to make every effort to facilitate the provision of humanitarian aid by eliminating bureaucratic impediments, preventing attacks on humanitarians and their assets and facilitating unhindered movement across all regions, in particular along the Nile;

(c) Encourage the Government of South Sudan to strengthen its existing relations with the Mine Action Service and the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States in order to support its efforts to improve the management of its existing arms and ammunition stockpiles;

(d) Call upon the Government of Kenya to ensure the application of due process and relevant legal safeguards before transferring any suspects apprehended in Kenya to South Sudanese authorities;

(e) Further to the Security Council's stated concern about the misappropriation and diversion of public resources, most recently expressed in paragraph 16 of resolution 2633 (2022), encourage the Auditor General of South Sudan, or other government officials, to brief the Committee on the recently developed public action plan of South Sudan,<sup>261</sup> which is based on recent government audits of its public finances and provisions detailed in section 4.8 of the peace agreement;

(f) Encourage the Ministry of Petroleum to use its newly relaunched website<sup>262</sup> to specify the details of a single oil-revenue account, in line with the requirements in chapter II, section 6, of the South Sudan Petroleum Revenue Management Act<sup>263</sup> and article 4.8.1.2 of the peace agreement;

(g) Alert Facebook (Meta) to rising incidents of hate speech and online harassment in South Sudan, including in the context of ongoing subnational violence and elections, currently scheduled for December 2024.

165. An arms embargo was established in resolution 2428 (2018) and most recently renewed in resolution 2633 (2022). In paragraph 2 of resolution 2577 (2021), the Security Council expressed its readiness to review arms embargo measures, further to an assessment by the Secretary-General of progress made towards specified benchmarks. In so far as the Council considers extending or modifying the embargo in accordance with that process, the Panel recommends that:

(a) In the context of ongoing subnational violence and recent comments made by South Sudanese government officials concerning the transfer of arms between the military and the civilian population,<sup>264</sup> the Security Council pay particular attention to progress towards the benchmarks detailed in paragraphs 2 (b) and (d) of resolution 2577 (2021) when reviewing arms embargo measures;

(b) In the context of threats to journalists and civil society actors, including growing cyberthreats, the Security Council consider adding the supply of digital

<sup>261</sup> South Sudan, Ministry of Finance and Planning, "Action plan on the recommendations of the AG's report on RCF II", 9 January 2023. Available at [www.mofep-grss.org/wp-content/uploads/2023/01/Action-Plan.pdf](http://www.mofep-grss.org/wp-content/uploads/2023/01/Action-Plan.pdf).

<sup>262</sup> See [www.mop.gov.ss/](http://www.mop.gov.ss/).

<sup>263</sup> Ibid. See also annex 42.

<sup>264</sup> Keji Janefer, "Disarm civilians to win war against arms embargo – Taban Deng", *The City Review South Sudan*, 29 November 2022.

surveillance tools and other offensive cybertools, including training in their use, to the scope of the arms embargo;

166. The Panel also recommends that the Committee remind Member States that the scope of the current arms embargo includes the supply of all military vehicles.

167. The Panel further recommends that the Committee encourage all Member States bordering South Sudan to submit inspection reports, further to paragraphs 7 to 10 of resolution [2428 \(2018\)](#), as renewed in resolution [2633 \(2022\)](#).

168. In the context of ongoing and politically charged preparations for the elections, the Panel recommends that the Security Council consider adding a specific sanction designation criterion concerning actions or policies that have the purpose of significantly impeding the conduct or legitimacy of free and fair elections in South Sudan, including by impeding or distorting critical pre-election preparatory activities.

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## Annex 1: Press Statement by the High-Level Standing Committee of the Revitalized Transitional Government of National Unity, 21 February 2023

### THE REPUBLIC OF SOUTH SUDAN



#### Press Statement by the R-TGoNU

##### 1. Introduction

*A priori*, the High-Level Standing Committee representing the Parties to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), which is responsible for the implementation of the agreement expresses its gratitude to all the invited guests in attendance.

As stated in the invitation, the objective of this Press Conference is to inform and update the peace-loving people of South Sudan, the region and indeed the entire goodwill International Community partners on the transition of the Revitalized Transitional Government of National Unity (R-TGoUN) of the Republic of South Sudan from the *thirty-six months (36) Transitional Period provided for under Article 2.3.1/1.1.2 of the R-ARCSS which ends on the 22<sup>nd</sup> of February 2023, to the twenty-four(24)-month Extended Transitional Period provided for under Article 4.4 of the roadmap ending 22<sup>nd</sup> February, 2025, with elections to be held in December, 2024.*

You all recall that the parties signatory to the agreement endorsed the roadmap presented by H.E. President Salva Kiir Mayardit for, 'Peaceful and Democratic end of the conflict in the Republic of South Sudan' on 4<sup>th</sup> August, 2022 and subjected to the processes prescribed in article 8.4 of the R-ARCSS. Thus, the the Council of Ministers resolved to approve the roadmap vide its Resolution No.11/2022 dated 5<sup>th</sup> August 2022. The Revitalized Joint Monitoring and Evaluation Commission (RJMEC) endorsed it on 1<sup>st</sup> September, 2023 (Ref: letter RJMEC/C/2022/L/287 dated 2<sup>nd</sup> September, 2022) and finally ratified by the Revitalized Transitional National Legislature (RTNL).

The essence of the roadmap is to provide time-bound guidance on the implementation of outstanding provisions that are critical to the conduct of peaceful and democratic elections at the end of the transition period, not an

alternative to the R-ARCSS. The objective of this Press Conference, therefore, is to communicate to the Public, the Diplomatic Community, Civil Society, Academia, Faith-based Groups and other constituencies that have interest in a peaceful South Sudan engaging in development and prosperity of its people that the twenty-four month (24) roadmap Extended Transitional period officially comes into effect from mid-night of Wednesday the 22<sup>nd</sup> of February, 2023, to end by the 23<sup>rd</sup> February, 2025, with elections held by December, 2024.

In order to demonstrate the commitment of the of R-TGoNU and its leadership to implement the R-ARCSS/Roadmap fully in letter and spirit, brief summaries on the implementation status of each Chapter are provided to enrich the understanding of and install confidence in the participants.

## **2. Status of the implementation of Chapter-1 (Roadmap Annex-1)**

2.1 Items 1 to 12 are either accomplished or are at an advanced stage of completion as follows:

- (i) The Article 1.17.3 on the establishment of Judicial Reform Committee (Item 1 of Annex-1 of the roadmap) has been established, functioning effectively and its mandate extended by 12 months.
- (ii) Article 1.17.2 (Item 2 of Annex-1 of the roadmap) on the review of the Judiciary Act, 2008.
- (iii) Article 1.1.19 (Item 3 of Annex-1 of the roadmap) on The Reconstitution of the Judicial Service Commission to reform the Judiciary.
- (iv) Article 1.18.3 (Item 4 of Annex-1 of the roadmap) on the enactment of the amendments required in the laws enumerated under article 1.18.1.2, all in progress as outlined below.
- (v) Article 1.18.6 (Item 5 of Annex-1 of the roadmap) on the presentation of the draft amendment Bills to the Council of Ministers and the TNLA
- (vi) Article 1.19.1 (Item 6 of Annex-1 of the roadmap) on Restructuring and Reconstitution of the various Commissions at the national level. Finally, re-allayment and power sharing of Commissions with political implication will be endorsed on Thursday 23/02/2023 by the High-level Committee

and presented the Council of Ministers for consideration on Friday 24/02/2023.

- (vii) Article 1.20.1 (Item 7 of Annex-1 of the roadmap) on the review of the Political Parties Act, 2012.
- (viii) Article 1.20.2 ((Item 8 of Annex-1 of the roadmap) on the reconstitution of the Political Parties Council.
- (ix) Article 1.20.2 (Item 9 of Annex-1 of the roadmap) on the Reconstitution of the National Elections Commission as per the Act of 2008

#### 2.1.1 On Bills associated with the R-ARCSS/Roadmap

**2.1.1.1** H.E. the President assented to the following bills: (i) The National Police Service Act, 2009 (Amendment), Bill 2022, (ii) The National Prisons Service (Amendment, 2021) Bill, 2022, (iii) The Wildlife Service (Amendment) Bill, 2022, (iv) The Constitutional Making Process Bill, 2022, and The Transitional Constitution of the Republic of South Sudan, 2011 (Amendment), Bill, 2022, Amendment 11 which incorporated the roadmap on 4<sup>th</sup> August, 2022.

**2.1.1.2 Bills now submitted to the RTNLA:** Eight (8) bills have now been submitted for ratification, namely: (i) Social Insurance Bill, 2022, (ii) Public Health Bill, 2022, (iii) Wildlife Conservation and Protected Areas Bill, 2022, (iv) Disarmament of Civil Population Provisional Order, 2022, (v) National Public Health Provisional Order, 2020, (v) Cybercrimes and Computer Misuse Provisional Order 2021, (vi) National Petroleum and Gas Corporation Act. 2019, (Amendment) Provisional Order 2021, (vii) Eastern and Southern African Trade and Development Bank, Provisional Order, 2021 and (viii) Audit Chamber Act, 2011 (Amendment) Bill, 2022.

**2.1.1.3 Bills under process in the Council of Ministers:** Again eight bills are undergoing various stages of Cabinet process namely: (i) National Archives Bill, 2021, (ii) Mine Action Bill, 2022, (iii) Petroleum Act, 2012 (Amendment) Bill, 2022, (vi) Petroleum

Revenue Management Act, 2013 (Amendment) Bill, 2022, (v) Anti-Corruption Act, 2009 (Amendment) Bill, 2022, (vi) Election Act, 2012 (Amendment) Bill, 2022, (vii) National Security Act, 2014 (Amendment 2021 and (viii) Public Financial Management and Accountability Act, 2012 (Amendment) Bill, 2022.

- 2.1.2 **On International Conventions/Treaties:** The following seven(7) Conventions/Treaties are due to be signed by the President this week, the week commencing 20<sup>th</sup> February, 2023: (i) The Convention on the Prohibition of the Development, Production and Stockpiling of Bacterial (Biological) and Toxic Weapons and their Destruction, Bill 2022, (ii) Protocol to the African Charter on Human and People's Rights on the Rights of Woman in Africa, (iii) International Convention of Economic, Social and Cultural Rights and its Operational Protocol, (iv) International Convention on Civil and Political Rights (ICCPR), (v) The Paris Agreement, (vi) International Convention on Rights of Persons with disability and its Operational Protocol and (vii) International Convention Against Doping in Sport, 2005.

### 3. Status of implementation of Chapter-2 (Annex-4 of the roadmap)

- 3.1 A total of approximately fifty-two (52) thousand Necessary Unified Forces (NUF) previously cantoned and co-trained in phase-1(Items 1 to 6 of Annex-4) completed between the 30<sup>th</sup> August, 2022, and October, 2022.
- 3.2 Following the establishment of a joint command structure of all the security sectors, the Presidency during its meeting of Friday the 10<sup>th</sup> February, 2023, directed the Presidential Advisor on Security to meet the leadership of all the Security Sectors to fast-track the formation of the middle echelon of the Army, National Security and the other Organized Forces. Thereafter, deployment commences. Thus, completion of points 3.1 and 3.2 herein would accomplish the implementation of items 1 to 6 of Annex-4 of the roadmap.
- 3.3 Further, the Presidency in its meeting of the 10<sup>th</sup> February, 2023, directed the Presidential Advisor on Security to forthwith make necessary preparations for commencement of the containment, training and subsequent graduation of the remaining phase-2 of the Assembled and Barracked Forces.

**4. Status of implementation of Chapter-4 (Annex-6 on Resource Management):**

- 4.1 The Ministry of Finance and Planning identified Twenty-Five (25) reform provisions in Annex-6 of the roadmap, which are being implemented. The Ministry established a committee of three persons since 25<sup>th</sup> October, 2022, to execute and implement those provisions.
- 4.2 The Ministry has also started to regularly pay operational funds to all the spending agencies as part of the Public Financial Management reform process to enhance institutionalization of the roadmap and fast-track its implementation.
- 4.3 The process divides the total operational budget of all the spending agencies by twelve (12) months and pay each institution its monthly portion the value of which depends on the available cash.
- 4.4 Spending agencies are then expected to submit monthly expenditure report to the Ministry before the subsequent allocation is made. That reform activity has enormously improved the morale of the employees and functioning of government institutions.

**5. Status of implementation of Chapter-5 on Transitional Justice, Accountability, Reconciliation and Healing (Items 1 to 21, Annex-7 of the roadmap)**

- 5.1 Article 5.1.1 and 5.2 on the RTGoNU initiating legislation for the CTRH as per Article 5.1.1.1 (Item 1 of Annex-7 of the roadmap) completed and the legislation is in its draft form.
- 5.2 Article 5.1.1 and 5.1.4 (Item 2 of Annex-7 of the roadmap) on the R-TGoNU seeking assistance and cooperation with AU, UN, ACPHR to design, implement and facilitate CTRH and the CRA is completed.
- 5.3 Articles 5.1.1 & 5.2 (Item 3 of Annex-7 of the roadmap) on the R-TGoNU initiating legislation for the CTRH as per Article 5.1.1.1. Draft legislations completed as well as that of the CRA are ready awaiting a workshop to be organized by the R-TGoUN within February, 2023, to consider prior to the final legislative processing.

5.4 Article 5.2.1.3 (Item 4 of Annex-7 of the roadmap) on the MOJCA in collaboration with other stakeholders to conduct public consultations for a period not less than 1 month prior to the establishment of the CTRH will be effected upon the ratification of the CTRH by the R-TNLA.

5.5 All the other CTRH operational provisions (Items 6 to 16 of Annex-7 of the roadmap) shall be implemented upon the ratification of the CTRH bill (Item 5 of the roadmap as per Article 5.2.1.3 and 5.2 of the R-ARCSS).

5.6 As stated earlier the bill for the establishment of the Compensation and Reparation Authority (CRA) is drafted and awaiting the conduct of a workshop to consolidate its contents prior to consideration by the Council of Ministers and subsequently the R-TNLA before the end of February, 2023.

5.7 On the establishment of the Hybrid Court for South Sudan (HCSS) as required by article 5.3.1, sub-article 5.3.3.1 and 5.3.3.3 is pending guidance of the African Union as provided for under article 5.3.1.1 of the R-ARCSS.

**6. Status of implementation of Chapter-6 on Parameters for the Constitutional Making Process (Items 1 to 21, Annex-8 of the roadmap)**

6.1 Article 6.1 (Items 1 of Annex-8 of the roadmap) on the R-TGoNU on the initiation and overseeing the permanent constitution-making process during the Transitional Period is ongoing.

6.2 Article 6.15 (Items 6 to 16 of Annex-7 of the roadmap) on the R-TGoNU to provide adequate funding for the permanent constitution-making process is in progress.

6.3 Article 6.7 (Items 3 of Annex-8 of the roadmap) on the RJMEC convening a workshop for the Parties to agree on details of conducting the permanent constitution making process is completed.

6.4 Article 6.8 (Items 2 of Annex-8 of the roadmap) on RJMEC identifying and engaging a renowned institute to facilitate and moderate the permanent constitution process workshop is accomplished.



- 6.5 Article 6.9 (Items 3 of Annex-7 of the roadmap) on the preparation for drafting the legislation for constitutional making process based on the outcome of the workshop to guide the permanent constitutional making process is accomplished.
- 6.6 Article 6.6 and 6.14 of Chapter-6 (Item 5 of Annex-8 of the roadmap) on the Permanent Constitution process. The bill has been assented into law and the Ministry of Justice and Constitutional Affairs outlined the design, form and content of the Permanent Constitution of the Republic of South Sudan as detailed hereunder:
- (i) the Reconstituted National Constitutional Review Commission (R-NCRC) comprising 57 members headed by a Chairperson with a Deputy Chairperson of the opposite gender and both of them being appointed by the Executive of R-TGoNU, in addition to a Secretary General who shall head the Secretariat of the Commission.
  - (ii) the Constitutional Drafting Committee (CDC), composed of 15 members and established as a technical, independent, non-political and neutral body tasked with drafting of the Constitution.
  - (iii) the Preparatory Sub-Committee (PSC), composed of 25 members, including a Chairperson and a Deputy who shall be of the opposite gender.
  - (iv) the National Constitutional Conference (NCC), composed of 1,200 members, where 100 members are drawn from each of the (10) States and 30 members from each of the (3) Administrative Areas, while 110 members shall be from other categories.
  - (v) the Constituent Assembly (CA) which shall take over the responsibility of deliberations and adoption of the Permanent Constitution and to be dissolved thereafter, as per the memo of the Minister of Justice and Constitutional Affairs No. RSS/MOJ&CA/J/M/2023, dated 19/01/2023.
  - (vi) Article 1.17.7 (Item 11 of Annex-1 of the roadmap) on the establishment of an independent and credible constitutional Court.

- (vii) Article 1.20.6 (Item 12 of Annex-1 of the roadmap) on the establishment the National Elections Act to conform with the terms of the Permanent Constitution.
- (viii) Ministries of Cabinet Affairs, Justice and Constitutional Affairs and Finance and Planning to fast-track preparation of a budget for implementation of the roadmap on the Constitution Making Process Act, 2022, and all the relevant institutions are urged to implement sections of the roadmap that are pertinent to their mandate within the proposed timeline.
- (ix) Articles 6.6 and 6.14 (Items 6 to 16 of Annex-7 of the roadmap) Reconstitution of the National Constitutional Review Commission (NCRC) and appointment of a Preparatory Sub-Committee for the convening of the National Constitutional Conference.
- (x) Article 6.16 (Items 6 to 16 of Annex-7 of the roadmap) R-TGoNU and NCRC to seek assistance from regional and international experts for the constitution making process.
- (xi) Article 6.4 and Article 6.5 (Items 6 to 16 of Annex-7 of the roadmap) The permanent constitution making process to be completed 24 months into the Transitional Period.
- (xii) Article 6.4 and Article 6.5 (Items 6 to 16 of Annex-7 of the roadmap) The permanent constitution making process to be completed 24 months into the Transitional Period.

**7. To conclude:**

- (i) the High-Level Standing Committee has established a sub-committee of five (5) persons to urgently plan and structure the process of disseminating (Items 1 to 7, Annex-3 of the roadmap) as well the budget and
- (ii) The Committee is similarly in advance discussions with UNMISS and the UNDP on the operationalization of Per-elections activities

(Items 1.1 to 1.6, Annex-2a of the roadmap) and, Elections and Post-elections activities (Items 1.1 to 5, Annex-2b of the roadmap).

Finally, the High-level Committee hopes that this Press Conference now clears any political misinterpretation of the transition from the 36 months Transitional Period of the R-ARCSS to the 24 months Extended Transitional Period provided by the roadmap. **The Committee conforms that the transition has no impact on the components of the R-TGoUN and it is business as usual.**

\_\_\_\_\_ **End of Press Statement** \_\_\_\_\_



## Annex 2: Statement by the National Constitutional Amendment Committee, 7 March 2023

### NATIONAL CONSTITUTIONAL AMENDMENT COMMITTEE (NCAC)

07/03/2023

#### PRESS STATEMENT FOR IMMEDIATE RELEASE.

#### SUBJECT: SUSPENSION OF NCAC OPERATIONS PENDING PAYMENT OF ITS NATIONAL MEMBERS.

The National constitutional amendment committee (NCAC) would like to inform the parties to the Agreement, the stakeholders, the citizens and the peace guarantors that unfortunately it has become extremely difficult to conduct its meetings as usual for the review and amendment of the laws as stipulated in the Agreement. It is important to note that the NCAC was reconstituted by the Inter-Governmental Authority on Development (IGAD) in October 2018 following the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). (Chapter 1, Article 1.18.1.3 of the Agreement mandates the National Constitutional Amendment Committee to make amendments to the Constitution and legislation to incorporate the Agreement and any reforms relevant to the Agreement.

1. NCAC is composed of fifteen (15) members, two (2) are non nationals and thirteen (13) are nationals representing the Parties to the Agreement and stakeholders. The two (2) non nationals are supported by IGAD, however the thirteen (13) nationals are supposed to be facilitated by the Government.
2. The NCAC would like to proudly inform you that since the commencement of its work in October 2018 to date, the Committee has reviewed and submitted to the Minister of Justice & Constitutional Affairs eighteen (18) Amendment Bills - including the Constitutional Amendment Bill that incorporated the Revitalized Agreement into the Transitional Constitution of South Sudan, 2011. . However, there are still critical pending laws that need to be reviewed to facilitate the implementation of the roadmap fully.
3. Since it started working, the Committee has been consistently presenting its budget annually to the NPTC/NTC. Literally the budgets of the mechanisms were approved but NCAC only received an initial payment of 0.5% of the amount in 2020.
4. Despite the enormous work involved and challenges of lack of facilitation, the Committee has been working for nearly three (3) years without payment. During these periods, the NCAC has continuously followed up on the issue of payment but to no avail through various offices of the Government including the NTC; Minister of Justice and Constitutional Affairs; Minister of Peace building; H.E the First Vice President; H.E the Vice President in charge of the Economic Cluster;

Minister for Presidential Affairs; Minister for Finance and Planning and the Minister for Cabinet Affairs. Furthermore, the issue of lack of payment has been raised several times at RJMEC monthly plenary meetings and urgent resolutions were made urging for payment of national members of the NCAC.

5. Moreover, the First Vice President and the Vice President in charge of the Economic Cluster wrote directing the Minister of Finance and Planning to make payment of the NCAC dues. Most unfortunately, to date no payment has been made.
6. This press release is therefore intended to inform the government, the stakeholders and the general public that, the NCAC has exhausted all available efforts to resolve this matter. For that reason, it has become very challenging to continue with its mandate without the necessary support needed to facilitate its national members. NCAC deeply regrets that it will now cease all its operations with immediate effect until the government clear all its outstanding dues.

We remain seized of the matter.

*National Members  
National Constitutional Amendment Committee*

### Annex 3: Press statement by the SPLM-IO, 24 October 2022



SUDAN PEOPLE'S LIBERATION MOVEMENT  
SPLM (IO)  
OFFICE OF CHAIRMAN AND COMMANDER – IN – CHIEF



October 24<sup>th</sup>, 2022

#### Press Statement

The office of Chairman and Commander – in – Chief of the SPLM/A (IO) was surprised to hear about the decision of the SPLM (IG) Political Bureau to dismiss Cde Riek Machar Teny-Dhurgon and Cde Pagan Amum from its membership as well as First Deputy Chairman and Secretary General of the party respectively. The meeting also declared the completion of the party's reunification process. This decision was taken in a meeting chaired by President Salva Kiir Mayardit on Thursday October 20<sup>th</sup>, 2022.

Firstly, it is important to note that SPLM since December 2013 had split into three factions SPLM (IO), SPLM (IG) and SPLM (FD). Lately Real SPLM emerged from SPLM (FD) making them four factions. In the said meeting above, SPLM (FD) confirmed joining SPLM (IG), so the factions remain as three namely SPLM (IO), SPLM (IG) and Real SPLM.

We want to categorically state that none of these factions can claim being the SPLM, as such no faction can dismiss any member of the other factions from SPLM. For more clarity, the SPLM is the three factions united together. A decision of any of the factions is not a decision of SPLM. Therefore, the SPLM (IG) cannot dismiss Comrade Riek Machar Teny-Dhurgon from membership of SPLM and cannot as well replace him, as he is an elected First Deputy Chairman and member of Political Bureau of SPLM. Such a dismissal or replacement is only possible if there is a National Convention for the SPLM, not of a faction.

