



安全理事会

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2016 年 11 月 15 日安全理事会第 2206(2015) 号决议所设南苏丹问题专家小组给安全理事会主席的信

安全理事会第 2206(2015)号决议所设南苏丹问题专家小组(其任期已经由安理会第 2290(2016)号决议延长), 谨按照第 2290(2016)号决议第 12(d)段转递专家小组的中期报告。

专家小组于 2016 年 10 月 28 日向安全理事会第 2206(2015)号决议所设委员会提交了报告, 委员会于 11 月 11 日对报告进行了审议。

专家小组请将本函和报告提请安全理事会成员注意并作为安理会文件分发为荷。

南苏丹问题专家小组协调员

佩顿·克诺夫(签名)

专家

安德鲁斯·德阿塔-阿萨莫阿赫(签名)

专家

安德烈·科尔马科夫(签名)

专家

安·奥斯特林克(签名)

专家

克莱姆·瑞安(签名)



安全理事会第 2206(2015) 号决议所设南苏丹问题专家小组的中期报告

摘要

随着《关于解决南苏丹冲突的协议》在 2016 年 7 月的朱巴战斗后实际崩溃，该国的政治和安全局势继续急剧恶化，暴力行为在 11 月和 12 月旱季开始时出现进一步灾难性升级的可能性很大。各方武装行为体继续以言行表明，它们正在准备将暴力行为升级。

各方并未尊重《协议》设想的永久停火。大赤道的暴力事件急剧增加，苏丹人民解放军(苏人解)和萨尔瓦·基尔总统领导的苏人解运动/解放军的附属民兵组织在残暴的打击反叛行动中有系统地攻击平民、严重侵犯人权和国际人道主义法并普遍实施性暴力行为。在首都朱巴所在的中赤道州，武装团体越来越多地袭击运送货物和平民(其中多为丁卡人)的车辆，以报复政府的进攻和其他政策。鉴于丁卡族和非丁卡族的煽动性言论在最近几周日趋激烈，上述做法有可能挑起更大规模的暴力种族冲突。西加扎勒河州、上尼罗州和团结州的战斗也在继续，而武器则继续流入该国。

虽然苏人解运动/解放军反对派领导人里克·马查尔逃离南苏丹可能使基尔及其亲信看似大权在握并且底气十足，但该政权及苏人解内部存在深层结构弱点并对该国大部分地区日益失去控制，这突出表明了基尔统治的脆弱性。基尔操纵《协议》，将其代理人安插到过渡民族团结政府中为苏人解运动/解放军反对派保留的大多数职位，阻碍了有意义的政治与和解进程，并使该国的不同部族进一步分裂，因为许多非丁卡部族(以及被政权疏远的丁卡人)没有可行的论坛来表达政治异见、寻求改革或确保基本安全。2015 年 10 月，基尔根据丁卡族长老理事会的建议并在新闻和广播部长迈克尔·马库埃等政治人物的支持和维护下，下令将南苏丹的州从 10 个增加到 28 个，此类挑衅性政策举措激化了上述分裂。

在朱巴，对基尔健康状况的关切以及总统继任的不确定性加剧了上述不稳定局势。10 月中旬关于基尔病重的传言(后被证明有些夸大)令人担心各派别可能因未来的总统职位而爆发武装冲突，特别是在苏人解参谋长保罗·马隆与国家安全总局国内安全局局长阿科尔·库尔以及其他各个丁卡部族和政治附属机构之间。

基尔政权的武装反对派是一支日益多层面的混合部队，包括有不同冤情、目标和战争方法的持不同政见团体。许多团体不受马查尔领导的苏人解运动/解放军反对派(协议缔约方)的直接控制，或者只是与其有松散的附属关系。然而，马查尔面对政府在大赤道的多次暗杀企图所表现的韧性似乎使赤道地区武装分子更加倾向与苏人解运动/解放军反对派正式结盟。非丁卡族反对派的政治和军事势力认