On other the hand, the unilateral decision made by the SPLM (IG) is a grave violation of the Agreement on the Reunification of Sudan People's Liberation Movement signed in January 21<sup>st</sup>, 2015 in Arusha which was mediated by the Tanzania's ruling party *Chama Cha Mapinduzi* (CCM), in which the three SPLM factions namely SPLM (IO), SPLM (IG) and SPLM (FD) committed themselves to the re-unification of the party to enhance national unity, reconciliation and healing amongst the people of South Sudan.

The Arusha Agreement is a complementary accord to the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) and consequently Revitalized ARCSS. The Arusha Agreement is aimed to bring together the SPLM factions to address most of the crucial points on political, organizational and leadership issues.

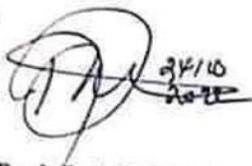
In conclusion, the SPLM (IG) has no authority to dismiss leaders of SPLM of other factions at any time when the reunification is not done. This decision of SPLM (IG) is a distraction of the

ongoing efforts being made by the parties in addressing the national crisis through the implementation of the R-ARCSS and Rome talks which would pave the way for the SPLM factions to implement the Arusha Agreement.

However, we note the fact that SPLM (IG) can reorganize and restructure itself, without necessarily claiming the authority of the SPLM.

Finally, the leadership of SPLM (IO) respects and firmly commits itself to the two Agreements (R-ARCSS and Arusha). We therefore hold the SPLM (IG) accountable for violating the Arusha Agreement and aborting the reunification of the SPLM.

Sign

A handwritten signature in black ink, consisting of a large, stylized initial 'P' followed by the name 'Puok Both Baluang' and a date '24/10/2023' written below it.

**Cde Puok Both Baluang**  
Ag. Press Secretary,  
Office of Chairman and Commander – in – Chief of the SPLM/A (IO) and the First Vice  
President of the Republic of South Sudan

## Annex 4: Press Statement by the SPLM, 25 October 2022





**SUDAN PEOPLES' LIBERATION MOVEMENT  
NATIONAL SECRETARIAT**  
Office of the Secretary General

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**SPLM Press Statement on 25 October 2022**

**SPLM House, Juba**

The SPLM would like to respond to a press statement issued by the Office of the SPLM-IO Chairman regarding the resolution of the SPLM Political Bureau meeting held on 20<sup>th</sup> October 2022.

First, SPLM is not a faction. It is the mother from which the splinter groups originated. Only such dissident organizations can be called factions. SPLM doesn't need legitimacy from its splinter groups to be itself. No legally competent organ of SPLM has ever changed the name from SPLM to "SPLM-IG." The negotiators came up with such nomenclature to help them differentiate those factions which refused to relinquish SPLM from their prefixes. Therefore, it is not the return of the children that will name the legally registered mother.

Second, the SPLM would like to reiterate that it has been now seven (7) years since the signature of the Arusha Agreement on 21 January 2015. By such agreement, all the signatories were to come to Juba and implement the agreement. SPLM-FDs responded and Cde. Pa'gan Amum returned to Juba and was sworn-in as SPLM Secretary General on 23 June 2015; however, he decided to leave his party again and formed his "Real SPLM." During that time, SPLM-IO made it clear that their priority was not the implementation of the Arusha Agreement, but the ARCSS being negotiated in Addis-Ababa and therefore, their leadership did not return to Juba for implementation of the Arusha Agreement.

For clarity, the idea for the Arush process was to replace the IGAD mediation which stuck on power-sharing arrangement in Addis-Ababa. It was then conceived by sisterly political parties of EPRDF, CCM and ANC that since the crisis was internal to SPLM, it would be easier to address the situation at the party level. What was agreed in Arusha took the SPLM back to its pre-crisis position and if it were implemented, IGAD mediation would have been rendered irrelevant. However, since Dr. Riek did not come to Juba for its implementation, we had ARCSS and now R-ARCSS implementation which has become the preoccupation rather than the implementation of the Arusha Agreement.

It was only in May 2018 that the SPLM-IO faction led by Cde. Taban Deng Gai dissolved their faction and declared total unification with the SPLM. It was in such meeting of the NLC that Cde. Yoweri Kaguta Museveni, Chairman of NRM and President of Uganda, requested for 45 days for him to convince the SPLM-IO leadership and FDS to join the reunification of the party.

1 | SPLM Press statement

[www.splmtoday.com](http://www.splmtoday.com)

Indeed, it has now been four years since that statement was uttered and Cde. Dr. Riek and Cde. Pa'gan never returned to SPLM. Dr. Riek has been now in Juba since the formation of R-TGoNU and has never indicated any interest to return to SPLM though his office is less than 700 meters away from the SPLM Secretariat office and the same distance from that of President Salva Kiir. He continues to organize his own party as we are all eye witnesses to that effect. Cde. Pa'gan is busy with Real SPLM and the Rome process as SPLM is being held hostage.

SPLM has been more than willing to unify with its splinter groups. If the SPLM wasn't willing to implementation the Arusha Agreement: (a) It couldn't have waited for seven (7) years for return of people who have already established their own parties; (b) It couldn't have incorporated the Arusha Agreement into the SPLM amended Constitution of 2016; and (c) It couldn't have reinstated those who have returned to the party to their previous positions.

However, the strategy for holding SPLM hostage for so many years while others organize their parties has now come to an end. Article 10 [(b) &(d)] of the Constitution on the grounds for the loss of membership in the party has now been invoked by the SPLM Political Bureau meeting held on 20<sup>th</sup> October 2022 to recommend to the forthcoming NLC meeting for dismissal of those who either joined or formed their own political parties. Once membership is lost, it goes without saying that the positions being held in various structures of the SPLM by such individuals would automatically be lost. If someone really wants to abandon his/her party, they better do so before the forthcoming meeting of the NLC. The 45 days of Cde. Museveni are over!

It is so inconceivable for someone to think that a registered SPLM is not party until he returns to it. Or that he must be a Chairman of his party with all organs in full swing and at the same time be a also a Deputy Chairman of another party. The era of such confusion in the SPLM is now coming to an end and master confusionists must find other professions. Either we are members of SPLM or we are not. There is no middle ground.

In South Sudan, there are only 14 registered political parties with the Political Parties Council. However, the R-ARCSS has given legitimacy to more than 52 Political Parties now operating in Juba. If there are some analysts who think that those parties which are not registered with Political Parties Council are not parties, that is not true. All parties operate under the R-ARCSS and are therefore legitimate. It is the agreement that gives legitimacy to the political parties in South Sudan and not their registration status with the Political Parties Council. Anyone who joins another party will automatically be dismissed by their party and that action is legally justified.

  
Peter Lam Both,  
SPLM Interim Secretary General,  
Republic of South Sudan, Juba



## Annex 5: Partial list of SPLM Political Bureau members, December 2022

<b>CONFIRMED FINAL LIST OF THE SUDAN PEOPLE'S LIBERATION MOVEMENT (SPLM) POLITICAL BUREAU (PB) MEMBERS, DECEMBER 2022</b>
<b>Equatoria Region - 9 SPLM PB members.</b>
<b>Central Equatoria State.</b> 1. Cde. James Wani Igga. 2. Cde. Daniel Abocha Ali Malou. 3. Cde. Mary Apai-New.
<b>Eastern Equatoria State.</b> 1. Cde. Josephine Napwon Cosmos-New. 2. Cde. Tulio Odongi-New. 3. Cde. Margaret Leonardo Itto-New.
<b>Western Equatoria State.</b> 1. Cde. Jemma NunuKumba. 2. Cde. Kosti Manibe Ngai. 3. Cde. Africano Mande Gedima-New.
<b>Bahr El Ghazal Region - 13 SPLM PB Members.</b>
<b>Lakes State.</b> 1. Cde. Daniel AwetAkot. 2. Cde. Paul Mayom Akech. 3. Cde. Akol Paul Kordit. 4. Cde. Rin TuenyMabor-New.
<b>Warrap State.</b> 1. Cde. Salva Kiir Mayardit. 2. Cde. Nhial Deng Nhial. 3. Cde. Awut Deng Acuil. 4. Cde. Tor Deng Mawein-New.
<b>Western Bar El Ghazal State.</b> 1. Cde. Mark NyipuochUbang. 2. Cde. Rizikzackaria Hassan-New.
<b>Northern Bar El Ghazal State.</b> 1. Cde. KuolAthianMawien-New. 2. Cde. Benjamin Bol Mel-New. 3. Cde. Angelo Ugwaag Arun-New.
<b>Upper Nile Region - 11 SPLM PB members.</b>
<b>Jonglei State.</b> 1. Cde. KuolManyangJuuk. 2. Cde. Rebecca Nyandeng de Mabior. 3. Cde. John Kong Nyuon-New. 4. Cde. Barnaba Marial Benjamin-New.
<b>Upper Nile State.</b> 1. Cde. Peter Lam Both-New. 2. Cde. Simon KunPuoch-New. 3. Cde. Rebecca Joshua Okwaci-New. 4. Cde. Stephen DhieuDau-New.

## Annex 6: SPLM-IO boycott of the Jonglei State Legislative Assembly, 13 February 2023



### The Republic of South Sudan Jonglei State Legislative Assembly-Bor



#### Office of the Chief Whip - SPLM-IO

Date: 13/02/2023

Rt. Hon. Apotho Ojulo Okoth,  
Deputy Speaker  
Jonglei State Legislative Assembly,  
Bor

Subject: Boycott The Reopening of the Jonglei State Legislative Assembly.

Rt. Hon. Apotho,

The reference is hereby made to the presidential decree read out on SSBC TV on January 3<sup>rd</sup> 2023 on the revocation of the appointment of Rt. Hon. Amer Ateny, the speaker of the Jonglei State Legislative Assembly, and the initiated process of reopening the Jonglei State Legislative Assembly by the leadership of the parliament (ABC).

On behalf of members of Parliament and the general public, We the SPLM-IO Caucus in the Jonglei State Legislative Assembly do hereby declare our position to boycott the reopening of the Jonglei State Legislative Assembly which is on the process to be reopened, for the following reasons:

1. The unilateral revocation of Rt. Hon. Amer Ateny, the speaker of the Jonglei State Legislative Assembly is a violation of **article 1.13.1 of R-ARCSS** which dictate the removal and replacement procedures, and **1.9.6** which called for a spirit of collegial collaborations among the parties to the peace agreement.
2. It is unconstitutional for the deputy speaker to preside over the reopening of the Jonglei State Legislative Assembly. According to **article 7.3 of chapter one of the assembly Conduct of Business** dictates that no parliament business shall be transacted besides the appointment of the speaker when the office of the speaker is vacant. Therefore, the deputy speaker has no constitutional rights to reopen the Jonglei State Legislative Assembly since there is no active speaker that has or delegates powers to the deputy speaker.
3. We shall not participate in the reopening of the August House while the previous resolution that led to the impeachment of the state minister of finance in a majority vote of no confidence cast against him on August 9<sup>th</sup> 2022 by the August House has not been addressed by the governor.
4. We shall not be part of the reopening of the August House while the state constitutional postholders are undergoing illegal intimidation by the governor. For example, Since January 2022, the minister of agriculture is under indefinitely suspension and there are no provisions in



the agreement which gives governors powers to suspend parties representatives in the government.

5. We shall not participate in the reopening of the August House while the executive defied the resolution of the parliament that called for the payment of the civil servant salaries of July, August, October 2021 and other arrears of constitutional post holders.
6. We cannot participate in the reopening of the parliament when revenues collected or generated at the state level are not part of state budget allocation. For example, the NGOs Personal Income Tax (PIT)

Rt. Hon. Deputy Speaker, with all the above references and for the boycott to be lifted, we, therefore demand the following irreducible minimum.

- A) The unilateral revocation of Rt. Hon. Amer Ateny appointment to be lifted and we urge the presidency to speed up the reinstatement process of the Right Honorable speaker in accordance with the dictates of the R-ARCSS.
- B) The impeached state minister of finance is to be removed from office in accordance with the dictate of the constitution.
- C) All civil servants and constitutional post holders' arrears should be paid in full.
- D) All revenues that are collected or generated at the state level including NGOs PIT to be part of the state budget allocation.

Therefore, the above-mentioned items are outstanding concerns of the parliament to be addressed. Finally, the SPLM-IO Parliamentary caucus in the Jonglei State Legislative Assembly reiterates its commitment to the implementation of R-ARCSS in letter and spirit.

Signed on behalf of SPLM-IO Parliamentary Caucus in Jonglei State Legislative Assembly.

Hon. Abel Nyuot Lok

Chief Whip

Contact number: +211925227222/ WhatsApp number: +211922337338

Cc: Governor

Cc: Minister of Parliamentary Affairs

Cc: Chairperson of SPLM-IO, Jonglei State

Cc: SPLM-IO Chief Whips, National Legislature

Cc: Civil Society Organization

Cc: Media

Cc: File



**Annex 7: Defections from SPLM-IO to SPLM in Koch County in Unity State,  
7 September 2022**





**SUDAN PEOPLE'S LIBERATION MOVEMENT**  
**UNITY STATE - BENTIU**  
**KOCH COUNTY**  
**SPLM CHAIRPERSON'S OFFICE**

Date: 7/9/22

To: the office of Sudan people liberation movement [SPLM] state secretary  
Unity state – Bentiu

Dear Sir

**REF SPLM members which declared themselves from SPLM –IO to SPLM – IG**

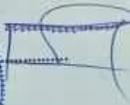
The office of Koch county SPLM chairperson would like to inform the state SPLM office about the following members of which declared themselves from SPLM –IO to SPLM –IG in Koch County and below are their names

s/n	Names in full	Position	Payam
1-	Kueth Jiech Ruot	Payam administrator	Mirmir
2-	Kuach Nirew malieth	Deputy headchief	Mirmir
3-	Kunot Chan Kunot	Member	Mirmir
4-	Kai Gatluak Nyoun	Member	Mirmir
5-	Deng Chuol Buop	Member	Mirmir
6-	Sebit Majuan Goal	Headchief	Koat
7-	Gatkier Riek Jiek	Member	Koat
8-	Ruot Nhial Dador	Town chief	Thoriak
9-	Thalei kueth thony	Headchief	Boaw
10	Luoyhok Puok majak	Headchief	Gany
11	Gatkhan mathoat Buok	Member	Gany
12	Mout kompuok teny	Member	Gany

Thanks

Brig: Gen Gorden Koang Biel  
Koch county SPLM chairperson

cc- office file  
cc- state SPLM office  
cc- county SPLM office

Sign 



Contact: +211 911 100 011 / +211 916 922 831

## Annex 8: SPLM-IO Press Statement alleging political harassment in Warrap State, 13 March 2023



### PRESS STATEMENT

The SPLM IO Caucus met on 13<sup>th</sup> March 2023 to deliberate on the violations made by the leadership of H.E the Governor of Warrap State, the Chairperson of SPLM IO who has committed unacceptable violations to the Revitalized Agreement and the implementation of the Road Map 2022 as quoted in R-ARCSS 2.1.10.4 and read together with the Transitional Constitution of the Republic of South Sudan, article 25(1).

**The details of the violations are hereunder; -**

- 1- First and foremost, H.E the Governor of Warrap State lacks the spirit of cooperation with other political parties in his Government and particularly SPLM IO.

The Leadership of H.E the Governor, instructed the Counties' Commissioners who are members of his party to arrest any SPLM IO Member found in their Counties wearing SPLM IO T-shirts and undress them forcefully and thereafter burn them to ashes.

**The list of people that were undressed together with their respective areas in Tonj North County are hereunder; -**

- a. Aduot Aduot Ajuong undressed in Kirrik Payam
  - b. Majok Akech Pachien undressed in Madhiath Payam
  - c. But Bol Kur undressed in Kirik Payam
  - d. Guet Thiop Ajou undressed in Pagakdit, Warap Payam.
  - e. Maker Luul Akoon, undressed in Kirik Payam.
- 2- There are signs of an attempt to assassinate the SPLM IO Members. For example, the Rt. Hon. Speaker, who is also the Chairperson of SPLM IO Party in Warrap State was about to be assassinated in Tonj East County during a Government mission together with the Governor. The plan was cooked and the person who masterminded the assassination attempt goes by name Abraham Matoch. He was arrested through the orders of H.E the Governor but later freed without any legal procedures.
- 3- On 14<sup>th</sup> January, 2023, the leadership of H.E the Governor of Warrap State has carried out a rampant arrest of up to ten (10) SPLM IO Members in Tonj South

County. The ones that were arrested came from the counties to attend the launching ceremony of the SPLM IO Secretariat in the State HQRs, Kuajok. Immediately after returning back to their respective destinations, they were arrested.

- 4- On 29<sup>th</sup> January, 2023, Mr. Gabriel Adim Deng Lang was arrested and tortured in Tonj North County.
- 5- On 3<sup>rd</sup> February 2023, The leadership of H.E the Governor formed a so-called committee for peace awareness with a hidden agenda to eliminate the SPLM IO members as per attached documents written by the Hon. Commissioner of Tonj North County dated, 3<sup>rd</sup> February 2023 which coincides with the detention of Hon. Mark Anei Mading, State MP-Warrap State.
- 6- On 3<sup>rd</sup> February, 2023 at 2:10 am, Hon. Mark Anei Mading, a State MP, of Warrap State was also arrested in Kirrik Payam of Tonj North County and detained in the bush for almost three days. He was threatened at gun point to mention all the SPLM IO Members in Kirrik Payam or else he will be killed.
- 7- On 14<sup>th</sup> February, 2023, two SPLM IO members; Lawrence Buoi Luka and Alphonse Pasquale were arrested in Agugo Payam of Tonj South County and underwent serious torturing.
- 8- At the same month, February, 2023, Cde Guet Thiep Ajou was arrested in Pagakdit of Tonj North County.
- 9- On 5<sup>th</sup> March, 2023, Cde Dech Dech Deng, was also arrested in Warrap town, Tonj North County HQRs.
- 10-After the appointment of H.E the Governor he ordered the detention of the Hon. Commissioner of Tonj East through a phone call before he reached Warrap State HQRs. This occurred on 28<sup>th</sup> November, 2022. The Hon. Commissioner of Tonj East County has been detained since within Kuajok and not to go to Tonj East County for about four months.  
On 9<sup>th</sup> March, 2023, H.E the Governor issued a suspension against the Hon. Commissioner of Tonj East County and later on 13<sup>th</sup> March he allowed the arrest of the Hon. Commissioner and put him under detention at the C.I.D centre in Kuajok without due process of lifting the immunity of the Hon. Commissioner.
- 11-On 13<sup>th</sup> March 2023, after we learnt that the Hon. Commissioner of Tonj East County was arrested, the Chairperson of SPLM IO Consulted H.E the Governor about the arrest but he denied any knowledge and suggested that the Chairperson of SPLM IO to confirm the arrest himself.

When the SPLM IO Chairperson went to the site and indeed confirmed the incident to be true. He tried to rescue to the situation by explaining the consequences of such a careless decision of arresting a constitutional post holder without due process of the law and whose position is bound to a peace agreement.

As per this press statement the personal guards to the Chairperson of SPLM IO Party who is also the speaker of Warrap State Reconstituted Transitional Legislative Assembly, are under arrest. Also the MPs who accompanied the Rt. Hon. Speaker to the detention site were seriously beaten.

After all these incidences happened, the SPLM IO leadership has been vocal, for example, during a security meeting that was conducted in Tonj South County on 25<sup>th</sup> February 2023, the SPLM IO chairperson raised the issue of illegal and random arrests of SPLM IO members accusing H.E the Governor of being behind the issue in presence of the following commanders of organized forces; -

- 1- Commander of Division 11 and his deputy
- 2- Commander of Disarmament
- 3- Commander of National Security operation force for Disarmament
- 4- Commissioner of Police-Warrap State
- 5- Director of National Security-Warrap State
- 6- Director for Prison Services-Tonj South County
- 7- Director for C.I.D-Warrap State

But, H.E the Governor of Warrap State totally ignored this concerns.

#### **RESOLUTIONS.**

With all the above mentioned violations to the Revitalized Peace Agreement, the following are the resolutions; -

- 1- The SPLM IO Caucus demands the immediate release of Hon. Commissioner of Tonj East County.
- 2- Urging H.E the Governor of Warrap State to dissolve the controversial committee for peace awareness in Greater Tonj which has become a Political mobilization against other political parties.
- 3- The party also urges H.E the Governor to stop the humiliation, arrest, detention and intimidation of constitutional post holders of SPLM IO as well as those from other political parties in Warrap State.
- 4- The SPLM IO Caucus also urges H.E the Governor to allow the Political space for all the political parties in Warrap State. This will pave the way for the R-ARCSS implementation in Warrap State.
- 5- Urging H.E the Governor to refrain from verbal orders through phone calls and random arrest of any political party member(s) without Legal procedures.

## CONCLUSION

The SPLM IO Caucus in Warrap State, strongly condemn the serious violations that are ongoing since the appointment of H.E the Governor, H.E Eng. Manhiem Bol Malek to the State HQRs.

Therefore, the SPLM IO leadership in the State urgently urges the National Government and peace guarantors to intervene over the violations of the Revitalized Peace Agreement particularly in Warrap State where peace is not respected.

### **Additionally,**

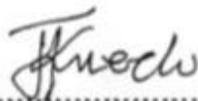
If the Governor of Warrap State does not want to cooperate with other political parties in his government, then it should be clear such that the leadership of SPLM IO should evaluate its alternatives.

Therefore, we urge the National Government and peace guarantors to intervene for the protection of constitutional post holders under the Revitalized Agreement on the Resolution of the Conflict in Republic of South Sudan.

### **Finally,**

The SPLM IO leadership in Warrap State calls upon the citizens of Warrap State to remain calm and we are still committed to the full implementation of the Revitalized Peace Agreement on the Resolution of the Conflict in Republic of South Sudan.

Thank you for the attention.



.....  
**Cde Kuec Deng Mayar,**  
**Chairperson,**  
**SPLM IO Party – Warrap State, Kuajok.**



Cc: The Presidency of the Republic of South Sudan,  
Cc: H.E the Governor of Warrap State  
Cc: Peace Guarantors  
Cc: R-JMEC  
Cc: IGAD  
Cc: CTSAMVM  
Cc: International Community  
Cc: All media Houses  
Cc: File

## Annex 9: Variation in graduation figures for Necessary Unified Forces

The Panel has noted significant variation in the number of reported Necessary Unified Forces graduates from respective regional graduation ceremonies.

Ceremony	Date	Lowest public estimate	Highest public estimate
Juba, Central Equatoria State	30 August 2022	21,973 <sup>1</sup>	22,574 <sup>2</sup>
Torit, Eastern Equatoria State	19 September 2022	1,540 <sup>3</sup>	1,540
Bor, Jonglei State	28 September 2022	1,701 <sup>4</sup>	1,765 <sup>5</sup>
Wau, Western Bahr el Ghazal State	4 November 2022	13,628	13,628
Maridi, Western Equatoria State	17 September 2022	1,600 <sup>6</sup>	2,146 <sup>7</sup>
Muom, Unity State	10 November 2022	1,366 <sup>8</sup>	7,500 <sup>9</sup>
Malakal, Upper Nile State	21 November 2022	9,499 <sup>10</sup>	13,000 with up to 20,000 for all of Upper Nile <sup>11</sup>
Bentiu, Unity State	14 January 2023	2,838 <sup>12</sup>	3,610 <sup>13</sup>
<b>Total</b>		<b>54,145</b>	<b>Up to 72,763</b>

<sup>1</sup> Eye Radio, Kiir graduates over 20 thousand unified forces, some with wooden guns, 30 August 2022. Estimate provided by international monitoring body, November 2022.