为，基尔的丁卡族统治政权的好战行为正使国家不可避免地走向毁灭性的部族战争，而且感到国际社会未能采取避免冲突进一步升级的必要步骤，这促使他们加强协调、甚至逐步加强全面的组织团结。

最近数月境内和跨境的大规模流离失所现象加速出现，100 多万南苏丹人目前在邻国寻求避难，其中 7 月至 10 月期间就有 20 万人逃离大赤道。^a 在某些地区接近饥荒程度的严重粮食不安全状况影响到至少 480 万人，^a 占南苏丹人口的三分之一多。维持和平和人道主义行动继续遭到主要来自苏人解运动/解放军附属的平民和武装行为体的大力阻碍。尽管基尔政权声称接受第 2304(2016)号决议设想的区域保护部队，但其发言人在 10 月 24 日公开拒绝了拟议的部队派遣国。虽然基尔在 10 月 14 日设立了一个声称在两周内改善人道主义援助准入的委员会，^b 但截至本报告提交之时(10 月 28 日)，没有证据表明准入状况有所改善。事实上，政府始终未能展现任何意愿来减轻从任何实证衡量角度而言都是世界上最为严重的全国人道主义紧急状况。

战争的延续还继续对南苏丹邻国构成日益严重的威胁。例如，8 月 13 日苏人解第六师以 800 至 900 人的兵力侵入刚果民主共和国，他们跨越边界与苏人解运动/解放军反对派交战。8 月 17 日，两架 MI-24 直升机也越过边界，深入刚果民主共和国境内近 6 公里袭击苏人解运动/解放军反对派的阵地。

^a 数据截至 2016 年 10 月 20 日。见“人道协调厅南苏丹人道主义状况通报”，第 16 号，2016 年 10 月 20 日。见 http://reliefweb.int/sites/reliefweb.int/files/resources/1601020_OCHA_SouthSudan_humanitarian_bulletin16.pdf。

^b 见“基尔总统成立提供人道主义援助联合委员会”，《苏丹论坛报》，2016 年 10 月 17 日。见 www.sudantribune.com/spip.php?article60555。

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一. 背景

A. 任务和任命

1. 安全理事会第 [2206\(2015\)](#) 号决议针对助长南苏丹冲突的个人和实体实施制裁,并设立了一个制裁委员会(安全理事会关于南苏丹的第 [2206\(2015\)](#) 号决议所设委员会)。2015 年 7 月 1 日,制裁委员会指认了实施定向制裁的 6 名个人。2016 年 5 月 31 日,安理会通过第 [2290\(2016\)](#) 号决议,将制裁制度延长至 2017 年 5 月 31 日。
2. 安全理事会在设立制裁制度时决定,包括旅行禁令和资产冻结在内的制裁措施应适用于制裁委员会指认的直接或间接负责、合谋或参与威胁南苏丹和平、安全或稳定的行动或政策的个人和(或)实体。
3. 安全理事会还设立了一个专家小组(南苏丹问题专家小组),负责提供关于该决议执行情况的信息和分析。这包括与可能的指认有关的信息以及有关包括通过非法贩运网络在内向破坏政治进程或违反国际人权法或国际人道主义法的个人和实体供应、出售或转让军火和有关物资及相关军事或其他援助的信息。
4. 在第 [2290\(2016\)](#) 号决议延长小组任期后,秘书长经与制裁委员会协商于 2016 年 6 月 22 日任命了 5 名专家小组成员(见 [S/2016/563](#)): 1 名区域事务专家(安德鲁斯·阿塔-阿萨莫阿赫)、1 名武装团体专家(佩顿·克诺)、1 名自然资源/财务专家(安德烈·科尔马科夫)、1 名人道主义事务专家(安娜·奥斯特林克)和 1 名军火专家(克莱姆·瑞安)。