<sup>2</sup> Eye Radio, Unified peace soldiers in figure, 11 August 2022.

<sup>3</sup> Reports by international monitors .

<sup>4</sup> Sudans Post, R-ARCISS: Parties graduate 1701 more troops, 27 September 2022.

<sup>5</sup> Eye Radio, Unified peace soldiers in figure, 11 August 2022.

<sup>6</sup> No. 1 Citizen, WES: 1,600 unified forces expected to graduate in Maridi today, 17 September 2022.

<sup>7</sup> No. 1 Citizen, Over 2,000 unified forces graduate in Maridi, 19 September 2022.

<sup>8</sup> Sudans Post, Parties graduate over 1300 peace forces in Unity State, 11 November 2022.

<sup>9</sup> No. 1 Citizen, Over 7,000 forces set to graduate today, 10 November 2022.

<sup>10</sup> Reports by international monitors.

<sup>11</sup> Sudans Post, South Sudan peace forces in Upper Nile to graduate next week – spokesman, 4 November 2022.

<sup>12</sup> Report obtained by the Panel from an interview conducted by international monitors with the commander of the Kaljak training center, January 2023.

<sup>13</sup> Press statement by the Office of the Governor of Unity State, dated 14 January 2023.

## Annex 10: SPLM-IO statement on resolutions by SPLM Political Bureau, 4 March 2023



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



### Resolutions of SPLM (IO) Political Bureau Extra-ordinary Meeting Held on 4<sup>th</sup> March 2023

The SPLM(IO) Political Bureau met on the 4<sup>th</sup> March 2023 to deliberate on the Republican Decree issued by the President on 3<sup>rd</sup> March 2023 in which he unilaterally removed the Minister of Defense and Veterans Affairs. In a Republican Order, the President also swapped the Ministry of Defense and Veterans Affairs with the Ministry of Interior.

The Political Bureau condemns and rejects the unilateral removal of Hon. Angelina Teny as Minister of Defense and Veterans Affairs in violation of Article 1.13.1, which gives each party to the Agreement the power to remove its representatives in the Council of Ministers and nominate replacements by notifying the President.

The swapping of the ministries equally violates the provision of Article 1.12.1 of the Agreement which requires the Parties to agree on the allocation and selection of ministerial portfolios in the RTGoNU.

The Political Bureau calls upon the President to;

1. revoke the unilateral Decree and the Republican Order, and
2. reinstate Hon. Angelina Teny as Minister of Defense and Veterans Affairs.

In light of the above violations, the Political Bureau would like to point out that the "RTGoNU is founded on the premise of collegial collaboration in decision-making and continuous consultations within the Presidency, between the President, the First Vice President and the four Vice Presidents, to ensure effective governance during the Transitional Period." (Article 1.9.1).

The SPLM (IO) reiterates its commitment to full implementation of the Revitalized Agreement in letter and spirit.

Signed



**Riek Machar Teny-Dhurgon, PhD**

Chairman and Commander-in-Chief, SPLM/SPLA(IO) and The First Vice President of the Republic

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**Annex 11: RJMEC statement on removal of Minister of Defence and Veterans Affairs**

**Reconstituted Joint Monitoring and Evaluation Commission  
(RJMEC)**

Communication Office

## **PRESS RELEASE**

(For Immediate Publication)

Thursday, 09 March, Juba, South Sudan

### **RJMEC encourages consultation to resolve issues on the removal of the Minister of Defence and Veteran Affairs; urges focus on timely implementation of R-ARCSS.**

The Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) takes note of the Presidential Decree of 3 March 2023, announcing the removal of the Minister of Defence and Veteran Affairs, and Minister of Interior, and the swapping of the two ministries between the ITGoNU and the SPLM-IO.

RJMEC welcomes the decision of the President and the First Vice President to meet and discuss the issue of the removal of the Minister of Defence and Veteran Affairs, and the swapping of the two ministries. In that regard, we urge the Parties to observe the letter and spirit of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), which is founded on collaboration, consultation, and agreement between the Parties.

If there is a deadlock between the Parties to the Agreement, a referral can be made to RJMEC pursuant to Article 7.11 of the R-ARCSS to engage the Parties with a view to finding a compromise and / or recommending measures to break the deadlock.

## Annex 12: Press Release by the Office of the President concerning the conflict in Upper Nile State, 7 December 2022



### REPUBLIC OF SOUTH SUDAN Office of The President

#### Press Release

December 07, 2022 – Juba, South Sudan – Presidential Press Unit

The Presidential Press Unit would like to clarify the statement made by His Excellency Salva Kiir Mayardit, President of the Republic of South Sudan at the closing of the SPLM National Liberation Council Ordinary Meeting regarding ongoing violence in the Upper Nile.

While deploring the sub-national violence in the Upper Nile Region that is taking toll on innocent civilians, the President said he cannot stop it alone. Some media houses took this statement out of context by insinuating that the President has taken his hands off this issue. This interpretation is not true. The statement does not mean that President Kiir is wilfully neglecting what is taking place in that region nor does it imply his government inability to solve the problem. In fact, the President has already directed the Chief of Defence Force (CDF) to deploy unified SSPDF in the area to protect the civilians.

To anyone who might have mistakenly read this statement that way, let me clarify that the President was referring to the complex nature of actors behind this violence that makes providing immediate solutions challenging. Despite this complexity, the President is determined to do whatever it takes to end this violence in Upper Nile and other regions of South Sudan where our people are killing each other. To those who listened to his entire speech yesterday, the President instructed State Governors and Chief Administrators to prioritize security within their areas and also with their neighbours.

A handwritten signature in green ink, appearing to read "Lily Adhieu Manyiel Ayuel".

Lily Adhieu Manyiel Ayuel  
Press Secretary,  
Office of the President



Republic of South Sudan (RSS)

## Annex 13: Statement by Jonglei State Government condemning the attack on Gumuruk, 26 December 2022



REPUBLIC OF SOUTH SUDAN  
 JONGLEI STATE- BOR  
 MINISTRY OF INFORMATION,  
 COMMUNICATION  
 MINISTER'S OFFICE



Our Ref: MOIC/MO/JS/29-A-1

Date: 26<sup>th</sup>, December, 2022

### Condemnation on Attack on Gumruk County, Greater Pibor Administrative Area by Armed Criminals suspected to be from Jonglei State

Today on 26th, December we are saddened and shocked by the report of barbaric attack on Gumruk County of Greater Pibor Administrative Area by armed criminals suspected to be from our state. This news reached us when the Acting Governor H.E Jacob Akech Dengdit and some ministers were on a mission to assess the flooding situation in Jale in order to know the viability of the situation for their return of our people from IDPs and Cattle Camps in the areas of Greater Equatoria Region.

Therefore, the state government under H.E Denay Jock Chagor the governor and H.E Jacob Akech Dengdit the deputy governor condemned in the strongest terms possible such attack on our neighbors and the people of Greater Pibor Administrative Area. However, we call on those criminals to immediately withdraw from the territories of Greater Pibor Administrative as soon as possible because such acts of criminalities are unacceptable, intolerable and those who will be found doing that will be dealt with accordingly.

We are calling on the National Government to intervene and be part of the solution into ending this cycle of Inter-communal violence of killing, child abduction and cattle raiding in Jonglei and GPAA. As government of Jonglei State, we are reaffirming our commitment towards peace between our people and those of Greater Pibor Administrative Area and as we agreed up on October 16<sup>th</sup> 2022 in Pibor town that we will always call criminals as criminals and not as communities or ethnicity because the atrocities being committed are perpetuated by individuals who acted on their own.

We send our condolences and sympathy to those affected by such in humane attack and as Jonglei State government, we shall do our utmost best as government to verify and investigate further on this incident and ensure the culprits are brought to book and justice is served.

**Hon. John Samuel Manyon**  
 Minister,  
 Ministry of Information and Communication  
 Bor, Jonglei State



Contacts: +211922266634 (WhatsApp) +211917232092/ E-mail [johnsamuel61@gmail.com](mailto:johnsamuel61@gmail.com)

## Annex 14: Additional incidents of reported subnational violence

- Central Equatoria: Dollo,<sup>14</sup> Lainya,<sup>15</sup> and Liria<sup>16</sup>
- Eastern Equatoria: Magwi<sup>17</sup>
- Western Bahr el Ghazal: Jur River area on the border with Warrap State<sup>18</sup>
- Warrap: Greater Tonj<sup>19</sup> and Twic<sup>20</sup>
- Lakes: Rumbek North<sup>21</sup>
- Unity State: in Panakuach in Ruweng,<sup>22</sup> and on the Mayom-Warrap border<sup>23</sup>

<sup>14</sup> Reports by international observers, January 2023. See for example, Radio Tamazuj, 7 killed, 2 injured in Juba County attack, 17 January 2023.

<sup>15</sup> Reports by international observers in Central Equatoria, January 2023. See for example, South Sudan Liberty News, Fighting between Dinka Bor herders and young people in Wunduruba left four people dead, 5 January 2023.

<sup>16</sup> Reports by international monitoring bodies obtained by the Panel, November 2022. See for example, Radio Tamazuj, 2 governors, 2 ministers, NSS to present findings on Lokiliri killings next year, 20 December 2022; No 1 Citizen, Armed herders slain five in Lokiliri payam, 14 November 2022; Eye Radio, Suspected herders kill 5 civilians in Juba's Lokiliri Param, 13 November 2022.

<sup>17</sup> Reports from international monitors, March 2022 – January 2023. See for example, Juba Echo, Fear grips Magwi County as armed herders return, 16 November 2022; UN Mission in South Sudan, Following conflict between farmers and herders in Magwi, UNMISS steps up patrols, 17 March 2022.

<sup>18</sup> Reports from international monitors, December 2022 and January 2023.

<sup>19</sup> Reports by international observers, December 2022 and January 2023. See for example, Radio Tamazuj, 5 killed, 9 wounded in Tonj East county, 11 January 2023; <https://www.youtube.com/watch?v=cluY-R0X6Sc>.

<sup>20</sup> Reports from international observers and humanitarian operators in Warrap, November 2022 – January 2023. See for example, City Review South Sudan, 10 people killed, seven others injured in Warrap State attack, 30 December 2022; Abyei Radio, 13 civilians dead in an attack on Rumamer village, 3 January 2023; Eye Radio, Calm returns to Twic County after deadly violence, 31 January 2023.

<sup>21</sup> Reports by international observers, January-March 2023. See for example, Radio Tamazuj, At least 2 killed in Rumbek North cattle raid, 10 January 2023; Radio Tamazuj, Rumbek North-Tonj East violence death toll rises to 36, 23 February 2023; Radio Tamazuj, Rumbek North, Tonj East clashes death toll rises to 151, 7 March 2023.

<sup>22</sup> Reports by international monitors, January 2023.

<sup>23</sup> Ibid.

## Annex 15: Letter from Chairpersons of Equatorian communities to President Kiir, 24 January 2023

### THE CHAIRPERSONS OF EQUATORIA COMMUNITIES

#### JUBA – SOUTH SUDAN

Date: 24<sup>th</sup> January 2023

H.E. Salva Kiir Mayardit

President of the Republic of South Sudan

Juba – South Sudan

**Subject: AN OPEN LETTER TO THE PRESIDENT ON THE BRUTALIZATION OF THE EQUATORIA COMMUNITIES BY THE DINKA BOR AND THE MISSING IN ACTION OF THE GOVERNMENT**

Your Excellency,

On behalf of the Equatoria Communities we represent and on our own behalf, we the Leaders and Representatives of the undersigned Communities extend to your good self and your Cabinet our cordial 2022 Christmas Greetings and Best Wishes for a Merry and Prosperous New 2023 Year.

It is, however, with a heavy heart that we present before you this humble letter. It is written in a manner, and using words that truly reflect our heart felt pain caused by what the Dinka Bor are doing deep in our villages. We avail to you the following:

#### **I. THE BRUTALIZATION OF EQUATORIA COMMUNITIES BY THE DINKA BOR**

##### **1. The Forceful Grabbing of Land from the Indigenous Owners**

- Land Grabbing occurs in the cities/towns and their environs in Equatoria. In the cities/towns it is in the form of individual plots grabbed at gunpoint. Usually, recourse to the law is not executable. The Grabbers often justify their actions that the Equatorians do not rent their houses to Dinkas, and that Residential Plots are not allotted to them by the State Authorities. They expect immediate plot allotments.
- Land Grabbing in the surroundings of the cities/towns takes the form of land invasion where a group of Dinka Bor cuts prime land, demarcates it and distributes tokens/plots and even sell to would be buyers.

##### **2. The Cattle and the Heavily Armed Herders**

- These roam from Mangalla in Bari Land to Acholi and Madi Lands at Magwi and Nimule in Eastern Equatoria, respectively.

- In Central Equatoria, they extend from Mangalla to Lobonok, and also to Rokon in Nyangwara Land; Wonduruba and Lainya in Pojulu Land; Kaji Keji in Kuku Land; and Yei in Kakwa Land, to mention a few.
- The Cattle are allowed to graze on farm crops and any resistance is met with force. The farmers have no choice but to flee to the Islands, IDP and Refugee Camps.

### 3. The Cattle Rustling

- Cattle Rustling or, more appropriately, Livestock (cattle, sheep, goats, chickens, etc.) Rustling from the indigenous people is done at gunpoint. Also, the looting of food items from family stores, seizing of already prepared family meals as well as cooking utensils are part of the robbery the Dinka Bor routinely engage in.

### 4. The Wanton Killing of Equatorians, Raping of their Women and Girls, and Child Abductions

- These atrocities occurred in the following locations:
  - a. Magwi/Abara:** Acholi Land, Eastern Equatoria State.
    - Casualties: 9 killed – 6 men and 3 women.
  - b. Agora:** Acholi Land, Eastern Equatoria State.
    - Casualties: 6 men killed, including 1 Chief.
  - c. Ayii:** Acholi Land, Eastern Equatoria State.
    - Casualties: 7 men killed.
  - d. Owinyi-kibul:** Acholi Land, Eastern Equatoria State.
    - Casualties: 2 men killed.
  - e. Nimule:** Madi Land, Eastern Equatoria State.
    - Casualties: 1 Chief killed.
  - c. Lobonok:** Bari Land, Lobonok Payam, Rejaf County, Central Equatoria State.
    - Date: 1<sup>st</sup> March 2022.
    - Casualties: 3 killed – 2 boys and 1 woman.
  - d. Kajo Keji:** Kuku Land, Kajo Keji County, Central Equatoria State
    - Date: 2015 – 2023.
    - Casualties: 15 killed, including 1 Chief and 1 Executive Officer.
  - e. Ngangala:** Olubo Land, Lokiliri Payam, Juba County, Central Equatoria State.
    - Date: 24<sup>th</sup> June 2022.
    - Casualties: 9 killed

f. **Ngerjebe:** Olubo Land, Lokiliri Payam, Juba County, Central Equatoria State.

- Date: Friday, 11<sup>th</sup> November 2022.

- Casualties: 5 men killed.

g. **Mangalla:** Bari Land, Mangalla Payam, Juba County, Central Equatoria State.

- Dates: 10<sup>th</sup> December 2022 to 8<sup>th</sup> January 2023.

- Locations: Tibari, Jokoki, Tukoro, Loggo, Gabur, Mankaro, Geri, Malang and Bilinyang Villages in Mangalla Payam; and Nyori Village in Kondokoro Payam.

Casualties: 12 killed, including 1 woman.

#### 5. **Destruction of the Economic Base**

- a. The forced displacement of farmers into Islands, IDP and Refugee Camps renders them economically unproductive and dependent on hand outs.
- b. Robbing the indigenous population of means of honourable livelihood. For example, the destruction of bee- hives by the Dinka Bor because they superstitiously believe that natural honey is harmful to cattle when mixed in water. This is particularly so in Kajo Keji.
- c. Also, in Kajo Keji Villages occupied by the Dinka Bor, fishing and fetching water from streams and pools have been forbidden.
- d. Turning Equatoria's crop fields into pasture lands and chasing the farmers away or killing them by the Dinka Bor, are not feasible for an agriculture – driven economy.

#### 6. **Lack of Spirit of Good Neighbourliness**

- a. History has shown that the Bor People are incapable of staying in peace with their neighbours. Their immediate neighbours like the Nuer and the Murle will testify to this fact.
- b. The Dinka Bor, especially the Leadership that is based in Juba, often respond to atrocities committed by their people in the following pattern:
  - i. Vehemently deny the committing of the reported atrocities.
  - ii. Push the blame to Sections of Bor Community apart from their particular Section.
  - iii. Characterize as rouge elements the clearly identified individuals behind the reported atrocities.
  - iv. Threaten and, indeed, carry out violence against the indigenous people who bring forth reports of committed atrocities.

#### 7. **Setting up Parallel Local Administration and Re – naming Indigenous Places**

- a. They move into Lands of Communities they invade with their own administrative setups. They establish their own courts, presided over by their own Chiefs. So established, they proceed to administer justice, as defined by them, to everyone, including the owners of the land. They will not allow any of their people to be

brought to the established judicial system in these areas. More often than not, these acts also involve the killing of those who offer resistance.

- b. It is common for them to re – name places they occupy. For example, Sherikat, Juba Two, Jebel Dinka, Tong Ping, etc.

## II. THE MISSING IN ACTION OF THE NATIONAL AND STATE GOVERNMENTS

Your Excellency,

Allow us to furnish you with some facts to support the absence of Governments at all levels in the midst of the atrocities being meted out against the civilized and peaceful people of Equatoria:

1. We believe that the Dinka Bor are able to perpetrate their above cited atrocities on our people in our Communities because the core entity that has the constitutional mandate to end all those heinous acts is missing in action. The missing entity is the Government. It is not there whether at the National or State Levels.  
The Government is not there in the first place to prevent the Dinka Bor from arming themselves to the teeth. Furthermore, it is not there to prevent them from perpetrating their atrocities on our people, who are also your people.
2. The exercise of State Authority has been rendered null and void. That is why Presidential Orders issued in 2015 and 2017 for the evacuation of cattle from Equatoria back to their places of origin have been ignored at will with no consequences on those undermining them. Similarly, till to date, the Presidential Order for the establishment of 11 counties for the defunct Jubek State (7 counties) and Terkeka State (4 counties) has not been implemented by the Governor of CES despite renewed green light from the President and the Council of States.
3. Your Excellency, since 2005 the Communities we represent have individually or collectively and, at one time or the other, have been on the receiving end of the heavy hand of the Dinka Bor. As victims, when they come running to the Government for rescue, the reaction of those responsible, by insinuation or directly, is to ask them as to whether they don't have their own youths to protect them. Others tell them point blank that they are a bunch of cowards. Above all these, you are on record that you will back those defeated who come to you for support. Don't the Equatorians qualify for your support?
4. Only last week, a whole Government Army Unit was uprooted in Gumuruk/Likuangole by a Local Militia Outfit. Last year, a huge Government Garrison in Tonj North was terribly humiliated by a heavily armed Local Militia. Also, Upper Nile State is in turmoil due to the activities of None State Actors (the Nuer White Army and Dinka Bor against the Murle), since there is no Government to stop them.

Furthermore, the on-going brutalities in Mangalla, Mugali, Owinyi-Kibul, Lobonok, Lobone, Lainya, Ngergebe and Wonduruba, among others, all point to the total absence of the State in the lives of the citizens of this country, the Republic of South Sudan.

5. While in the localities they occupy, the Dinka Bor Cattle Herders are regularly supplied from Juba with food items, medicines, weapons and ammunitions. These supplies are sometimes delivered on Government Security Vehicles to local SSDF Garrisons without inspection at the numerous road blocks. With phone contacts, the Cattle Herders who reside nearby come to collect the supplies. Not only that, some of their heads of cattle are delivered to invaded areas escorted by Government Security Personnel, wearing official uniforms.
6. Dinka Bor Cattle Herders openly carry different types of weapons and even wear army uniforms, but are never questioned or branded rebels. However, when an Equatorian or group of Equatorians possesses guns, they are labeled NAS Rebels.
7. All the heinous killings of Equatorians have never been investigated by the Government.

### III. THE WAY FORWARD

#### **Your Excellency,**

We are mindful of the contributions of Equatoria and its People in the two long and protracted wars of liberation: the Anya – Nya War of 1955-1972, and the SPLM/A War of 1983-2005. Also, in the Referendum Results of 2010 of which we doubt the contribution of Equatorians in the less than One Percentage Point NO VOTES. Furthermore, the Inter-communal Wars were being fought out of Equatoria until the marauding Dinka Bor Cattle Herders brought them to Equatoria.

On another note, the People of Equatoria are God fearing, peace loving and wholly supportive of the implementation of the Revitalized Agreement and its subsequent Road Map in letter and spirit.

**All that the collective leadership of the Equatoria Communities calls for are as follows:**

1. **The immediate evacuation from Equatoria of all Dinka Bor Cattle and their Herders to their places of origin as per the Presidential Orders issued in 2015 and 2017.**
2. **To direct the Dinka Bor Authorities to ferret out and address the root causes of the Cattle Herders' urge and propensity to seek with arms grazing lands in Equatoria and not within their own lands in Jonglei State.**
3. **The return of Dinka Bor IDPs to Bor, Jonglei State, in the light of the fact that floods had receded and the 3 – month stay period by the concerned authorities had expired.**
4. **Land Grabbing, whether in the cities/towns or in the rural areas of Equatoria must be stamped out by enforcing laws governing land acquisition.**

5. Cattle Rustling, Child Abductions and Rapes are social vices that are new and must not be allowed to take root in Equatoria Communities and, indeed, any Community in South Sudan. We believe you are better placed to devise the requisite mechanisms to fight them.
6. To direct all the Security Organs to cease offensive operations against civilians in Equatoria under the assumption that they are NAS Rebels.
7. To direct the deployment of SSPDF Unit at the border between Jonglei State and Central Equatoria State to monitor the movements of Dinka Bor Cattle and Armed Herders particularly into Equatoria.
8. To establish an appropriate and representative fact – finding committee to investigate the atrocities, including killing of civilians, committed and being committed by the Dinka Bor in Equatoria, and to bring the culprits to book.
9. The SSPDF Command and Control must investigate Officers who side with the armed and violent Cattle Herders by sending the National Army to support such a sectarian and criminal outfit. Also, to withdraw such deployed Units from the areas in question.
10. Whether by design or not, the current SSPDF Commanders of the Garrisons from Mangalla Payam (Mogiri) to Nimule and Lobonok are all Dinka Bor. It is no wonder how regular supplies of food items, medicines, weapons and ammunitions are sometimes delivered on Government Security Vehicles to Dinka Bor Cattle Herders in areas they occupy in Equatoria. To that end, we call on you to replace those SSPDF Commanders with Officers from other ethnic groups of South Sudan with immediate effect.
11. The Government must desist from labeling Equatorians who possess guns NAS Rebels.

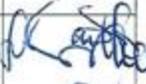
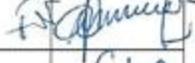
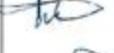
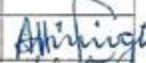
Your Excellency,

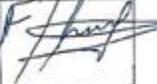
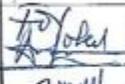
In conclusion, we the under-signed and those whom we represent are raising these weighty matters to you, the ultimate authority in the country, to put an end to the agonies being meted on us by the Dinka Bor. Also, we are taking this opportunity to assure you of our unwavering support and cooperation.

THANK YOU.

**THE CHAIRPERSONS OF EQUATORIA COMMUNITIES** – As attached hereunder:

**Cc: Diplomatic Missions**  
**Cc: Troika**  
**Cc: UNMISS**  
**Cc: IGAD**  
**Cc: Office of the Speaker, NTLA**  
**Cc: Office of the Governor, EES, CES and WES**  
**Cc: Chief of General Staff**  
**Cc: DG, NSS/ISB**  
**Cc: IGP**  
**Cc: All Media Houses**

SN	NAME	COMMUNITY/ORG	POSITION	STATE	SIGN
1.	Hon. Stephen Pitia Lako	Bari Community	Chairman	CES	
2.	Hon. Wani Buyu Dyori	Mundari Community	Chairman	CES	
3.	Hon. Aggrey Tisa Sabuni	Kajo-Keji Community Organization	Chairman	CES	
4.	Hon. Emmanuel Justin Chungo	Lokoya Community,	Chairman	EES	
5.	Hon. Juma Stephen Luga	Wunduruba Community	Chairman	CES	
6.	Hon. Salah Rajef Bunduki	Yangwara and Pojulu Tijor Community	Chairman	CES	
7.	Bethsmith Aliga William	Lugbari Community, Morobo	Chairman	CES	
8.	Longino Micheal Cook	Olubo Community	Chairman	CES	
9.	Thomas Muto Lo Budu	Kakwa Community	Chairman	CES	
10.	Odong Joseph Kamilo	Acholi Community	Chairperson	EES	
11.	Adelio Ojina Quinto	Otuho Community	Chairman	EES	
12.	Aburoman Okilek Aburoman	Tennet Community	Chairperson	EES	
13.	Saturilino MahaJoub Inyasio	Lango Community/ Ikotos	Chairman	EES	
14.	William Okot	Loruma Community/ Ikotos	Chairman	EES	
15.	Saturilino Ujwok Nyigilo	Pori Community	Chairman	EES	
16.	Ambros Oyet Albino	Lopit Community Association	Chairperson	EES	
17.	Peter Logera Anatamuk	Laarim Community	Chairman	EES	
18.	Ouxilio Odume Raimondo	Horiok Community	Chairman	EES	
19.	Virginio Kenyi Lomena	Madi Welfare Association	Executive Chairman	EES	
20.	Philip Gallu Lomokumoi	Tennet Community in Juba	Chairman	EES	

21.	Rev. Victoria Elia Waraka	Greater Mundri Community Association	Chairperson	WES	
22.	Primo Celesino Mune	Lokoya Hummitarian Committee	Chairperson	CES	
23	Paul Napwon Yome	TOPOSA Community	Chairperson	EES	
24	Agele Simon Sebit	Keliko Community	Chairman	CES	
25	James Ladamusa	Pajula Community	Chairman	CES	
26	ALI Hassan Juma	Tore Community	Chairperson	CES	

**Annex 16: Bari community press release on the Mangalla crisis, 30 December 2022**



**B.C**

**Bari Community**  
Juba - South Sudan

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**OFFICE OF THE CHAIRMAN**

Date: 30<sup>th</sup> December 2022

**PRESS RELEASE ON THE MANGALLA CRISIS**

**RESPONSE TO THE STATEMENT ON ENGAGEMENT WITH NAS  
REBELS ISSUED BY MAJOR GENERAL LUL RUAI KOANG, SSPDF  
SPOKESPERSON, ON 26<sup>TH</sup> DECEMBER 2022**

The leadership of Bari Community with deep sorrow wishes to bring to the kind attention of the Government of The Republic of South Sudan; the International Community; Troika (USA, UK & Norway); IGAD; AU and all South Sudan Peace Guarantors; the People of Greater Equatoria and the Bari Community, internally and in the diaspora, that the Dinka Bor Cattle Herders are out to destabilize The Republic of South Sudan by engaging in heinous acts of killings, abductions, looting, raping, and land grabbing.

**The facts on the ground are as follows:**

1. The chronology of Dinka Bor Cattle Herders and Invaders' planned mayhem against the peace-loving people of Equatoria is evidenced with what happened in Nimule, Mogali, Magwi, Lobonok, Kajo keji, Lokiliry, Ngangala and Ngerjebe.
2. The tension between Dinka Bor Cattle Herders and Invaders with Bari People started in Tibari Boma of Mangalla Payam on Friday, 18<sup>th</sup> November 2022. The Cattle Herders encroached into farms of the village. This resulted into a violent conflict on Saturday 10<sup>th</sup>, December 2022 between Dinka Bor Cattle Herders and Invaders and the Bari People of Tibari Village. The Cattle Herders used heavy weapons of different types in this conflict. As a result, the Tibari villagers had to fight back in self-defense.

1

*S.A.B*

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*BCA/HQs : Juba, Jubek Square - South of Ivory Bank - Juba Branch, Tel: +211914 642 552 - +211 929 992 230*

3. From the 12<sup>th</sup> to 15<sup>th</sup> December 2022, the fighting advanced to the Bomas and villages of Loggo, Jokoki, Mankaro, Tukoro, Gabur, Geri and Malang.
4. On the 17<sup>th</sup> December 2022, the same Dinka Bor Cattle Herders and Invaders went to Billinyang Boma of Mangalla Payam and proceeded to Mori Village of Gondokoro Payam. In the process of the invasion, the Cattle Herders killed, looted and destroyed properties.
5. On the 24<sup>th</sup> December 2022, the State Government Delegation headed by the Hon. Commissioner of Juba County, Hon. Charles Joseph Wani, inspected the Bomas and Villages of Mangalla Payam affected by the conflict. The Hon. Commissioner found that all the Villages were empty and destroyed. The people had fled the Villages and sought refuge in the Islands. Paradoxically, on the 25<sup>th</sup> December 2022, after the visit of the Hon. Commissioner of Juba County, the SSPDF went to the same areas visited by the Hon. Commissioner and started shelling the civilians with heavy weapons claiming that these were NAS Rebels' Bases. Therefore, the shelling of the Bari people, in our opinion, is a tactical strategy laid down by Dinka Bor Community's Leadership to lure the SSPDF to kill our innocent Bari People in the Islands between Juba and Mangalla. Since the Hon. Commissioner visited the Islands, accompanied by journalists and various Security Organs, and returned safely, if the people living in the Islands were NAS Rebels could he have come back safely?
6. On the 27<sup>th</sup> December 2022, Jabur Boma was also attacked by the marauding armed Dinka Bor Cattle Herders and Invaders who looted goats, properties, and displaced the inhabitants.
7. As events indicate, it is crystal clear that the fight is (and has been) between Dinka Bor Cattle Herders and Invaders and the Bari People. Now, how come this violent conflict got twisted to be between the Dinka Bor Cattle Herders and Invaders and the NAS Rebels when it was a well-known fight between Dinka Bor Cattle Herders and Invaders and the Bari People?
8. Therefore, the Bari Community Leadership and the entire Bari populace would like to categorically and firmly dismiss and condemn in the strongest terms possible the discriminatory, irresponsible, baseless and unproven statement issued by SSPDF



Spokesperson, Maj. Gen. Lul Ruai Koang. That statement was made based on political influence to favor Dinka Bor Cattle Herders and Invaders.

9. The Leadership of the Bari Community (BC) and the entire cross-section of the Bari People want to make it abundantly clear to the SSPDF and the people of South Sudan that all the Bari Islands mentioned are occupied by Bari Indigenous Communities. They neither have any connection nor host any NAS Rebels' Group.
10. We the Bari Community would like to inform the National and State Governments that our Bari People living in these Islands are currently displaced with the recent fighting between the Dinka Bor Cattle Herders and Invaders and the Bari People.

**From the recent past, Dinka Bor People who migrated from their home land due to different circumstances to the Bari Land lived peacefully with the Bari People in all their villages. They herded Bari cattle and shared life with them. Of recent, however, and with the proliferation of fire arms, they had turned and became not only enemies but invaders of the Bari land. Never ever did the Bari people sought strife of any kind with any community in South Sudan.**

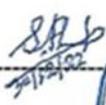
**Given this situation and the fact that the Bari People would want to continue to live peacefully in their ancestral lands, we firmly stand for the following:**

1. **We urgently urge the President and Commander- in- Chief of SSPDF and the Supreme Commander of All Organized Forces to direct all the Security Organs to immediately cease the unwarranted offensive operations against our innocent Bari People in all the Bari land.**
2. **The Leadership of the Bari Community and all the Bari People are demanding the urgent vacation and return of Dinka Bor IDPS and Cattle Herders in Mangalla and the entire Bari Land to their places of origin as has been demanded by the Government at all levels and as per the Presidential Order issued on the 8<sup>th</sup> of April 2015 and in 2017.**
3. **The game of incriminating the Bari Community by labeling them as NAS Rebels is a creation by the Dinka Bor Cattle Herders and Invaders and their Leadership and Intellectuals so as to win Government's sympathy for the latter to fight the Bari Community. In actual fact, the Bari Community like any Community in South**



Sudan has the inalienable right to acquire weapons to defend itself. It is, therefore, a fallacy and irresponsible to claim that they are NAS Rebels. The Cattle Herders are openly carrying guns of different types and nobody has ever questioned their possession of all these types of weapons.

4. We call for the withdrawal of the SSPDF from the eastern and western sides of River Nile (Bahr El Jebel or locally Supiri River) as they are posing insecurity and preventing the movement of people and goods.
5. The Government should desist from labeling the Great People of Bari Land as NAS Rebels.
6. We also call for the investigation of the baseless statement issued by Major General Lul Ruai Koang, the SSPDF Spokesperson, for labeling our Bari Village People as NAS Rebels.
7. Furthermore, we appeal for urgent intervention of the National and State Governments, National and International NGOs, our people in the Diaspora and all well-wishers to rescue our displaced communities from the devastating humanitarian situations. The estimated number of our displaced population between Juba and Mangalla is over 20,000 (Twenty Thousand).

  
-----  
Hon. Stephen Pitia Lako

Mor Lo Bari (BC Chairman)

Bari Community (BC)

Juba- South Sudan

Cc: Office of the President, RSS

CC: Diplomatic Missions

CC: Troika

CC: UNMISS



*Handwritten signature*



**CC: IGAD**

**CC: Office of the Speaker, NTLA**

**CC: Office of the Speaker, CS**

**CC: Office of the Governor, CES**

**Cc: Office of the Speaker, CESLA**

**CC: Office of the Commissioner, Juba County**

**Cc: Chief of General Staff**

**Cc: DG, NSS/ISB**

**Cc: IGP**

**Cc: All Media Houses**

A handwritten signature in blue ink, appearing to be 'S. A. B.', with a diagonal line drawn through it.

**Annex 17: National Salvation Front/Army (NAS) press release, 22 December 2022****SOUTH SUDAN**

Restoring Unity &amp; Dignity of the People

**National Salvation Front/ Army****OFFICE OF THE SPOKESPERSON****General Headquarters**

Ref: NAS/OSM/23

22<sup>nd</sup> December, 2022.**FOR IMMEDIATE PRESS RELEASE**

The Leadership of National Salvation Front (NAS) has come across a statement in a video footage by the Bor County Community leadership of Peter Wal Athiew. In the statement Peter Wal accused NAS forces to have been behind the inter-tribal conflict in Mangalla Payam of Juba County.

NAS Leadership is aware that in the past week there was a fight between Mangalla youth and Dinka Bor cattle herders who are allowing their cattle to graze on the local people's farms, engaging in land grabbing, plundering and looting of the villages, children abductions and systematic raping. Peter Wal Athiew and his Bor County Community leadership instead of deploring the criminal actions of his kinsmen, unashamedly chose to engage in lies, accusing NAS forces to have been engaging in the fight with the Dinka Bor cattle headers.

NAS Leadership would like therefore to state the following statement:

1- NAS condemns in the strongest terms possible the killing of innocent civilians and destruction of properties in Mangalla area by Dinka Bor cattle herders and the false statement of Peter Wal Athiew and his Bor County Community leadership for falsely accusing NAS forces, peddling lies and engaging in malicious propaganda.

2- The inter-tribal fight in Mangalla is between the local youth and Dinka Bor cattle herders. The local youth are protesting the criminal actions of Dinka Bor cattle herders of allowing their cattle to graze on farms, looting and plundering of villages, children abductions, land grabbing and rape; similar to what they did and still doing in Madi Acholi corridor, Lulubo areas, Lobonok, Kajo-Keji and Lainya counties.

3- The armed Dinka Bor cattle herders whom Peter Wal Athiew is representing are well known for exporting a culture of violence, brutality and lawlessness across states and counties in South Sudan, a very indiscipline group with no appreciation of the hospitality and no respect to their neighbors.

Email: [samuelsuba@yahoo.co.uk](mailto:samuelsuba@yahoo.co.uk)

4- The position of Bor County Community leadership of aligning with the actions of Dinka Bor armed cattle herders clearly indicates that this community organization is the architect of this group inter-state violence and incursions.

5- NAS leaderships strongly advice Bor County Community Association to desist from manufacturing violence and hatred and at least learn to co-exist and respect others.

**Suba Samuel Manase**

**NAS Spokesperson.**



Email: [samuelsuba@yahoo.co.uk](mailto:samuelsuba@yahoo.co.uk)

## Annex 18: Preliminary list of people killed, released by Kajo Keji authorities on 5 February 2023

The list names 25 casualties as of 5 February 2023. An additional four casualties were later identified.



	NAME	SEX	AGE	AGE	CLAN	BOMA	NEXT OF KIN	REMARKS
1	Late Yaba Elikana Leju	M	75	Elderly	Lomura	Likamerok	Jansuk	Brother
2	Late Wami Samuel Bojo	M	70	"	Bekata	Likamerok	John Lomuja	Brother
3	Late Emelida Maja	F	67	"	Lubule	Likamerok	Sube Julius	Step father
4	Late Hellen kiden Asu	F	60	"	Lubule	Likamerok	Muluja	Husband bro
5	Late Gora Samuel kaja	M	60	"	Lubule	Likamerok	Lisok cosmas	Father
6	Late Michael kiju kiju Bismark	M	58	"	Lubule	Likamerok	Sube Julius	Father
7	Late Daku Dickson	M	58	"	Lubule	Likamerok	Nathaniel Lotiyu	Father
8	Late Onesimo kiju	M	53	"	Lubule	Likamerok	Sube Julius	Step father
9	Late Andrew Daku Lisok	M	54	"	Bekata	Likamerok	John Lomuja	Brother
10	Late Alex Gworong Buni	M	45	Youth	Pini	Likamerok	Abdallah Loduo	Father
11	Late Emmanuel Lejukale	M	40	"	Leikor	Mogiri	Charles Lubajo	Fathers brother
12	Late Momo Samuel Oliver	M	38	"	Lubule	Likamerok	Oliver kolo	Father
13	Late Mori Julius Lokari	M	40	"	Dung	Likamerok	Jane juru	Bro wife
14	Late Sokiri Morris	M	36	"	Lubule	Likamerok	Lisok Cosmas	Step father
15	Late Moses Dwoki Gabriel	M	38	"	Kandeba	Mogiri	Emmanuel Gonda kilong	Step father
16	Late Meja Chaplain	M	35	"	Bekata	Likamerok	Misake eliya	Step father
17	Late Julius Modi Gabriel	M	34	"	Kandeba	Mogiri	Emmanuel gonad kilong	Step father
18	Late Isaac Loku Gabriel	M	32	"	Kandeba	Mogiri	Emmanuel Gonda Kilong	Step father
19	Late Mono Chirus	M	30	"	Lubule	Likamerok	Sube Julius	Step father
20	Late Mono James Lomelon	M	30	"	Lubule	Likamerok	Bono John Tuya	Father
21	Late LokU Lege Gabarsel	M	25	"	Kandeba	Mogiri	Emmanuel Gonda kilong	Step father
22	Late Gwolo Julius Maring	M	39	"	Bajur	Bajur		
23	Late Mamu	M	63	"	Leikor	Mogiri	James Lonyik	Grand father
24	Late Samuel Lubajo Paul	M	35	"	Muru	Mogiri	Paul Boyong H/Man	Father
25	Late Longa Jibi	M	42	"	Lomura	Mogiri	Grace Guo	Aunt

## Annex 19: South Sudan Red Cross news release on four South Sudanese Red Cross Volunteers killed in Kajo Keji, 3 February 2023



*SSRC/SG/2023/132*

### *SSRC News Release*

#### **Four South Sudan Red Cross Volunteers killed in Kajo-Keji**

**Juba, 03-02-2023** - The South Sudan Red Cross (SSRC) learned about the killing of four Red Cross volunteers in Kajo-Keji on Thursday morning, 2 February 2023. The volunteers who have been part of the team in Kajo-Keji unit, were picked from their houses and callously killed.

"We have learned with shock and sadness the killing of four SSRC volunteers and community members. We condemn this act of killing humanitarian workers and call on the authorities to arrest the perpetrators and bring them to justice," said John Lobor, the Secretary-General of the South Sudan Red Cross.

"We also call on all armed actors to respect Red Cross and other humanitarian workers who tirelessly assists people in need across the country," John added.

The four volunteers and the other community members were picked from their homes, while others were from water points and killed together in groups.

The South Sudan Red Cross sends condolences to the families of community members and the volunteers who lost their lives in this act of violence. The SSRC coordinated with authorities to deliver body bags to help families in the dignified burial of their beloved ones.

The volunteers in Kajo-Keji have been at the forefront in mobilizing community members to vaccinate against Covid-19, conduct awareness against Ebola, provide first aid services, restore family links of people separated from their loved ones, and work with authorities to provide other services to the people in need.



For more information, contact John Lobor, the Secretary-General of South Sudan Red Cross on:  
Tell: +211912665836

Email: [john.lobor@ssdredcross.org](mailto:john.lobor@ssdredcross.org)

## Annex 20: Statement by the Central Equatoria State Government on the massacre in Kajo Keji County, 2 February 2023



**REPUBLIC OF SOUTH SUDAN**  
Central Equatoria State - Juba  
Ministry of Information and Communication



### STATEMENT ON THE MASSACRE IN KAJO-KEJI COUNTY

Today, the 2<sup>nd</sup> of February 2023, the people and the Government of Central Equatoria State woke up to the saddest news of the renewed bleeding of Kajo-Keji County following the massacre of innocent unarmed civilians at Likamerok Boma in Lire Payam.

The cattle herders conducted a savagery house-to-house murder of innocent unarmed civilians as a sheer revenge attack after unknown armed group assaulted their camps in a hit-and-run mission which led to death of both cattle herders and their animals this morning at 5AM.

The State Government under the leadership of H.E Emmanuel Adil Anthony, the Governor, condemns in the strongest term possible the barbaric and systematic killing of innocent civilians. He further sends his deepest condolences and sympathies to the bereaved families of the innocent victims of the sudden annihilation, the people of Kajo-Keji and Central Equatoria State at large.

H.E the Governor calls upon the people of Kajo-Keji County and Central Equatoria State at large to be calm as security agencies are now in full control of the situation and working to apprehend the perpetrators of this heinous act.

The Governor reiterates his government's resolve to implement the Presidential Orders for unconditional return of the problematic armed cattle herders to their areas of origin.



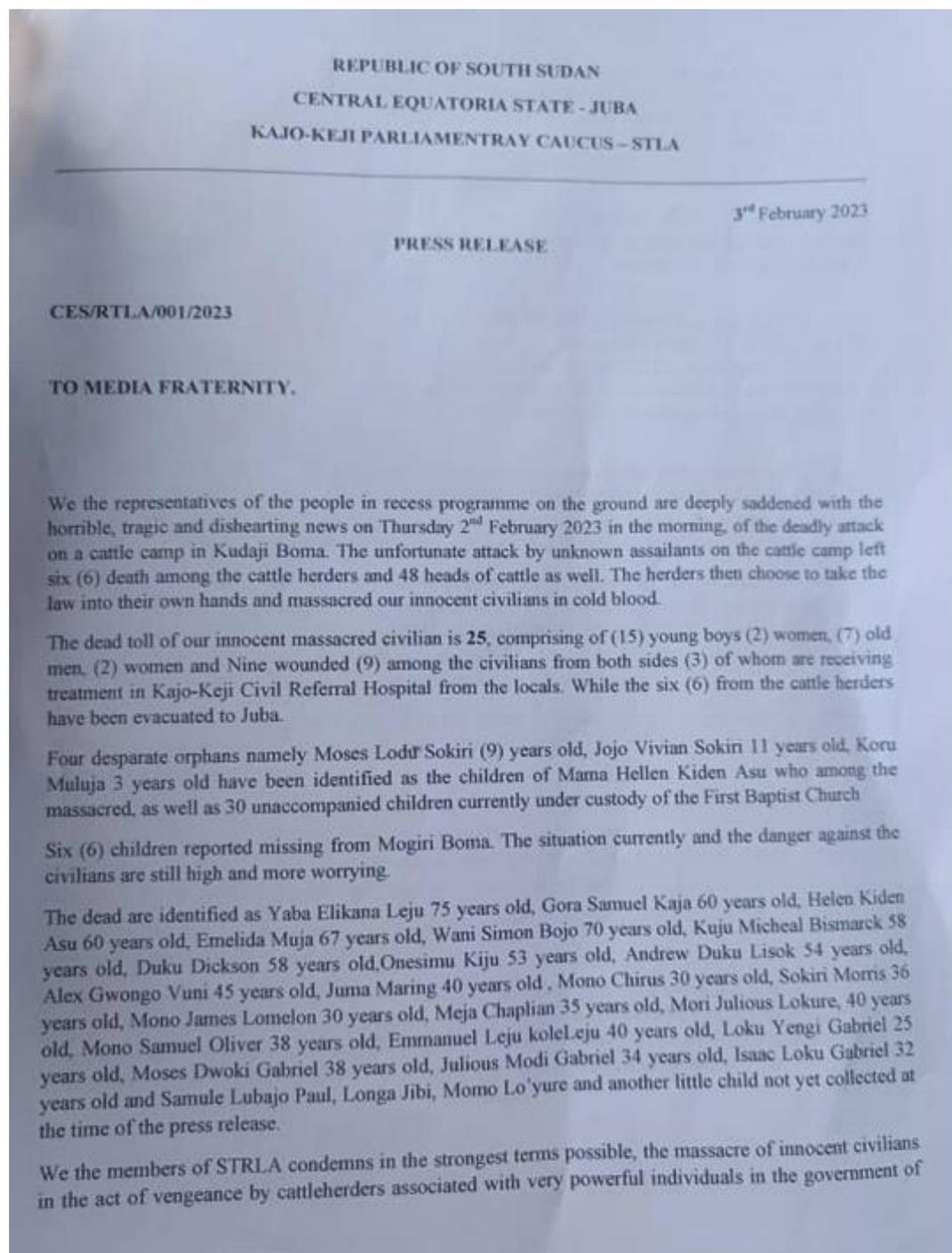
**Dr. Andruga Mabe Saverio,**

Minister of Information and Communication  
Government of Central Equatoria State, Juba



Tel: +211 925 618 565  
Email: mabesaverio@gmail.com

## Annex 21: Press Release by Kajo Keji parliamentary caucus, 3 February 2023



the Republic of South Sudan from Bor community. As evidenced by the Nail, representative of the cattle herders in Liwolo Payam, Sokare boma during the meeting shared by the joined delegation from Jonglei State, comprising of the Hon. Commissioner of Bor County, Hon. Minister of Peace, Hon. Advisor for security and the Hon. Advisor of Human Rights and CES, comprising of the Hon. Minister for Peace and Hon. Advisor for Security and Hon. Commissioner of Kajo-Keji County. Saying, "government knows that we are here, and we cannot go unless our cows are paid"

We deplore the segregative rescue and medical evacuation of the wounded and as it does not depict a spirit of nationalism. The six wounded (3 males and 3 females) from the cattle herders were promptly evacuated to Juba for advance treatment to save their lives, while the wounded from the locals had to wait for several hours before been collected for treatment in the referral hospital.