B. 方法

5. 专家小组虽由安全理事会设立,但作为一个独立机构以客观、以事实为依据的方式运作,反对任何破坏其公正性或建立偏见认知的做法。专家小组全体人员在协商一致的基础上核准本报告的内容、结论和建议。
6. 专家小组始终全面致力于确保遵守安全理事会关于制裁的一般性问题非正式工作组在其 2006 年 12 月报告([S/2006/997](#))中建议采用的标准。这些标准要求尽可能依靠经核实的真实文件、具体证据和专家的现场观察,包括照片。专家小组用多个独立的消息来源来确证本报告中的所有信息,以适当方式达到最高的证据标准,同时更加重视主要行为体和事件的第一手证人的陈述。
7. 专家小组以尽可能透明的方式开展工作,同时在接到请求或存在重大安全关切时,维护其消息来源的机密性。本报告如将一个消息来源称为“机密”或没有指名,表明专家小组确定披露来源的身份将对其安全构成可信的威胁。本报告如将机密的军事消息来源称为苏丹人民解放军(苏人解)或苏丹人民解放运动/苏丹人民解放军反对派(苏人解运动/解放军反对派)的“高级”军官或指挥官,该来源拥有中校至准将之间的军衔。如将机密的军事消息来源称为苏人解或苏人解运动/

解放军反对派的“高层”军官或指挥官，该来源拥有少将或少将以上军衔。文件被定为机密文件，如果该文件被披露可能危害消息来源的人身安全。

8. 为了按照第 2290(2016)号决议的授权收集、审查和分析与供应、出售或转让军火和有关物资相关的情报，专家小组综合运用了各种手段，包括对军火和设备的第一手检查、照片、其他视频证据、文件评估以及众多利益攸关方约谈。鉴于没有实行武器禁运，无法对武器储存进行正式检查。

9. 专家小组还致力于实现最大程度的公平，酌情并尽可能地给相关各方审查和回应报告中提及各方的任何信息的机会。

二. 战争的延续、扩大和演变

10. 正如专家小组 2016 年 1 月报告(S/2016/70)和 2016 年 9 月 120 天报告(S/2016/793)所述，萨尔瓦·基尔总统领导的苏人解运动/解放军政府派与里克·马查尔领导的苏人解运动/解放军反对派的持续好战行为，依然是助长南苏丹战争延续和扩大的主要因素。这种持续存在的一些最近实例(尽管远非唯一例子)包括 10 月 19 日基尔公开威胁将亲自指挥打击赤道地区民兵组织的行动，以及 9 月 23 日苏人解运动/解放军反对派政治局发表马查尔签署的声明，呼吁开展“民众武装斗争”。

11. 如下文详述，保罗·马隆仍是造成包括大赤道冲突在内的战争延续和扩大的核心人物。在 7 月朱巴战斗之后，他指挥了在中赤道州追击马查尔和苏人解运动/解放军反对派部队的行动。¹ 正如下文 D 节所述，阿科尔·库尔领导的国家安全总局国内安全局也仍是压制基尔政权反对派，尤其是制约南苏丹民间社会以及实现包容性政治进程的和解与进步前景威胁的重要行为体。

12. 战争的延续继续对南苏丹的邻国构成日益严重的威胁。例如，马查尔在苏人解与苏人解运动/解放军反对派在中赤道州和西赤道州发生一系列小规模冲突后于 7 月逃离朱巴，带领大约 750 名士兵和平民进入刚果民主共和国。专家小组确认，8 月 13 日苏人解随后进入刚果民主共和国。估计苏人解第六师有 800 至 900 士兵越过边界与苏人解运动/解放军反对派交战。8 月 17 日，两架 MI-24 直升机也越过边界深入刚果民主共和国境内近 6 公里，袭击苏人解运动/解放军反对派的阵地。正如专家小组在 2016 年 9 月的报告(S/2016/793)中指出，虽然直升机由马隆直接指挥，但对其部署基尔完全不了解、也没有加以批准却是难以置信的，特别是考虑到进入另一个会员国领土和领空行动的严重性。