We equally regret the sluggishness response of the security and the military to avert the situation, as they (Security) received the news of the attack of the cattle camp before seven (7:00 am). We believed that more lives could have been spared had the military dispatched the army to the scene before the barbaric herders began random killing of our people from 8:00 am up to 11:00 am and beyond. The Military commander who brought the news the CES Hon. Advisor in person did not arrange immediate dispatch of the military to the scene until 10:00 am.

The persistent and systematic violence muted against our people in various rural counties of CES, namely Kajo-Keji County ( Gederu Boma, Kansuk Boma, Sokare Boma, Bori and others) Juba County ( Lokiliri, Ngangala, Mangala, Gwodokoro, Liriya (etc), and several villages in Lianya County by cattle herders from Bor community is pathetic and disheartening. It leads the question of what these brothers are up to?

We the representatives of the people want to call on the Presidency to take a prompt decision and measures to end the repeated violence against farmers and civilians in Central Equatoria State by the Bor cattle herders to restore hope and genuine peace between the people of CES and Jonglei State. If your message of peace for which are ambassadors is to resonate well in the various communities. We beg your excellencies to consider the plight of all our peoples for the sake of peace in South Sudan.

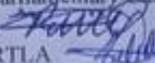
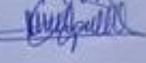
We call for an urgent humanitarian assistance for the widely displaced populations, currently camping in ESC Kimu Parish in Mere Town, Kajo-Keji Secondary School in Mere Boma and Kansuk Boma in Lire and Nyepo Payams respectively.

We the members and representatives of the people calls for the strengthening of the capacity of the forces in Kajo-Keji to be more able to response effectively and promptly to avert catastrophic security emergencies. We also call for additional deployment of the unified and graduated forces to boost the capacity of the forces that are currently overly stretched in the county.

We call for calm among the traumatized population of Kajo-Keji County as the relevant authorities are working day and night to contain the situation.

We equally barks the call by the representatives of Jonglei State and the chair of the Delegation to Kajo-Keji ( Liwolo) calling for an immediate departure of the Bor cattle herders back to Bor, Jonglei State within the frame work of the seven calendar days, effective from 1<sup>st</sup> February 2023 in a guided and orderly manner that ensures the security of the people along the routes and the safety of the herders.

Undersigned are the names below:

1. Hon. Milla Amos Peter Chair State Parliamentary Caucus 
2. Hon. Celina Pita Member RTNLA 
3. Hon. Geri Scopas Emma Member SRTLA 
4. Hon. Betty Poni Christopher Member SRTLA 
5. Hon. Simaya Kumba Boyi Muke Member SRTLA 
6. Hon. Florence Ide Member SRTLA 
7. Hon. Loburi Stephen Wuyayi Member SRTLA 

Cc: Central Equatoria State Revitalized Transitional Legislative Assembly

Cc: Office of the County Commissioner Kajo-Keji County

Cc: Hon. Celina Pita member RTNLA

Cc: Peace Director Kajo-Keji County

Cc: File

## Annex 22: National Salvation Front/Army (NAS) statement, 3 February 2023



### SOUTH SUDAN

Restoring Unity & Dignity of the People

**National Salvation Front/ Army**

OFFICE OF THE SPOKESPERSON

General Headquarters

Ref: NAS/OSM/01

3<sup>rd</sup> February, 2023.

#### Message of Condolences for Kajo-Keji Massacre

The Leadership of National Salvation Front (NAS) and its entire members are deeply saddened by the massacre, in cold blood of more than 21 innocent unarmed civilians at Lokamerok Boma, Lire Payam, Kajo-Keji County, Central Equatoria State, by the marauding Dinka Bor cattle herders on 2<sup>nd</sup> February, 2023.

The attack was carried out by Dinka Bor cattle herders and militia on innocent civilians in their own houses, massacred more than 21 people, injuring several others and displacing thousands.

Similar killings of innocent unarmed civilians took place on 31<sup>st</sup> December, 2022 in Mangalla where another group of Dinka Bor cattle herders attacked and killed three (3) innocent civilians and displaced many others. The Dinka Bor cattle herders are on killing spree to displace people in order to occupy their land. Currently, the eastern bank of the Nile, from Mangala up to Nesitu is being forcefully occupied.

When the people in Kajo-Keji County, Central Equatoria State and South Sudan were preparing to warmly receive and welcome his Holiness Pope Francis and his entourage with joy to Juba today 3<sup>rd</sup> February, 2023; with the hope that he will urge the adamant regime of Salva Kiir to work for genuine peace, the Dinka Bor cattle herders characteristically chose violence and brutality against innocent civilians to welcome pontiff to South Sudan. The Dinka Bor cattle herders have chosen to welcome the pope and the accompanying religious leaders with the blood of innocent civilians of Kajo-Keji.

The Leadership of NAS condemns in strongest terms possible, these heinous acts of barbarism and brutality by the Dinka Bor cattle herders. On the same note, NAS equally condemns the regime of Salva Kiir in Juba for its complicity in arming the Dinka Bor cattle herders to wage a proxy wars against the people of Equatoria and other vulnerable people in South Sudan. It is unfortunate that, the Pope and the accompanying religious leaders will be shaking hands with the government leaders whose hands are dripping with the blood of innocent civilians.

Email: [samuetsuba@yahoo.co.uk](mailto:samuetsuba@yahoo.co.uk)

The Leadership of NAS maintains that the regime of Salva Kiir has failed to govern and is unable to provide security to the citizens of South Sudan.

NAS as peoples' centred revolution would like to assure the people of South Sudan that it will defend and protect the people in Kajo-Keji, the whole of Equatoria and indeed, the entire country from any group who are causing atrocities and massive displacement of people from their ancestral lands, for the purpose of occupation. From here onwards, this kind of barbaric behaviour which is threatening the lives and existence of our people will not be tolerated.

NAS therefore calls on the communities in South Sudan who have become targets of armed cattle herders, especially in Equatoria to organize themselves into vigilante groups to defend and protect themselves, their land and property since there is no government to protect them.

The Leadership of NAS sends its heartfelt condolences to the families of those massacred in Kajo-Keji, pray for the Souls of the deceased to Rest in Eternal Peace and wishes quick recovery to the injured.

Suba Samuel Manase  
NAS Spokesperson.



## Annex 23: SSOMA statement on Kajo Keji killings, 4 February 2023

SOUTH SUDAN OPPOSITION MOVEMENTS ALLIANCE (SSOMA)  
"Launching the New Vision of Hope & Transformation in South Sudan"

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*FOR IMMEDIATE RELEASE*

04 February 2023

**Statement on the Killing of Innocent Civilians in Kajo-Keji by the Cattle Herders**

The South Sudan Opposition Movements Alliance (SSOMA) is appalled with the cold-blooded massacre of innocent civilians in Kajo-Keji County in Central Equatoria State on 2<sup>nd</sup> February 2023 by Dinka Bor cattle herders.

In late 2022, similar massacre of innocent civilians took place in Malakal town, Upper Nile State and in Mongala town, Central Equatoria State. These ongoing killings and revenge killings of innocent civilians are the hallmarks of the lawless state in South Sudan, where civilians have taken the law into their hands, unchecked by the failing regime of President Salva Kiir.

Sadly, this heinous and barbaric killing occurred on the eve of the visit of Pope Francis, the Archbishop of Canterbury and the Moderator of the General Assembly of the Church of Scotland who are visiting South Sudan in the quest for peace in the country. The massacre in Kajo-Keji has stained the papal visit to the Republic of South Sudan as the people of South Sudan were preparing to welcome Pope Francis with joy and warmth.

SSOMA condemns in the strongest terms possible this heinous and barbaric killing of innocent civilians by the Dinka Bor cattle herders. The South Sudan government under the failed leadership of President Kiir is responsible for the ongoing proliferation of cattle herders and their cattle invading and destroying crops of the agrarian communities in the whole of South Sudan, notwithstanding the abduction of children and raping of young girls and women on their path.

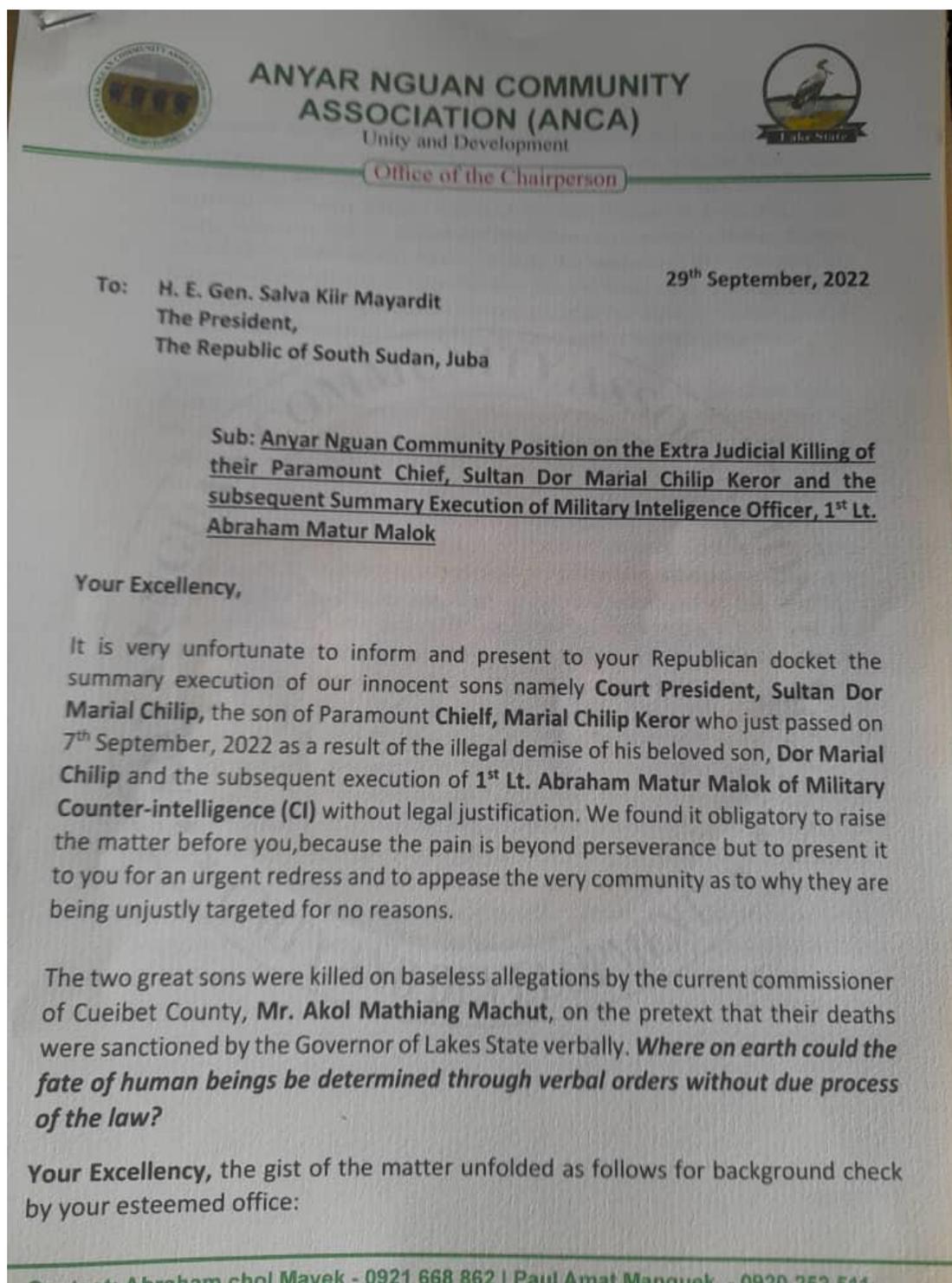
SSOMA urges and call upon the Vatican, the International Criminal Court, the African Union, the United Nations, the International Community, and the regional bodies to take note on these heinous and an inhuman crime against humanity and to hold the government of South Sudan to account.

SSOMA would like to extend its profound heartfelt condolences to the families of the deceased, the people of Kajo-Keji County of Central Equatoria in particular, and the people of South Sudan who have suffered and continue to bear the brunt of Juba regime sanctioned cattle herders who are armed by none other the South Sudan Defense Force (SSPDF) and some prominent leaders in the Kiir regime.

###

Contacts:  
Kwaje Lasu  
+1 336 575 5965  
Email: [jointoppositionpressrelease@gmail.com](mailto:jointoppositionpressrelease@gmail.com)

**Annex 24: Community statement on extrajudicial killing of a paramount chief and a military intelligence officer, 29 September 2022**



1. Late **Sultan Dor Marial Chilip** complained the fate of the 12 relatives killed by a culprit hailing from Wat Adol Community named **Machar Deng Agok** and **Warkou Run Arol**, at Lang Cattle Camp in earlier December, 2014 before Governor Rin Tueny Mabor, following his appointment in June, 2021. The killing happened before, **Sultan Dor Marial** could succeed his **Father, Sultan Marial Chilip Keror** and on hearing this by the relatives of the offenders, he was reportedly alleged to be a murderer by the same commissioner and he was executed in unknown place till now, his body has not been found despite being a Court President succeeding his aged **Father Marial Chilip Keror**.
2. Yesterday, 28<sup>th</sup> September, 2022 at exactly 04:00 pm, **1<sup>st</sup> Lt. Abraham Matur Malok** was summarily executed by the police squad on the allegation that he killed a civilian. The logic was that **1<sup>st</sup> Lt. Matur** was on mission to apprehend culprits purportedly to be at large at Tiap-Tiap Payam. On his way, he spotted this armed civilian and clashed with the forces he was moving with resulting to the killing of this civilian by one of the soldiers locally recruited in the name of community police by the administration of current Governor of Lakes state. Instead to investigate the genesis of the matter, the commissioner and the few of his community members ordered the transfer of the CI officer from the Military base at Kaar to his office and ordered the return of the commander escorting this officer to his office. In the evening of 28<sup>th</sup> September, the Commissioner of Cuei-bet County, Akol Mathiang ordered the execution of **1<sup>st</sup> Lt. Matur** at the suburb of Cuei-bet Town – a place called Alel (Panthok). He first ordered a squad of SSPDF but the soldiers remained defiance and put, declaring the innocence of **1<sup>st</sup> Lt. Matur Malok** since the soldier who shot the civilian had admitted the responsibility and was arrested pending investigation by the competent body; why killing an innocent officer who was doing his job according to Lakes State Laws about quelling the insecurity in the area? Was Matur killed simply because he was an intelligence to expose Akol's misdeeds? To us, **1<sup>st</sup> Lt. Matur** was killed because of a personal vendetta between him and the very commissioner for **1<sup>st</sup> Lt. Matur Malok** had been against killing of innocent people of the current reign of Mr. Akol Mathiang Machut. **1<sup>st</sup> Lt. Matur** had also been against the looting spree and the pollicization of the people of Cuei-bet to forcibly join SPLM-IO. These were the reasons that quickened the execution of **1<sup>st</sup> Lt.**

matur Malok in order to cover the information he thought 1<sup>st</sup> Lt. Matur had in his possession as counter-intelligent security officer.

According to the Emergency Laws of Lakes State, any civilian found carrying or in possession of firearms could be disarmed and/or failure to adhere to this order, he/she should be forcible disarmed and this includes usage of proportionate force against the armed civilians. It is what 1<sup>st</sup> Lt. Matur did and in the process of exchanging fire with this resisting civilian, one of the soldiers reportedly to be his bodyguard killed the civilian. 1<sup>st</sup> Lt. Matur reported the matter to the SSPDF senior authorities but the commissioner could not heed to all the administrative reports but rushed to quick execution of the officer, for fear of being exposed by 1<sup>st</sup> Lt. Matur given his intelligence background and about his atrocious deeds in Cuei-bet County.

3. In April, the same Commissioner, Akol Mathiang, executed three civilians and one soldier on the baseless allegation of resisting disarmament. Those civilians did not have arms but were accused on false allegations. The civilians were namely **(01) Mawar Majak Meen, (02) Matur Machueng Akok, (03) Manger Ater Chiran** and (04) One Soldier hailing from Anyar Nguan Community.

However, as a community, traumatized and perturbed by the ruthless behaviours of the current commissioner and the administration of Governor, Rin Tueny Mabor, we saw no justice in these particular cases. Had there been justice, competent bodies or legal procedures should have been followed especially on the cases of officer like 1<sup>st</sup> Lt. Matur and Court President, Paramount Chief, Sultan Dor Marial Chilip Keror, for these are public officials and they could not be executed illegally as these portrayed a bad image on justice system and credibility of the Government of Lakes State.

In this regard, we are strongly requesting your esteemed office and leadership to:

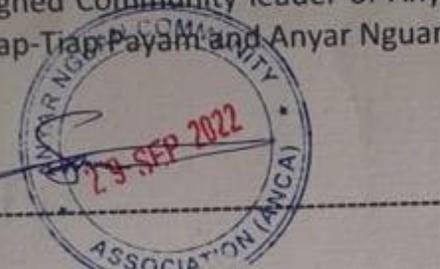
1. Institute a committee to go down in order to investigate into the summary execution of 1<sup>st</sup> Lt. **Abraham Matur Malok Lat** and the disappearance of **Court President, (Paramount Chief) of Anyar Nguan Community, Sultan, Dor Marial Chilip Keror;**
2. Relieve the Commissioner of Cueibet County, Mr. Akol Mathiang Machut, in order to undergo investigations for massive extrajudicial killing of innocent

- people in Cuelbet County, on unfounded allegations as taking the law into one's hand is a criminality by itself; and
3. Investigate the procedures employed by the authorities in Lakes to arrive to decisions of implementing extrajudicial killing in lakes State as so many innocent people are disappearing in the name of security maintenance.

Your Excellency, Lakes State is not an independent country to have its own laws. We pray for justice and wisdom in Lakes State, for what is happening is beyond legal scope and we are appalled by the administration of justice in Lakes State. We pray for your earliest response as the President of this Republic.

The below is the undersigned Community leader of Anyar Nguan Community on behalf of the people of Tiap-Tiap Payam and Anyar Nguan Community:

Sincerely yours,



**Mr. Abraham Chol Mayek Rual**  
Chairperson,  
Anyar Nguan Community

On behalf of Anyar Nguan Community

CC:

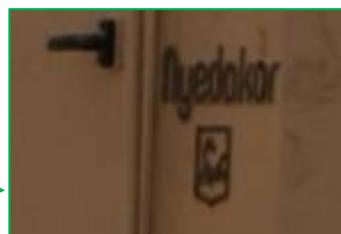
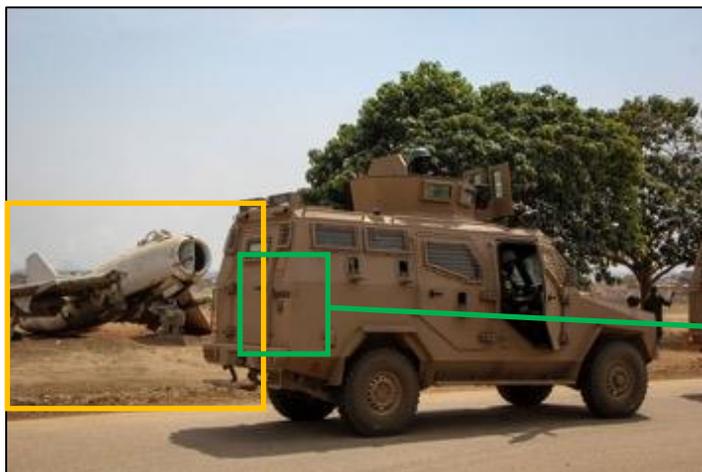
1. Rt. Honourable Speaker of the Transitional National legislative Assembly  
RSS, Juba
2. Rt. Speaker of the Transitional Council of States, RSS, Juba
3. Chief of Defense Forces, SSPDF, RSS, Juba
4. Inspector General of SSNPS, RSS, Juba
5. Hon. Governor of Lakes State
6. Director General of National Security Service (NSS), RSS, Juba
7. Chief of Military Intelligence, SSPDF, GHQs
8. Concern Elders and File

**Annex 25: New armoured personnel carriers paraded at Bilpham, Juba, around 28 December 2022**

Source: various press reporting



Bilpham, Ministry of Defence and SSPDF Headquarters, Juba, South Sudan (4.910524, 31.596673)





## Annex 26: Approved 2022/23 pay-scales for the security sector

Source: Ministry of Finance and Planning, Approved Budget for FY 2022/23

### Republic of South Sudan - 2022/23 - Staffing Structure by Grade

	Monthly Salary	Monthly Allowance	Housing Allowance	Approved positions	Current staff	Provisional staff	New Staff	Total Staff	Monthly salaries bill	Monthly pensions bill
Committee Deputy Chairpe	644,000	600	4,000	48	38		10	48	32,225,800	3,424,608
Assembly Member	560,000	600	4,000	563	412		121	533	317,017,133	33,102,498
President	36,000	-	-	1	1			1	36,000	3,960
Vice-President	32,400	-	-	5	5			5	162,000	17,820
Presidential Advisors	25,200	-	-	18	18			18	453,600	49,896
Auditor General	24,000	-	-	1	1			1	24,000	2,640
Chair of Anti-Corruption Co	24,000	-	-	1	1			1	24,000	2,640
Chair of Human Rights Com	24,000	-	-	1	1			1	24,000	2,640
Ministers	24,000	-	-	35	35			35	840,000	92,400
Deputy Minister	19,200	-	-	10	10			10	192,000	21,120
Other Commission Chairs	19,200	-	-	33	33		-	33	930,600	69,696
Secretary General	19,200	-	-	2	2			2	38,400	4,224
<b>Organized Forces/Security</b>	<b>7,665</b>	<b>125</b>	<b>1,091</b>	<b>356,481</b>	<b>34,173</b>	<b>334,660</b>	<b>104,066</b>	<b>472,899</b>	<b>2,250,602,893</b>	<b>247,566,318</b>
1st Lt. General	19,200	-	4,000	21	15	8	7	30	696,000	76,560
Lt. General	14,400	-	3,000	88	47	60	43	150	2,610,000	287,100
Major General	12,696	400	3,000	498	170	412	362	944	15,194,624	1,671,409
Brigadier	10,836	275	2,500	1,757	189	1,637	634	2,460	33,483,060	3,683,137
Colonel	10,260	251	1,800	2,811	374	2,604	736	3,714	45,723,054	5,029,536
Lt. Colonel	9,466	225	1,200	4,446	460	4,167	732	5,359	58,362,725	6,419,900
Major	9,144	201	900	6,084	884	5,634	1,514	8,032	82,287,840	9,051,662
Captain	8,580	163	900	12,945	1,753	11,764	2,234	15,751	151,886,893	16,707,558
1st Lieutenant	8,419	63	630	11,079	2,320	9,718	4,042	16,080	146,524,176	16,117,659
2nd Lieutenant	7,567	50	630	12,891	2,766	10,916	6,112	19,794	163,245,077	17,956,958
RS/Major	7,075	50	630	8,228	3,297	5,958	19,906	29,161	226,149,387	24,876,433
S/Major	6,540	50	450	14,650	3,188	12,715	8,794	24,697	173,866,880	19,125,357
Sergeant	3,991	38	450	36,579	4,515	34,478	23,800	62,793	281,262,406	30,938,865
Corporal	3,091	38	450	45,175	3,363	42,945	6,506	52,814	189,031,869	20,793,506
L/Corporal	2,645	38	360	32,267	2,284	30,813	3,994	37,091	112,860,495	12,414,654
Private	2,534	30	360	166,962	8,548	160,831	24,650	194,029	567,418,408	62,416,025

## Annex 27: Statement by the Office of the Chairman, Bari Community, 28 February 2023



**B.C**

**Bari Community**  
Juba - South Sudan

**OFFICE OF THE CHAIRMAN**

Date: 28<sup>th</sup> Feb 2023

For immediate Press Release

Press Release on the Conflict between Land Grabbers and Bari Youths in Gondokoro Payam.

The leadership of the Bari community is once again appealing to you in the Government of the Republic of South Sudan; the international community, United Nations (UN), Troika (USA, UK and Norway), IGAD, AU, RJMEC and all South Sudan Peace guarantors, people of Greater Equatoria and Equatorians in diaspora and all peace loving people to stop all too familiar heinous acts of killings, looting, displacement, and land grabbing being meted out on the Bari People of Mori Boma of Gondokoro Payam, Juba County in Central Equatoria State, that the culprits are not only Dinka Bor but include, Riverine Unit of South Sudan People Defense Forces and Some Nuer.

1. On Saturday 25<sup>th</sup> February 2023, the clashes started in Mori Boma of Gondokoro Payam between the Bari and the land grabbers supported by South Sudan People's Defense Forces (SSPDF) of River Defense Forces and some other organized forces who are supposed to return the cattle to their places of origin.
2. On Saturday 25<sup>th</sup> -28<sup>th</sup> February, 2023 up to date, there is a total absence in action of all level of governments to rescue the Bari people from the atrocities being done against them. These invaders are determined to illegally occupy the Bari land by forcefully displacing the Bari from their areas of origin.
3. On the 5<sup>th</sup> of January 2023, the Bari Community of Gondokoro, in the person of the head Chief, Peter Ladu Tongun of Mori Boma wrote a letter to both the Commissioner of Juba County, Hon. Charles Joseph Wani and the Commander of Riverine Defense Force, Major Gadiak informing and complaining against land grabbing and cattle keepers at Gondokoro Payam and Mori Boma in particular.
4. Subsequently, on 5<sup>th</sup> January 2023, the Bari Community of Mori Boma of Gondokoro Payam requested the Commissioner of Juba County and the Commander of the Riverine Defense Forces to stop the illegal demarcations of the land in Gondokoro by the communities of the Dinka Bor and Nuer.
5. Furthermore, the Bari Community of Gondokoro also requested the Commissioner of Juba County and the Commander of the River Defense Force to use their

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*BCA/ HQs : Juba, Jubek Square - South of Ivory Bank - Juba Branch, Tel: +211914 642 552 - +211 929 992 230*

authority to remove the cattle from the area to avoid escalation of the situation on the ground.

6. This shows how the Bari Community has been working together with all levels of the governments to avoid violent conflicts in the area but the government never took any necessary steps to arrest this situation before developing into this violent conflict.
7. On 28<sup>th</sup> December 2022, the invaders and enemies of peace in South Sudan against the Bari Community in Gondokoro started by the two communities of Dinka Bor and the some Nuer that entered Gondokoro Payam by force of guns and started demarcating the land illegally without the approval of the indigenous people of the Gondokoro.
8. These events happening in Gondokoro is the continuation of what happened in Mongalla, Ngagala, Lokiliri, Lobonok, Rejaf, Kajo-Keji, Wonduruba, Luri, Lodu, Bungu, and Ganji and in many other areas of the Bari Community in Central Equatoria and the Greater Equatoria at large.

**The Violent Conflict Resulted to the Following on the Ground:**

This violent conflict has resulted to the massacre of men, women, children, and elderly people. Hundreds of people killed, wounded, thousands displaced and burning of villages plus the looting of valuable properties such as

1. More than one hundreds (100) motorbikes looted by the attackers
2. Hundreds of people killed, wounded and disappeared.
3. More than twenty youths (20) were arrested and some of their names are Jimmy Ladu Alisio, Rino Gore Lodu, and Emmanuel Tongun Ruben until now we don't know whereabouts.
4. Houses were burnt to ashes and properties looted.

**Therefore, the leadership of the Bari Community and entire Bari People, would like to make the following clear to the Government of the Republic of South Sudan, International Community and people of South Sudan that:**

1. The leadership of Bari Community strongly condemned the Dinka Bor, Riverine Defense Forces and Some Nuer land grabbers for illegally demarcating Bari land in Mori Boma of Gondokoro Payam.
2. The incident in Gondokoro Payam happened concurrently with the closure of the Bari Community Centre in order to prevent the people of Bari community, Juba County, Central Equatoria and Greater Equatoria from meeting together so as to discuss and make resolutions on the events happening on ground. We suspect the motive of closed is to give cover to enable the land grabbing and the burning of the villages in Gondokoro Payam. We believe this is a serious crime of genocide that all levels of governments are condoning against the Bari Community.



3. The SSPDF and all the other security organs who are supposed to protect the people and their properties are now the very agents of chaos killing, looting properties and grabbing the land in Mori Boma of Gondokoro Payam.
4. As we write this press release, the SSPDF and land grabbers are continuously destroying buildings, arresting people & beating people and looting the properties in Mori Boma in Gondokoro Payam.
5. The SSPDF together with the illegal land occupants (Land grabbers) are fighting the Bari labeling and accusing them of being National Salvation Front (NAS) rebels simply because the Bari have managed to defend themselves.
6. On Saturday 25<sup>th</sup> February, 2023, the SSPDF and land grabbers went to Gondokoro land and stated shelling heavy weapons of all types claiming Gondokoro and Mongala are strongholds and bases of NAS rebels.
7. This is a lie which is fabricated to warrant the massacre of the Bari and Equatoria people to pave way for the total occupation of Bari and Equatoria land. And this is the same claimed made by the SSPDF Spokesperson in the incident of Mangalla Payam.
8. The Bari Community Leadership would like to put it categorically clear that the Bari people are under real existential threat. Therefore we will fight for our survival as a community and we will continue to protect our ancestral lands from being illegally occupied by these invaders.

#### The Way forward:

1. The Bari Community is reiterating that the facts the Bari people are not rebels and not National Salvation Front (NAS) but simply defending themselves and their land from being grabbed. We will never give up struggling for our right because we are born free and we will die as free people
2. The Government should identify the leaders of the land grabbers and bring them on book.
3. The Riverine Unit of SSPDF should stop the harassment and intimidation of the people as it is their mandate, otherwise we will treat them as enemies.
4. The Bari Community is requesting SSPDF Headquarters to withdraw the Riverine unit of SSPDF from Gondokoro.
5. The government to direct the commander of the Cattle evacuation force to finalize the moving of the cattle out of the Bari land and to disband the forces immediately.
6. We are appealing to the National and State Government, National & International NGOS, people in Diaspora and well-wishers to come to the aid of the displaced people of Gondokoro. Also, we are calling for the resettlement of the Bari people to their ancestral land.
7. We are calling for the National Government to intervene because the primary responsibility of any competent government is the protection of their people and property rights.
8. The Bari Community Center at the Jubek Memorial Square is illegally closed but the Bari Community Executive Committee Members are continuing to operate within



Bari territory because there is no power other than that of the BC General Assembly that can suspend the operations of the BC Executive.

9. We are calling for the immediate withdrawal of the security forces and unconditional opening of the Bari Community Centre.
10. In conclusion, we are urging **H.E.Gen. Salva Kiir Mayardit**, the President of the Republic of South Sudan, Commander in Chief of SSPDF and Supreme Commander of all the Organized Forces to intervene in the current political, social and security situation in Central Equatoria State because there is a total breakdown of social fabric, security and political status.

Kind regards,



Hon. Stephen Pitia Lako  
Mor Lo Bari (Chairman)  
Bari Community (BC)  
Juba- South Sudan



- Cc: H.E Gen. President of the Republic of South Sudan
- Cc: United Nations (UN)
- Cc: UNMISS
- Cc: Troika (USA, UK, Norway)
- Cc: African Union (AU)
- Cc: IGAD
- Cc: East Africa Community (EAC)
- Cc: Peace Guarantors (Sudan & Uganda)
- Cc: RJMEC
- Cc: Speaker, R-TNLA
- Cc: Speaker, Council of State
- Cc: Governor, Central Equatoria State
- Cc: Commissioner of Juba County
- Cc: Chief of General Staff SSPDF
- Cc: IGP Office
- Cc: DG, NSS/ISB
- Cc: All Media Houses
- Cc: File

## Annex 28: Riverine boats and equipment



Riverine facility in Juba: 4.831628, 31.614827







## **Annex 29: Riverine unit outreach with foreign governments**

The Riverine Unit has expanded its public sector engagement abroad. In October 2022, Lt. Gen. Akol, along with other senior representatives of South Sudan’s security organs traveled to India to attend a defense exposition.<sup>24</sup> During the visit, they reportedly conducted bilateral meetings with members of India’s private sector defense industries to “[explore] new areas of convergence for mutual engagement, including in areas like capacity building, training, cyber security, maritime security and counter-terrorism”.<sup>25</sup> South Sudan’s representatives also met with senior officers in India’s navy to “develop strategies and military relations between South Sudan and India in the military fields”.<sup>26</sup>

In an interview with Al Watan newspaper in November 2022, Akol also suggested ongoing efforts to engage Uganda for additional training for the Riverine Forces (see clip below).

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<sup>24</sup> Reports and photographs obtained by the Panel, November 2022. Interviews conducted with members of private sector representatives of India’s defense industry, by phone, November 2022.

<sup>25</sup> Statement issued by the South Sudan National Police Service, 21 October 2022, on file with the Panel.

<sup>26</sup> Statement issued by the SSPDF, 19 October 2022, on file with the Panel.

## الجنرال / قرنق أيي اكول اقانج قائد سلاح البحرية...ضيفا على شواطئ الوطن يتحدث!!

فهمه الواسع لعلوم العسكرية، ولم تغفل بالحديث عن الخوادر التي كانت تعمل في الجيش السوداني في وحدة البحرية وفصل وشرح ما حدث لهم، وفي ناحية أردنا أن نتعرف علي مهام وواجبات سلاح البحرية وافاض في الشرح والتفاصيل، وكشف لنا عن لقاء جمعه مع قائد قوات البحرية الهندية في إحدى المؤتمرات، أخذنا الوقت سريعاً بعد الظهور بعدة محطات مع ضيفنا الذي تلمسنا عمق التصاقه بالخدمة، مدركاً للواجب من أجل الوطن، ثم انطلقت صافرة الختام معلنة الوصول لتسرع لعرض هذا الحوار التاريخي الوثائقي لواحده من أبناء جنوب السودان المخلفين بواجب الدفاع عن أرضه وسمائه وانهاره، وقيل أن تغلق التسجيل تكريم الجنرال بإرسال رسالة لقيادة الدولة، ورفعه التمام بأنه مع جيش بلاده جاهزون دوماً من أجل استتباب الأمن وتثبيت ركائز السلام والاستقرار وحراسة مختصات الشعب..

بعد أن تم تخريج القوات المشتركة المدحجة في بحر الغزال تصدر اسم الضابط الكبير نور الدين أيي اكول عناوين حديث الناس مشيدون بجهده وعظائه حتى تم الأمر هو بذرة من تراب مدينق أويل، وسليل أسرة عريقة فوالده الشيخ الراحل المقيم عبد الباقي أيي اكول، نال ثقة قيادة الدولة وتم تكليفه ليكون المسؤول الأول عن وحدة سلاح البحرية في جنوب السودان، وهو اختيار لرجل يمتلك المؤهلات والقدرات بعد تخرجه من الكلية الحربية في السودان... يعرفه الناس باسم نور الدين حسب معتقده الديني، ذهبنا إليه وسيرته سيقنا إلى أبواب مكتبه، وحملنا معنا مجموعة من محاور تساؤلات، تناولنا القوة التي مارالت تحت التأسيس والمستقبل والبلاد تتجه لبناء جيش وطني وفق منظومة الجيوش في عالم اليوم، فوجدناه يحمل رؤية وعزيمة قوية لإنجاز ما تم تكليفه به، وتوقفنا في محطة تخريج القوات من إقليم بحر الغزال وقد لعب دورا سيحفظه له التاريخ، وجدناه مهوم جدا بالتدريب والتأهيل انطلاقاً من

حاوره / مايكل ريال خروستوفر \_ جوبا

اسمين، طبعاً نحن في جنوب السودان كل شخص لديه السمان باعتبار النباشة والثاني اسم من أسماء القبيلة...  
انا اسمي فرنق أيي اكول الفانج وهو اسم من اسماء قبيلتي وهي النيشا وهو الاسم المعتمد في مستدثاتي الشخصية الرسمية وبهذا الاسم تخرجت من الكلية الحربية في السودان، والاسم الثاني هو نور الدين باعتباره مستم...

ومرحبا بك ضيفاً عزيزاً في بداية هذا الحوار نرجو أن تقدم نفسك في لوحة التعارف فمن انت؟

دخلت إلى مكتب السيد قائد سلاح البحرية وهو رجل عسكري من الكفاءات التي يعزز بها في جيشنا، كانت الإشواق تسبقنا للتلقي به ونستضيفه باسم كل فراء الوطن.

شكراً جزيلاً ومرحباً بصحبة الوطن على هذه الصراحة العوارية...

أريد أن أقول يا سيدي

طبعاً تفرجوا كلوات موحدة، عندما تغلق الناس التي معسكرات التدريب، ناس المعارضة في مناطق التجمع، وناس الحكومة التوا من المعسكرات وتقلبوا في مراكز التدريب... في البداية تم توجيه التوجيه من المعارضة ومن الحكومة وتم تجميعهم مع بعض، بعد ذلك تم تفرجيبهم، ومن ثم استقبلوا المستجيبين أو الدارسين في مراكز التجمعات وبقوا مع بعض لمدة سنتين حتى تم التفرجيب كلوة موحدة...

طبعاً التدريب عادة يكون تدريب أساسي أو تخصصي القبار باللغة العسكرية لأتهم في الأمن كانوا عسكري، والفرص من تدريبهم هو لتجميعهم مع بعض ليكولوا قوات موحدة ونواة لمستقبل جيش جنوب السودان...

سعيدين بان نتلقي بك البحرية، هي وانث من أسيرة عريقة ومعزوفة، لأول مرة عام ٢٠٠٩ نتمنى لك ا نتو فيق وكان قوامها والنجاح، نلت ثقة كبيرة من فخامة رئيس الجمهورية وتم تكليفك لقيادة القوات البحرية، حدثنا عن هذه القوات وهي واحدة من تشكيلات جيشنا الوطني؟

حقيقة القوات البحرية، هي حديثة تم تأسيسها لأول مرة عام 2009 وكان فرانسها فصيلة بقيادة طيد، في العام 2010 أصبحت كتية وراثتها هنا في جوبا على شاطئ النهر، وهي قوات جديدة مارالت تحت التأسيس...

هل بدأتكم فعلياً في تكوين وحدات سلاح البحرية لجنوب السودان؟  
حقيقة الوحدات موجودة لكن فعاليتها ما كانت على المستوى المطلوب أن نصل إليه، وهي شاركت في مسافلات البلاد عام 2013 وكانت فعلة...

تابعنا بإعجاب شديد الإنجاز الكبير بتخريج أول قوة مشتركة في قوات دفاع جنوب السودان في إقليم بحر الغزال، حدثنا عن ذلك التخريج الذي كانت لك فيه بصمة واضحة؟





# نسبة النجاح كانت مئة في المائة فحالة السيد رئيس الجمهورية كانت دوما يتم ترقيته لجيش

وتحدثنا عن التدريب وتبادل الزيارات والخبرات، كان مؤتمر كبير جدا، وكل شخص تلقى نظيره في الجانب الآخر...

## هل لديكم تنسيق مشترك بينكم وقوات البحرية في دول الجوار؟

حفيفة التونة التي تشبهنا شوية هي هو هذا، لديهم بحيرات وانهار ويمكن أن نستفيد منها، وحتى دولة السودان المجاورة يمكن أن نستفيد من خبراتهم وخاصة التأهيل، وكما قلت لك البحرية هي وحدة حديثة ولا زالت تحت التأسيس ولتحاج لبلل مجهود ويمثل في تبادل الخبرات ولديها أنشطة مختلفة وأقسام كثيرة... كنا نتحدث دوما عن القدرات الرفيعة والصفات الواضحة داخل المؤسسة العسكرية، وحدثت محاولات بعد اتفاقية السلام بخول نماء جديدة إلى جسم العسكرية منهم بلا شك التفريق لثور الكون لعيد الباني، وشاهدنا وسمعنا عن العماس ومواصلة العمل بلا كلل أو ملل لبناء الجيش الوطني الواحد والحديث...

ساعدت تلمس لك التفويض في مهامك وانت مساهم رئيس هيئة الأركان لقوات البحرية...

## ماذا تريد قوله لأبناء جنوب السودان من أجل احترام المؤسسة العسكرية حتى تمضي قدما في تنفيذ واجباتها؟

في الحقيقة العسكرية هي العود التقري للعودة، دونها الوضع الأمني لا يستقر، والعسكرية لا ينجح فيها إلا الشخص الذي يحب العسكرية، انت لو ما كنت تحب العسكرية لن تجز شي، هناك شخص تكون العسكرية عنده مجرد رغبة، انا ألتشد للشباب أن يكونوا بالتميز من التضحيات هذا دور الشباب من أجل الوطن، لا يمكنك أن تقدم وطبقه الا وانت شاب مستعد للتضحية من أجل بلقنا...

الشكر على الساحة الحوارية هذه، والشكر لثقة العام لقوات دفاع شعب جنوب السودان و رئيس الجمهورية، والسادة نوابه، وكل أعضاء هيئة أركان الجيش، وكل القوات النظامية وهم يعملون باستمرار من أجل استتباب الأمن والاستقرار...

شكرا لصحيفة الوطن على ساحة الاستضافة...

## السودان؟

طبعاً في العسكرية لا يتوقف التدريب، طمنا انت في الخدمة لديك واجبات، هناك التدريب الإداري الذي يتخص بمورات الإدارة، وهناك تدريب بندي وهو التدريب العسكري، يعني مثلا انت لو ضابط تخرجت من الكلية العربية أو دورة تأخذها دورة إدارية بعد فترة الإجازة، بعدها تتلحق لدورة تخصص مثلا كضابط في البحرية، هنا في جنوب السودان ليس لدينا بحر، في الدول المتقدمة التي لديها بحر أو محيطات يذهبون إلى كلياتهم المختلفة طيران أو بحرية، بعد فترة التدريب أي السنة لشهر أي ضابط يذهب إلى كتيبه، لكن بعد الدورات دي تذهب إلى دورة تخصصك، تعمل حتى تصل إلى رتبة الصالزم أول بعدها تذهب إلى دورة قادة الضباط وتتمتع لكي تترقي لرتبة القبط ومنها تذهب إلى دورة قادة سرايا وبعدها لتتمتع لترقي لرتبة الرائد، ولديك فرصة لتتمتع لرتبة القادة والأركان تعمل ماجستير علوم عسكرية أو تنطق دورة ضباط طاقم وانت في رتبة المقدم أو قادة كاتيب وهكذا يستمر العمل إلى أن تصل إلى رتبة اللواء، لذا القول ان التدريب لا يتوقف، كذلك المعسكر يعني من رتبة إلى رتبة من المعروض أن يتم تأهيلك حتى يرتفع مستواك بصورة جيدة في الأواء...

## إذا نرى أنه قد يكون هناك تأهيل نظري في مسألة الكمبيوتر لكن يواكبوا متغيرات العصر ونحن نعيش زمان العولمة؟

الآن الكمبيوترات هي دورة إدارية لكتابة، طبعاً دورات الكتابة مقسمة الأولى والثانية التي أن يكون القاتب كاتر مؤهل، هذا سوف تلتحق دورة التدريب على الكمبيوتر وهي دورة خاصة بالكتابة والإداريين...

## عرفنا بأنك كنت في جولة خارج البلاد، ماهي أبرز حصاد الزيارة الخار جيدة؟

في الحقيقة ذهنا إلى مؤتمر اسمه الحوار الهندي الإفريقي، حضرته كل الدول الإفريقية، تشكلت في زيارتي من مقابلة قادة القوات البحرية الهندية

## أنا من ضمن الناس كنت في الجيش السوداني، وهناك ضباط كثيرين يعملون الآن في الخدمة ولديهم مهام هنا في القيادة العامة في بشام...

## إذا سوف نستعينوا بالآخرين إذا تمكنتم من حصرهم؟

في الحقيقة لا يوجد حصر، لأنهم في الأساس أتوا بفائلتهم، جزء منهم موجودين في شتون الضباط وجزء آخر في وزارة الدفاع والآخرين مكلفين بمهام أخرى...

## اختصاراً ما هي الواجبات التي تخص القوات البحرية؟

من مهام قوات البحرية تأمين المجرى النهري، طبعاً ليس لدينا بحر، بل لدينا نهار، نهر النيل من نهولي في حدودنا الجنوبية حتى الجبلين آخر نقطة شمالاً في حدودنا مع السودان، طبعاً المجرى صالح لتجارة من جوبا إلى السودان، فواجبات سلاح البحرية هو حماية المجرى النهري وتأمين الصمن على ضفاف الأنهار من أي عنوان، وهو واجب عسكري مثل أي واجب يقوم به الجيش وفق التكليف والتوجيهات...

## منذ دخول مكتبك لاحظت الكثير من أجهزة الكمبيوتر، لنعود للحديث مرة أخرى عن التدريب، وزيوتك المستقبلية لقوات البحرية في جنوب

المسكرة، ولم يتلقى الا المظليين، معسكر مشال وبالتشو، يمكن لتفريغ معسكر مشال يكون يوم 18 من هذا الشهر، بعدها سذهب إلى باتشو يوم الاثنين وبذلك تتصل الحلقة الأولى هو 53 شب جندي يكونوا قد نخرجوا، الخطوة الثانية ستكون نشر وتوزيع القوات على حسب احتياج القيادة العامة هي التي ستحدد، وبعد ذلك حسب التوزيعات من المعروض أن يحصل تدريب، لأنه إذا كان قوات الدفاعية اعطوهم كتيبة مفروض يأخذوا الدورة الأساسية للتغطية وكذلك الدفاع الجوي، وكذلك البحرية، لأن التدريب الذي تلقوه هو تدريب أساسي وبعد ذلك يجب أن يأخذوا تدريب متخصص...

## سعادتك قبل الانفصال كان هناك الكثيرين من أبناء جنوب السودان جزء من المؤسسة العسكرية السودانية، بعضهم كانوا في البحرية، ولدينا الكثيرين من الكفاءات من الضباط وصف الضباط الآن يعملون في أعمال هامشية ألم تفكروا في الاستعانة بهم؟

حقيقة عندما حصل الانفصال أو إسقاط الجنسية معظم الضباط تم تحويلهم بفائلتهم لوزارة الدفاع، ومعظمهم الآن في الخدمة الا الشخص الذي لا يريد أن يخدم، في البحرية كان عدداً ضابط هو أول دفعة 46 اسمه عثمان سعد الله، الآن هو يعمل ضمن قواتنا البحرية، وهو قائد تلقى الآن موجود في طرف البحر...



### Annex 30: Additional incidents limiting freedom of expression in South Sudan

- In Juba, on 7 August 2022, Diing Magot, a South Sudanese journalist was arrested with several others while gathered at a protest in a public market in Juba.<sup>27</sup> In remarks to the media on 8 August, the Deputy Mayor of Juba, Thiik Thiik Mayardit, confirmed that one protestor had been shot and threatened to use further live ammunition against protestors.<sup>28</sup> Juba's Mayor, Michael Lado Allah-Jabu, also warned citizens not to join protests.<sup>29</sup>
- In August 2022 in Bor town, government authorities, on orders from Jonglei Governor Denay Jock Chagor, shut down the Jonglei Workers' Union and arrested its senior leadership after local civil servants went on a strike over unpaid salaries.<sup>30</sup> The chairperson of the state's teachers' union was also arrested. Bor town's newly appointed mayor, Samuel Ateny Pech, issued a blanket ban on all demonstrations, threatening legal and security action against violators of the ban.<sup>31</sup> The detained civil servants were not brought to court, and were subsequently reported missing from Bor's central prison, prompting concern that they might have been relocated to another detention facility outside the state.<sup>32</sup>
- In September 2022 in Malakal, in Upper Nile, protests against the appointment of a mayor turned deadly as security personnel fired live ammunition to disperse a crowd of over 200 people.<sup>33</sup> Several people were injured and at least six people were reportedly killed.<sup>34</sup> Following the violence, at least a dozen people, including several government officials and members of the State Parliament, were arrested, and a dusk-to-dawn curfew was imposed in the town.<sup>35</sup>
- In Rumbek, Lakes State, on 8 October 2022, local government officials and a senior representative of the Union of Journalists for South Sudan summoned and interrogated staff of a local radio station after the radio station aired a report about the conviction of a traditional judge.<sup>36</sup> The following day, security personnel from Panda military barracks in Rumbek entered the radio station and detained a journalist.<sup>37</sup> Although the journalist was subsequently released, he continued to receive warnings and threats of reprisals for broadcasting information perceived as critical of state administration.<sup>38</sup>
- On 27 October 2022, a law firm in Yei in Central Equatoria was raided by security personnel who confiscated confidential case documents and other property, and locked the office with their own padlocks.<sup>39</sup> Local staff members of the law firm had been offering legal services in several high-profile human rights cases including investigating the death of an SSPDF officer Yuma Sebastian who was killed in a local military prison;<sup>40</sup> corruption within the logging sector in Central Equatoria; supporting a local women's group that had had several members unlawfully detained; and defending the People's Coalition for Civil Action, a civil society group that has been critical of the government.<sup>41</sup> Staff members and their families were accused of being rebels. They reported being continuously intimidated or harassed by government security personnel since 2021, including by surveilling their phones.<sup>42</sup>

<sup>27</sup> Statements by the Union of Journalists of South Sudan, 9 August 2022, and the Association for Media Development in South Sudan on 12 August 2022. Radio Tamazuj, Journalist among protestors detained in Juba, 9 August 2022.

<sup>28</sup> Video interview on file with the Panel. See also Eye Radio, Deputy Mayor Thiik threatens protestors with live bullets, 9 August 2022.

<sup>29</sup> Radio Tamazuj, Juba mayor warns against protests over soaring market prices, 12 August 2022.

<sup>30</sup> Eye Radio, Jonglei police arrest three striking civil servants, 12 August 2022; Radio Tamazuj, Jonglei Workers' Union dissolved, leadership arrested, 15 August 2022.

<sup>31</sup> City Review South Sudan, Bor mayor bans demonstrations in town, 17 August 2022.

<sup>32</sup> City Review South Sudan, Family of missing Jonglei unionists demand answer from police, 18 August 2022; Sudans Post, Activists voice concern over disappearance of civil servants from police cell in Jonglei, 18 August 2022.

<sup>33</sup> Eye Radio, Woman killed amid clashes between demonstrators and security forces in Malakal, 5 September 2022.

<sup>34</sup> City Review South Sudan, Dusk to dawn curfew declared after six died in Malakal protest, 6 September 2022.

<sup>35</sup> Radio Tamazuj, Police begin arresting protest organizers in Malakal, 7 September 2022.

<sup>36</sup> Interview with representative from radio station, by phone, November 2022. Corroborated by reports received from human rights observers.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid. Corroborated by social media posts archived by the Panel.

<sup>39</sup> Interviews with local civil society organization and law firm representatives, by phone, November 2022.

<sup>40</sup> Sudans Post, High-ranking SSPDF officer tortured to death at army detention cell in Yei, 11 August 2022.

<sup>41</sup> City Review South Sudan, Frail and hopeless: Ex-governor – Kuel appears in court for the first time in 14 months, 4 October 2022.

<sup>42</sup> Interviews with confidential sources with first-hand knowledge of the situation, by phone, November 2022.

- In Jonglei on 5 December 2022, a prominent civil rights activist and a journalist were detained and allegedly tortured for taking pictures of a demolished market. They were released after spending several hours in prison.<sup>43</sup>
- On 28 October 2022, a Member of Parliament, who is also a senior military officer, Salva Mathok, burned down a church in Warrap State, describing it as a “prostitution center” and accusing it of eroding cultural norms.<sup>44</sup> Mathok’s actions and speech were recorded on video and distributed across South Sudan drawing widespread condemnation from civil society members, religious representatives and South Sudanese academics.<sup>45</sup> Warrap State officials announced an investigation into the incident.<sup>46</sup> Despite the widespread coverage, on 8 November 2022, security personnel in Warrap detained a local journalist for several days for reporting on Mathok’s remarks.<sup>47</sup>
- In December 2022, seven journalists employed by the South Sudan Broadcasting Corporation (SSBC), the state-run media outlet, were detained in two separate incidents by agents of the National Security Service.<sup>48</sup> A press statement on 17 December 2022 by the Union of Journalists for South Sudan initially denounced rumours of arrests and disappearances as misinformation.<sup>49</sup> Following extensive media coverage of the detention of the SSBC journalists however, UJOSS issued a second statement on 6 January 2023 calling for the NSS to release the reporters.<sup>50</sup> In February, three journalists were released while the others remained in detention.<sup>51</sup>

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<sup>43</sup> Eye Radio, Activist detained for taking photos of demolition exercise in Bor released, 6 December 2022. See also Sudans Post, Gov’t told to hold security officers who tortured Jonglei activist accountable, December 2022.

<sup>44</sup> Reports from monitors obtained by the Panel, November 2022. Eye Radio, Salva Mathok: “I burnt down prostitution center”, 31 October 2022.

<sup>45</sup> Eye Radio, Activist condemns Mathok for “taking law into his own hands”, 1 November 2022; Eye Radio, MP Mathok violated the constitution – says law professor, 1 November 2022; No. 1 Citizen Daily, Freedom to religion denied, Adventist pastor says, 1 November 2022.

<sup>46</sup> Eye Radio, Warrap State government to investigate church burning, 31 October 2022.

<sup>47</sup> Statement by Dalwuot Media, dated 9 November 2022, on file with the Panel. Lakes State Media’s appeal to the Union of Journalists of South Sudan, 10 November 2022, on file with the Panel.

<sup>48</sup> Radio Tamazuj, National Security arrests 6 SSBC staff, 5 January 2023; Sudans Post, South Sudan security forces detain another journalist over president’s viral video, 17 January 2023.

<sup>49</sup> UJOSS, Press Release, dated 17 December 2022, on file with the Panel.

<sup>50</sup> Statement on file with the Panel.

<sup>51</sup> Radio Tamazuj, 3 SSBC journalists released, 4 remain in detention, 18 February 2022.

**Annex 31: Jonglei Civil Society Network press release, 7 December 2022**

**JONGLEI CIVIL SOCIETY NETWORK**  
-Voice of the voiceless"

December 7<sup>th</sup>, December, 2022

**PRESS RELEASE**

This press release intent to condemn the targeted arbitrary arrest, torture and detention of our JCSN .Chairperson on the 5th December,2022.by Joint operation force; comprising of National Security, Army, Police and prison among other organized forces heavily armed with military tank under the stewardship of the Lord Mayor of Bor Municipal Council.

Bol Deng Bol came to town in his preparation for a journey to Juba at 9am local when three National security personnel identified him and ordered three soldiers to arrest and torture him while on the other end, Mr. Chol Kimani, a Media Personnel and others who were already beaten and arrested by the same forces and detained them at an open space in the Market with their hands- cuffed and others hands tied. Three armed personnel caught up with him and forcefully took him to where the joint force was stationed near Kolmerek Plaza in Marol Market. A certain National Security officer asked who he was and whether his name is really Bol Deng Bol. Immediately upon saying yes, he was gang-beaten without further questions all over his body. They tied his arms behind his back and set him face-down in a two-door Toyota. He was hit in there with sticks, whips and butts of guns and then they drove him around between the Nile River side and the Hospital roundabout.

His phone and eye glasses were taken and were forced to unlock his phone to check if he had captured pictures of the demolition. They didn't find such pictures but still they had to deal with him brutally and kept him in the sun with most of his body parts swollen as the result of the beating – from 9am up to 5pm, 9 hours under illegal detention despite all attempts made my JCSN members to consult with the State administration in which the promised to act upon the matter.

He was then taken to the Mayor and General Ajak Ayuen for questioning at the evening hours. There was no proof of the accusations, as he didn't take pictures except his criticism to some Orders and Policies of the Lord Mayor and the Government of Jonglei as whole on matters that negatively affects the lives of the common Citizens. This is the only accusation on which the Mayor released him with warnings despite that, the national security personnel continue threatening Bol to remain in detention.

**Annex 32: UJOSS press release on detention of SSBC staff, dated 6 January 2023**



Date: 6<sup>th</sup>.Jan 2023

**PRESS RELEASE  
FOR IMMEDIATE RELEASE**

**Re; UJOSS Calls for speedy conclusion to investigation of detained SSBC staff.**

UJOSS calls for speedy conclusion to the investigation of the six staff of South Sudan Broadcasting Corporation (SSBC) who are currently in the custody of the National Security Service.

The staff are suspected of having knowledge of the release of "a certain footage" to the public.

If there is a prima facie case of professional misconduct or offense then let authorities expedite an administrative or legal process to address the issue in a fair, transparent and in accordance with the law.

UJOSS will continue to work with other stakeholders including the National Security Service to ensure a good environment for all journalists to foster mutual understanding for the development of South Sudan.



Oyet Patrick Charles  
UJOSS-President  
[oyet@u-joss.org](mailto:oyet@u-joss.org)/[oyetpatrick12@gmail.com](mailto:oyetpatrick12@gmail.com)

0925440019/0915130165

Annex 33: Clip from South Sudan's Dawn newspaper, 6 February 2023



## Annex 34: Statement by Amnesty International Kenya, 8 February 2023



8 February 2023

### **South Sudan: Investigate reports of arbitrary arrest and detention of Morris Mabior Awikjok Bar**

"We are very concerned about the reports of the arbitrary arrest of South Sudanese man, Morris Mabior Awikjok Bar, by armed Kenyan security forces and a South Sudanese man on Saturday, 4 February, and his subsequent detained in South Sudan's main National Security Service detention facility in capital Juba. We call on the Kenyan and South Sudanese authorities to investigate these reports", said Irungu Houghton, Amnesty International Kenya's Executive Director.

### **Background**

Amnesty International has documented numerous arbitrary detentions by the NSS in multiple facilities where detainees are often subjected to torture and other ill-treatment – some held incommunicado without access to a lawyer, or family members.<sup>1</sup>

The Government of South Sudan, primarily through the National Security Service (NSS), conducts communications surveillance with equipment bought in Israel, and likely with support from the telecommunication companies. The NSS also conducts physical surveillance through a widespread, cross-border network of informants and agents, penetrating all levels of society and daily life, by monitoring media and social media, and requiring event organizers to seek permission before holding any form of gathering. The NSS has used these forms of surveillance illegally, in breach of the right to privacy, to arbitrarily arrest and illegally detain individuals and infringe on press freedoms and the freedom of opinion and expression and the freedom of assembly.<sup>2</sup>

The NSS spy network extends throughout East Africa to reach those who find refuge in neighbouring countries. For instance, on 23 January 2017, Dong

<sup>1</sup> Amnesty International, *Broken Promises: Arbitrary detention by South Sudan's intelligence agencies continues* (Index: AFR 65/8823/2018), September 2018, South Sudan: Broken promises: Arbitrary detention by South Sudan's intelligence agencies continues - Amnesty International

<sup>2</sup> Amnesty International, *"These walls have ears": The chilling effect of surveillance in South Sudan* (Index: AFR 65/3577/2021)

Samuel Luak, a South Sudanese human rights lawyer and registered refugee, was forcibly disappeared in Nairobi, Kenya. The next day, on 24 January 2017, Aggrey Ezbon Idri, chair of the SPLM/A-IO's Humanitarian Affairs Committee, was also forcibly disappeared.

In 2019, the UN Panel of Experts on South Sudan found that Dong and Aggrey were forcibly flown to South Sudan on a commercial plane chartered with the help of South Sudan's embassy in Kenya on 27 January 2017. Both the UN Panel of Experts and Amnesty International verified that once in South Sudan, they were detained in the Blue House in Juba. They were then removed from this facility on 27 January 2017. According to the UN Panel of Experts, they were moved to the NSS training facility on President Salva Kiir's farm in Luri, near Juba. The Panel of Experts concluded that it is "highly probable" that the two were executed there on January 30, 2017.<sup>3</sup>

The forceful disappearance and reported extra-judicial killing of Dong Samuel and Aggrey Idri and the NSS's cross-border operations has had a powerful chilling effect on activists in South Sudan and neighbouring countries.<sup>4</sup>

Dong and Aggrey are not the only South Sudanese who have been abducted in Kenya and illegally transferred back to South Sudan. In November 2016, Kenyan authorities unlawfully deported SPLM/A-IO spokesman James Gadet, a registered refugee, to South Sudan where he was subsequently sentenced to death.<sup>5</sup> President Kiir pardoned James Gadet on 31 October 2018.<sup>6</sup> In December 2017, SPLM/A-IO governor Marko Lokidor Lochapio was abducted from Kakuma refugee camp in Kenya,<sup>7</sup> transferred to Juba and detained in Blue House until his release on 25 October 2018.<sup>8</sup> On 23 July 2020, Peter Biar Ajak, a South Sudanese academic and chair of the South Sudan Young Leaders Forum, arrived in the USA with his family after having been forced into hiding for five weeks in Nairobi, Kenya after receiving calls from senior government officials, who according to Peter Biar Ajak, warned him that NSS agents had been sent to abduct or kill him in Nairobi.<sup>9</sup>

<sup>3</sup> United Nations Panel of Experts on South Sudan, Final Report, S/2019/301, 9 April 2019, [www.undocs.org/S/2019/301](http://www.undocs.org/S/2019/301)

<sup>4</sup> Amnesty International, "These walls have ears": The chilling effect of surveillance in South Sudan (Index: AFR 65/3577/2021)

<sup>5</sup> Amnesty International, South Sudan: One of just two executing states in sub-Saharan Africa in 2017 (Press Release, 16 April 2018)

<sup>6</sup> Amnesty International, South Sudan: Relief as president pardons two prominent death row inmates (Press release, 2 November 2018)

<sup>7</sup> Sudan Tribune, South Sudan rebel appointed governor abducted in Kenya, 1 January 2018,

[www.sudantribune.com/spip.php?article64385](http://www.sudantribune.com/spip.php?article64385); The East African, Africa: Are Kenya, Uganda Obstacles to South Sudan Peace?, 6 January 2018, [allafrica.com/stories/201801150280.html](http://allafrica.com/stories/201801150280.html)

<sup>8</sup> Reuters, South Sudan frees five political detainees: intelligence agency, 25 October 2018,

[www.reuters.com/article/us/southsudan-unrest/south-sudan-frees-five-political-detainees-intelligence-agency-idUSKCN1M221P](http://www.reuters.com/article/us/southsudan-unrest/south-sudan-frees-five-political-detainees-intelligence-agency-idUSKCN1M221P)

<sup>9</sup> Amnesty International interview with Peter Biar Ajak, remote, 18 June 2020; Peter Biar Ajak, My Escape to America Shows the Price of Dissent in South Sudan, 23 July 2020, [www.wsj.com/articles/my-escape-to-america-shows-the-price-of-dissent-in-south-sudan-11595545759](http://www.wsj.com/articles/my-escape-to-america-shows-the-price-of-dissent-in-south-sudan-11595545759)

## Annex 35: National Consensus Forum statement on abduction of Morris Mabior, 8 February 2023



### **National Consensus Forum (NCF) Condemns with Concern the Abduction of Morris Mabior Awikjok from Nairobi Kenya.**

**February 8<sup>th</sup>, 2023**

The NCF, represents various Political Forces, Civil Society, Youth, Women and Faith-based Organizations together with Academic and Professional Associations and a multitude of South Sudanese Citizens who believe in a peaceful resolution of the South Sudan Conflict through an inclusive Roundtable Conference to discuss and resolve the root causes of the conflict and establish a New Dispensation for South Sudan.

NCF received with great concern and trepidation, the disturbing news of the illegal abduction of the respected political activist Mr. Morris Mabior Awikjok from Nairobi Kenya over the last weekend February 3 and 4, while the Holy Triad-Pope Francis, the Archbishop of Canterbury, and the former Moderator of the General Assembly of the Presbyterian were still on South Sudanese soil, in Juba. The NCF condemns this unwarranted humiliation and detention of an honorable patriot in the strongest terms possible. We call for Awikjok's immediate unconditional release with guaranteed safety and bringing the Perpetrators to book in a transparent court of justice.

While the people of South Sudan poured out in millions to welcome the Holy Triad's Peace Pilgrimage to our land and peace-loving people, their hosts in the government of South Sudan were busy planning oppression, torture, death, deceit, and many evil things. That is why even the Dove of Peace, conscious of these evil plans, and insecurity all over South Sudan, could not understandably fly, when freed.

The undemocratic government of South Sudan, which is used to abducting citizens from neighboring countries as it did in 2016 to the late human rights activist Dong Samuel and senior Opposition Politician Aggrey Idri, who were later tortured, maimed and the latter killed in the Blue House. This and the on-going state-sponsored atrocities and killings all over South Sudan have encouraged Kiir's Government to always continue its abhorrent policy of oppression and killings without consequences and in impunity even while South Sudan was the focus of international attention heightened by the historic visit. The souls of Dong Samuel and Aggrey Idri, indeed of many citizens killed by unknown gunmen in various parts of the country based on their opinions, have spoken loud and clear for the world to know and condemn the rogue government of South Sudan which rules by manipulative decrees, impunity, and complete disregard for the basic human rights, in the strongest terms.

Given his dismal failure to heed and fulfil the Holy Father's call to him at the 2019 Holy Pilgrimage in Rome, in the presence of the same Triad, to go and make peace with his people, NCF urges the International Community, to hold President Kiir accountable for the plea he has just made to the Holy Father in Juba to restore peace to South Sudan.

Hon Pagan Amos  
Oblech: Real SPLM



General Paul Malong  
Awan: NSUF/A



Mr. Abraham Awolich:  
PCCA



Ms Angela Tana SAA



Mr. Wol Deng Atak: UPDP



Dr. Henry Lejokoh, Academic & Professionals



Mr. Mahor Tut: RCM



Dr Matur Gorjok: NPM



Dr. Jok Madet Jok: Academic & Professionals



General Thomas Cirillo: NAS



Ambassador Emmanuel  
Ajawin: NDM-PF



Ms Suzanne Jambor: STEPS World



Mr Alex Yatta  
Lukodi:SSNMC



Ms. Abraham Lado Lolik: SSC



General Stephen Buay Kolnyag SSPMEA



Simon Reat Marnyout: CODA



## Annex 36: Glencore pleads guilty to South Sudan bribery in UK Court

Some of these challenges and institutional weaknesses undermining the effective management of South Sudan's public resources have been fuelled by forces outside of South Sudan.

On 21 June 2022, for example, Glencore Energy UK Ltd pleaded guilty to seven counts under the United Kingdom Bribery Act of 2010, including one count of failing to prevent the bribery of officials in South Sudan.<sup>52</sup>

Soon after independence, in July 2011, Glencore, via its subsidiary, Glencore Juba International, entered into a Joint Venture Agreement with the Nile Petroleum Corporation (Nilepet), South Sudan's state-owned oil company. The Joint Venture was called Petronile and incorporated in the British Virgin Islands (BVI).<sup>53</sup> It was to have the licence to market and sell South Sudan's share of crude oil production after independence. Within weeks of independence, however, the deal was in trouble. The Ministry of Petroleum, in fact, intended to market its oil through its own competitive marketing process.<sup>54</sup>

According to court documents, in early 2011, Glencore had hired a South Sudanese company to act as its local intermediary, as it "had access to government ministers, the President and his assistant."<sup>55</sup> According to Court documents, on 2 August 2011, a Glencore employee withdrew \$800,000 in cash from Glencore's Swiss office and travelled by private jet to Juba with the money. The cash used, by the intermediary company, "to pay bribes to government officials who could influence the allocation of crude oil cargoes." On 10 August, Petronile was awarded 2 million barrels of crude oil.<sup>56</sup>

On 3 November 2011, Petronile was again told that it had been excluded from the tender process. The same day, a Glencore employee withdrew a further \$275,000 in cash at its office in Switzerland, while meeting with the assistant of the President of South Sudan at Glencore offices in both Zurich and London. The day after, on 4 November 2011, Petronile was awarded a cargo of 600,000 barrels of crude oil.<sup>57</sup>

These efforts to corrupt South Sudanese institutions, while they were in the process of being formed, has undoubtedly cast a long shadow. While UK Courts did not hear any complaints against South Sudanese nationals or companies, several of the individuals and companies implicated in the case remain active in South Sudan's oil economy.

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<sup>52</sup> Rex v Glencore Energy UK Limited, Case Summary, T20227145, dated 2 November 2022, on file with Panel. See also UK Serious Fraud Office, Glencore to pay £280 million for 'highly corrosive' and 'endemic' corruption, 3 November 2022: <https://www.sfo.gov.uk/2022/11/03/glencore-energy-uk-ltd-will-pay-280965092-95-million-over-400-million-usd-after-an-sfo-investigation-revealed-it-paid-us-29-million-in-bribes-to-gain-preferential-access-to-oil-in-africa/> .

<sup>53</sup> According to Court documents, Petronile would take 1 per cent of gross revenues as a fee and split remaining profits 30 per cent for Glencore and 70 per cent for Nilepet.

<sup>54</sup> See, for example, Reuters, Glencore Sudan oil deal at risk amid power struggle, 21 July 2011: <https://www.reuters.com/article/sudan-oil-idUKL6E7IL21520110721> .

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

## Annex 37: South Sudan's external commercial debt

Republic of South Sudan external Debt												
Loan codes	Creditor Name	Currency	Principal	Disbursed Amount	Undisbursed Amount	Interest Rate	Interest Charged (USD)	Principal repayment	Outstanding Debt	Start Date	Grace Period	Maturity / Payment Dates
<b>WORLD BANK LOANS</b>												
RDARS72B	Technical Capacity Building Project	USD	9,000,000	8,282,598.84	717,401.16	1%	12,811.87	131,890.18	8,149,909.85	15 Jan 2011	3 Yrs	15 Jan 2011, 15 Jan 15 June
IDA 44610	Health Equity Results project	USD	10,000,000	9,843,753.71	952,246.29	1%	43,599.87	-	9,947,712.12	15 April 2014	3 Yrs	15 April 2014, 15 April 15 Oct
RDARS71B	Health Equity results	USD	21,000,000	21,000,000.00	3,000,000.00	1%	578,846.95	-	21,000,000.00	15 April 2014	3 Yrs	15 April 2014, 15 April 15 Oct
IDA 43840	Salvey Net	USD	21,000,000	18,733,067.81	2,266,932.19	1%	144,523.28	-	18,733,067.81	01 Dec 2011	6 Yrs	01 Dec 2011, 01 June 01 Dec
IDA 53690	EA Regional Grants	USD	80,000,000	1,778,207.69	78,221,792.31	1%	13,723.28	-	1,778,207.69	01 June 2012	5 Yrs	01 June 2012, 01 June 01 Dec
IDA 53130	Local Government Service Delivery	USD	50,000,000	44,493,048.88	5,506,951.12	1%	207,866.38	-	44,493,048.88	15 April 2011	1 Yrs	15 April 2011, 15 Oct 2011
<b>IMF Loans</b>												
IMF CRF 1		USD	236,904,179	236,904,179	-	-	-	-	236,904,179	-	-	-
IMF CRF 2		USD	174,604,179	174,604,179	-	-	-	-	174,604,179	-	-	-
<b>Afrexim Development Bank</b>												
Financial Institution Development Bank Loans		Currency	11,170,000	3,600,000	3,570,000.00	0.00%	49,638.59	0	1,000,000.00	22 May 2017	10 Yrs	22 May 2017, February 1 July
NORMA 55		USD	1,225,000	816,626	808,372.29	0.00%	33,321.97	0	816,627.71	22 May 2017	10 Yrs	22 May 2017, February 1 July
Other creditors		USD	34,842,800	16,128,144	4,111,715.71	0.00%	43,126.57	0	16,128,144.30	22 May 2017	10 Yrs	22 May 2017, February 1 July
<b>Other creditors</b>												
Sahara Energy		USD	600,000,000	600,000,000	-	-	28,874,536.16	475,281,989.01	138,715,511.12	Apr 17	-	Dec 19
Treasury Energy		USD	340,000,000	340,000,000	-	-	-	340,000,000	-	-	-	-
Afrexim		USD	400,000,000	400,000,000	-	-	-	-	211,254,737.42	May 2019	1 Yrs	March 2021 (4 YRS)
Afrexim		USD	250,000,000	250,000,000	-	-	-	-	267,657,578	Oct 2020	1 Yrs	April 2023 (3 YRS)
China Export-Import Bank		USD	150,000,000	150,000,000	-	-	4,422,479.36	14,999,930.01	167,894,000	MoT	-	Non Concessional
China Export - Import Bank - ATM									231,952,567			
Qatar National Bank		USD	700,000,000	700,000,000	-	-	-	114,190,661.00	585,809,339	MoFP	-	Non Concessional
NASDEC		USD	539,000,000	539,000,000	-	-	13,067,573.93	172,319,341.66	366,680,658		Need confirmation	Non Concessional
CFC Stanbic Bank		USD	198,000,000	198,000,000	-	-	-	-	To be confirmed	MoFP	-	Non Concessional
NIDB		USD	80,000,000	-	-	-	-	-	100,000,000		Not identified	Non Concessional
<b>Grand Total in USD</b>			<b>8,416,440,179</b>	<b>8,170,796,238</b>	<b>99,644,711</b>	<b>0</b>	<b>103,863,611</b>	<b>4,322,468,919</b>	<b>2,011,333,805</b>			

Source: Ministry of Finance and Planning of the Republic of South Sudan

Other creditors	2,719,000,000	252,000,000	2,387,000,000	2,387,000,000	-	62,890,120	561,289,205	2,219,221,421				
Sahara Energy	600,000,000	252,000,000	348,000,000	348,000,000	-	28,874,536.16	48,524,535.12	310,482,015	MoFP & MoP		Non Concessional	-
Afrexim	400,000,000	-	400,000,000	400,000,000	-	16,525,530.10	211,254,737.42	188,745,263	MoFP		Non Concessional	-
Afrexim	250,000,000	-	250,000,000	250,000,000	-	-	-	267,657,578	MoFP		Non Concessional	-
China Export-Import Bank	150,000,000	0	150,000,000	150,000,000	-	4,422,479.36	14,999,930.01	167,894,000	MoT		Non Concessional	-
China Export - Import Bank - ATM								231,952,567				
Qatar National Bank	700,000,000	0	700,000,000	700,000,000	-	-	114,190,661.00	585,809,339	MoFP		Non Concessional	-
NASDEC	539,000,000	-	539,000,000	539,000,000	-	13,067,573.93	172,319,341.66	366,680,658		Need confirmation	Non Concessional	-
CFC Stanbic Bank								To be confirmed	MoFP		Non Concessional	-
NIDB	80,000,000	-	-	-	-	-	-	100,000,000		Not identified	Non Concessional	-

Source: Stock take of external debt of the Government of South Sudan, conducted by E&amp;Y, dated December 2022, published by the Ministry of Finance and Planning of the Republic of South Sudan

**Annex 38: Estimated fees owed to Sudan during Q1 2022/23**

Exchange rate	620	SSP/\$				
Average oil price for quarter	100.4	\$/bbl				
<b>Agreed fees</b>			<b>Reported production (Q1 2022/23)</b>			
<i>Oil pumped from fields in Upper Nile (DPOC)</i>			DPOC	9,900,401		bbl
Transport Fee	6.5	\$/bbl	GPOC	4,181,890		bbl
Processing Fee	1.6	\$/bbl	SPOC	557,000		bbl
Transit Fee	1	\$/bbl	<b>Total</b>	<b>14,639,291</b>		<b>bbl</b>
<b>Total</b>	<b>9.1</b>	<b>\$/bbl</b>				
<i>Oil pumped from fields in Unity (GPOC + SPOC)</i>			<b>Reported GoSS share DPOC</b> 4,074,448 bbl			
Transport Fee	8.4	\$/bbl	<b>Reported GoSS share GPOC/SPOC</b> 2,594,523 bbl			
Processing Fee	1.6	\$/bbl	<b>Total GoSS share</b> 8,635,128 bbl			
Transit Fee	1	\$/bbl	<b>GoSS share of total production</b> 59%			
<b>Total</b>	<b>11</b>	<b>\$/bbl</b>				
<b>Estimated fees owed to Sudan (Q1 2022/23) based on reported allocations</b>						
			DPOC	37,077,477	\$	
			SPOC + GPOC	28,539,753	\$	
			<b>Total</b>	<b>65,617,230</b>	<b>\$</b>	
			<b>Total</b>	<b>40,682,682,476</b>	<b>SSP</b>	
<b>Reported actual allocation to Sudan (Q1 2022/23)</b> 1,966,157 bbl						
<b>Value of allocation to Sudan (Q1 2022/23)</b> 197,402,183 \$						
<b>Value of allocation to Sudan (Q1 2022/23)</b> 122,389,353,386 SSP						
<b>Budgeted allocation to Sudan (FY 2022/23)</b> 91,968,520,709 SSP						
<b>Allocation in excess of annual budget</b> 30,420,832,677 SSP 49,065,859 \$						
<b>Allocation in excess of estimated fees owed for Q1 2022/23</b> 81,706,670,910 SSP 131,784,953 \$						

## Annex 39: Government expenditure, including oil for roads, Q1 2022/23

**Table 13: Q1 Outturns Government Spending by sectors against the budget (A Revised Table, including spending on Oil for Roads during Q1 2022-2023 Budget – see last two rows in Blue)**

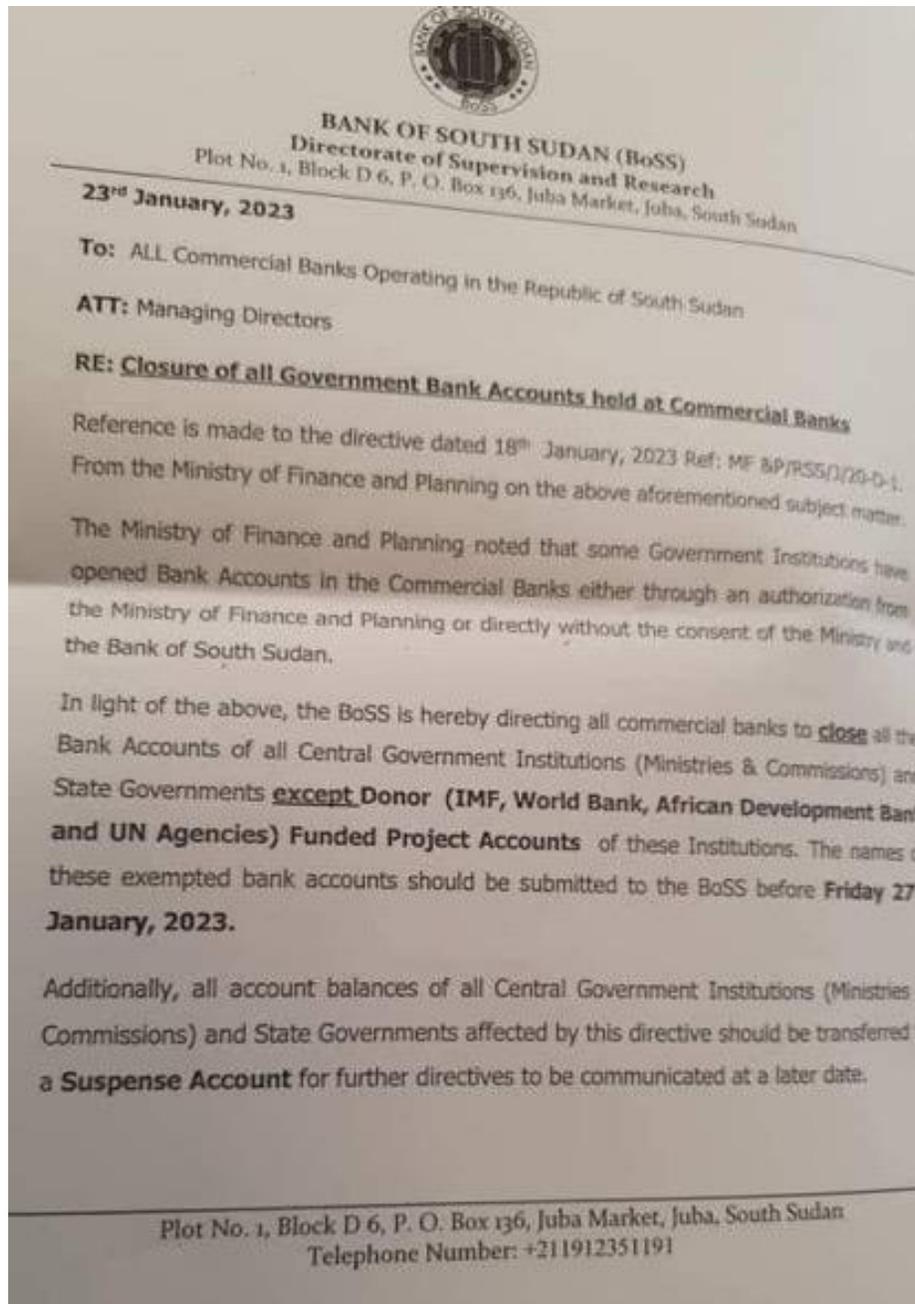
Spending by Sectors	Approved FY 2022-2023	Q1 2022-2023 Approved Budget	Q1 2022-2023 Outturns	% change Against Q1 Budget
ACCOUNTABILITY	2,077,324,806	519,331,202	117,040,248	23%
ECONOMIC FUNCTIONS	97,823,058,741	24,455,764,685	54,856,192,853	224%
EDUCATION	110,497,811,858	27,624,452,965	7,745,615,569	28%
HEALTH	33,569,770,825	8,392,442,706	1,631,617,067	19%
INFRASTRUCTURE	250,010,175,510	62,502,543,878	749,675,031	1%
NATURAL RESOURCES AND rura	16,146,057,624	16,146,057,624	1,745,798,575	11%
PUBLIC ADMINISTRATION	129,671,109,227	32,417,777,307	44,781,896,402	138%
RULE OF LAW	30,327,036,743	7,581,759,186	15,263,141,942	201%
SECURITY	72,486,195,499	18,121,548,875	21,498,902,208	119%
SOCIAL AND HUMANITARIA	5,335,454,782	1,333,863,696	1,743,538,146	131%
<b>Grand Total</b>	<b>796,382,168,485</b>	<b>199,895,542,121</b>	<b>158,133,418,041</b>	<b>75%</b>
<b>OIL FOR ROADS (SSP)</b>	<b>241,176,948,120</b>	<b>60,294,237,030</b>	<b>114,807,747,811</b>	<b>190%</b>
<b>OIL FOR ROADS (USD)</b>	<b>541,970,670</b>	<b>135,492,667</b>	<b>174,782,020</b>	<b>129%</b>

Data Source: MoFP, Directorate of Accounts EFMIS

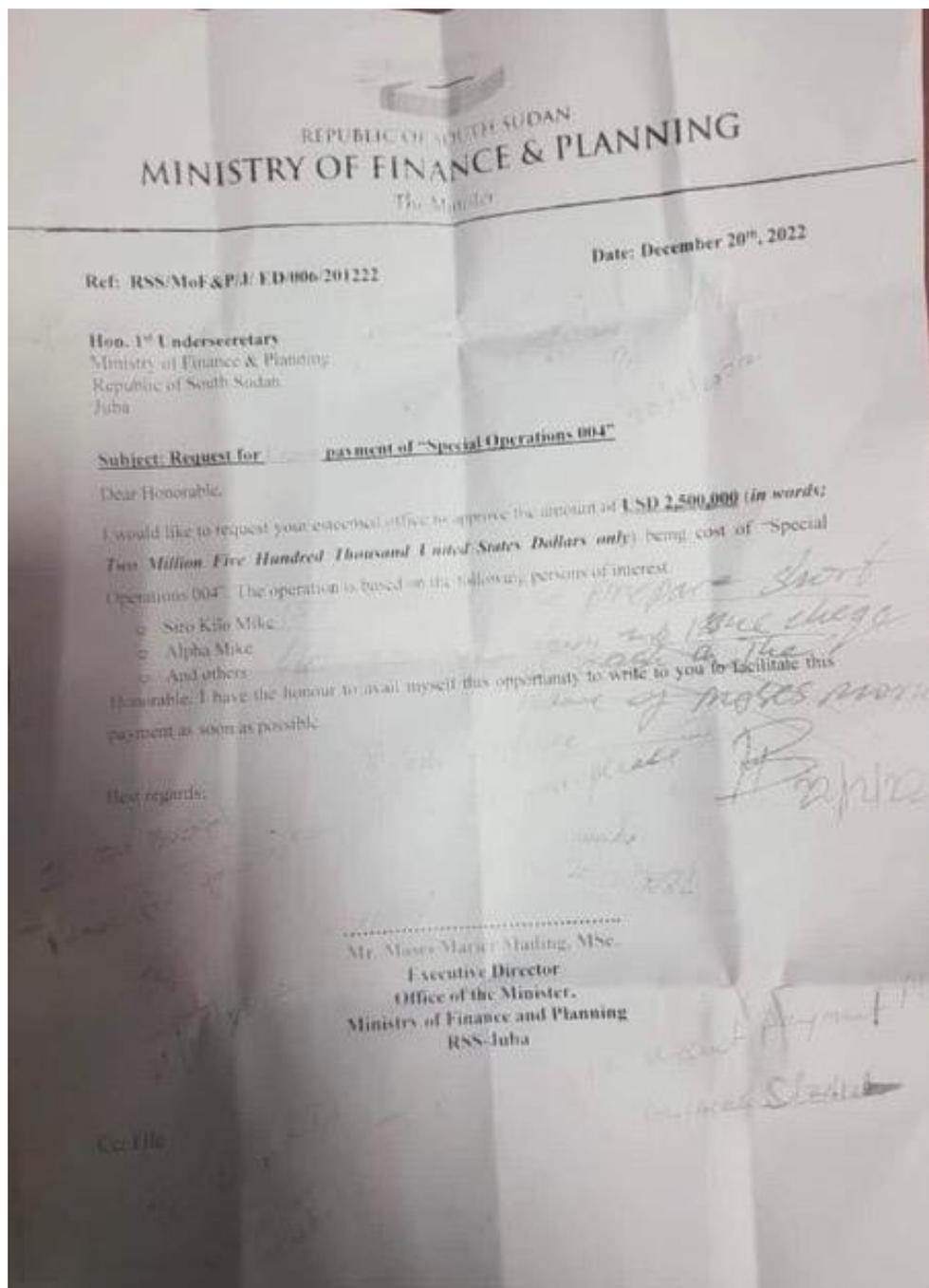
Oil for Roads (highlighted in blue): In Q1 of 2022-2023, government spending on roads amounted to USD 174,782,020 compared to average Q1 2022-2023 budget of USD 135,492,667, or 129%, which indicates that Q1 has overspent by about 29%. In SSP terms, using the prevailing exchange rate during the quarter, government spending on roads amounted to 114,807,747,811 compared to average Q1 2022-2023 budget of SSP 60,294,237,030., or 190%, which indicates that Q1 has overspent by 90%.

*(Handwritten signature)*  
16/2/2023

**Annex 40: Bank of South Sudan, Closure of Government Bank Accounts held at Commercial Banks, dated 23 January 2023**



Annex 41: Payments for “Special Operations”, December 2022



REPUBLIC OF SOUTH SUDAN  
**MINISTRY OF FINANCE & PLANNING**  
1<sup>st</sup> Undersecretary for Finance

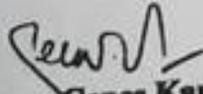
Date: 22<sup>nd</sup> December 2022

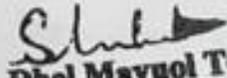
REF: MF&P/RSS/J/20-D-1

Hon. Governor,  
Bank of South Sudan  
Republic of South Sudan  
Juba

Subject: Authorization for Bona Alith Arow to cash from Account 002  
692 1000 1024

Would your esteemed office please allow Bona Alith Arow to cash Cheque number 3939 for the sum of USD 2,500,000 (Only Two Million Five Hundred Thousand United States Dollar) Being cost of Special Operation.

  
**Ocum Genes Karlo**  
1st Undersecretary for Finance

  
**Dhel Mayuol Tong**  
Director General of Account

**MINISTRY OF FINANCE & PLANNING**  
RSS-JUBA

Cc: Director of Accounts  
Cc: File

## Annex 42: Extract from Petroleum Revenue Management Act of the Republic of South Sudan

### CHAPTER II PETROLEUM REVENUE ACCOUNT

6. **Establishment of the Petroleum Revenue Account**
  - (1) The Ministry shall establish a Petroleum Revenue Account at the Bank of South Sudan.
  - (2) Any Petroleum Revenue due to the Government shall be paid into the Petroleum Revenue Account for subsequent transfers in accordance with provisions in this Act.
  - (3) No other revenue shall be paid into the Petroleum Revenue Account.
7. **Payments into the Petroleum Revenue Account**
  - (1) Any company carrying out Petroleum Activities in South Sudan shall pay Petroleum Revenue due to the Government into the Petroleum Revenue Account.
  - (2) Petroleum Revenue due to the Government shall include:
    - (a) any amount deriving from the sale of the Government's oil and gas entitlement;
    - (b) any amount of revenue from petroleum in kind that is used for domestic purposes;
    - (c) any amount received from the direct participation of the Government, including participating interests held by the National Petroleum and Gas Corporation on behalf of the Government, in Petroleum Activities;
    - (d) any amount including surface rental fees, signature bonuses and other cost based fees from production sharing agreements and charges, received by the Republic of South Sudan in accordance with Petroleum Act, 2012, and from any licenses authorizing Petroleum activities or any Petroleum Agreement;
    - (e) any amount payable by the National Petroleum and Gas Corporation as tax, royalty, dividend or any other payment due in accordance with applicable law;
    - (f) any amount payable as tax on income from Petroleum Activities;
    - (g) interest deriving from the Petroleum Revenue Account; and
    - (h) any amount received by the Government relating directly to Petroleum Activities not covered in paragraphs (a) to (g) above.

- (3) Petroleum Revenue shall be paid by direct transfer into the Petroleum Revenue Account by the due date.
- (4) Petroleum Revenue shall be paid by the entity liable to make such payment into the Petroleum Revenue Account in accordance with the terms set out in the Sales Contract.
- (5) The amount of revenue under paragraph(2)(b) shall be estimated:
  - (a) based on the average price achieved on export sales for the current month if export sales take place;
  - (b) based on the current international oil price adjusted for the average price differential for the last three months in which export sales took place, if export sales do not take place and
  - (c) the price differential referred to in subsection(b) shall be calculated as the difference between the international price and the actual export price due to the quality of oil.
- (6) If the payment under subsection (2) of this Section is not discharged by the due date, the responsible party shall pay a default rate as prescribed in the regulations to this Act.
- (7) A payment shall not be considered discharged until such payment is received into the Petroleum Revenue Account.

#### **8. Management of the Petroleum Revenue Account**

- (1) The Bank of South Sudan shall hold any Petroleum Revenue received in foreign currencies at interest-bearing current accounts abroad with financial institutions with the highest security.
- (2) The Ministry and the Bank of South Sudan shall enter into a management agreement on the management of the Petroleum Revenue Account.

#### **9. Transfers from the Petroleum Revenue Account**

- (1) Subject to subsection (2) of this Section, the Bank of South Sudan shall only, after paying the Petroleum producing States and Communities, make transfers from the Petroleum Revenue Account as follows:
  - (a) Up to 75% to the Consolidated Fund in accordance with sections 10 and 11 of this Act;
  - (b) 15% to Petroleum Revenue Stabilization Account; and
  - (c) 10% to Future Generation Fund.
- (2) In the event of overpayment of Petroleum Revenue under Section 7 of this Act, the Ministry is exceptionally permitted to request the Bank of South Sudan to make a transfer from the Petroleum Revenue Account to refund such overpayment of