A. 部落冲突和煽动行为加剧

13. 正如专家小组以前所述，这场战争日益呈现出袭击具体部族平民的特点，因为战争已经演变成为人们普遍认为的丁卡族与非丁卡族部族在南苏丹许多地区

¹ 2016 年 9 月和 10 月与两名苏人解高层军官进行的机密约谈。

的零和对抗。自从苏人解 7 月和 8 月在赤道地区各地追击马查尔而且大赤道成为新的战争中心之后，这一趋势更加明显。

14. 滋生该国反丁卡族情绪的主要驱动因素包括：基尔下令将州从 10 个增至 28 个，从而单方面重新划定了许多既定的部落边界；对丁卡族长老理事会活动的负面看法；² 效忠基尔政权的部队的残暴性。³ 例如，许多非丁卡部族认为 28 州令是丁卡族长老理事会将更多土地划给丁卡人的一项举措。⁴ Bapiny Mantuil Wicjang Wuor 中将是布尔-努埃尔族的著名领袖，这支努埃尔部族自战争开始以来就与基尔结盟，并且成为政府 2015 年在团结州的行动的先锋。他在 10 月 7 日辞去苏人解副总参谋长的信中声称：

“萨尔瓦·基尔政府现在只关注一件事，那就是设立 28 个州，这也是丁卡族长老理事会的唯一关切，他们准备与所有那些希望收回成命以夺回被吞并土地的人进行血战。”

15. 他最后表示，“我决定与我的部族有难同当，将与他们共同决定是否仅因为总统来自丁卡族就应该允许丁卡人夺走我们的土地。”

16. 战争期间，苏人解中绝大部分为丁卡人，尤其是来自大加扎勒河地区的丁卡人。虽然苏人解中也有其他部落的代表，但他们正在被日益边缘化，这使苏人解军队的多部落结构在很大程度上虚有其表，仅用来掩盖丁卡人目前在几乎所有主要冲突战区发挥的核心作用。⁵ 基尔在 10 月 19 日对苏人解运动成员发表的演讲中实际上提到了苏人解中丁卡人的主导性，他提出反问：如果“努埃尔人跟随里克·马查尔离开而赤道地区民众又拒绝参军，我该如何让其他民众参军打仗？”基尔还指责赤道地区民众为鼓励联合国干预国家局势而煽动不稳定，他说“我们不会就坐在朱巴，我们将走出去”，并威胁将亲自指挥中赤道州耶伊打击反叛的行动。

17. 由于部族冲突激化，煽动暴力行为也有所增加。10 月有数名丁卡平民在朱巴-耶伊公路的伏击中被杀；朱巴-尼穆勒公路上运送平民(包括许多丁卡人)的三辆公共汽车遭遇袭击；其后又有报告称丁卡人在西赤道州遭到攻击。⁶ 这些事件造成 10 月赤道地区和丁卡族群的煽动行为大幅增加。赤道地区和丁卡部族的一些成员相互威胁，要开展大规模杀戮和报复性袭击，驱赶并辱骂对方民众。就在提交本

² 关于丁卡族长老理事会的更多详情，见 [S/2016/793](#)。

³ 9 月中旬，一位内阁部长告诉专家小组，基尔和第一副总统塔班·邓·盖计划在 10 月下旬宣布进一步把州从 28 个增至 36 个。

⁴ 与一名努埃尔族学者、一名苏人解将领、一名民间社会活动分子和一名赤道族群学者的机密约谈，2016 年 8 月。

⁵ 2016 年 7 月和 8 月与四名苏人解高层军官，2016 年 9 月与一名苏人解前高层军官的机密约谈。

⁶ 见“丁卡族长老理事会谴责朱巴-耶伊公路伏击”Radio Tamazuj，见 <https://radiotamazuj.org/en/article/dinka-council-elders-condemns-juba-yei-ambush-attack>。

报告前的数周内，据称来自上述群落的一些信件被广为散发。虽然专家小组无法确认这些信件的作者或策划信件的团体及其构成，但其广泛的公众传播促使部落间的关系急剧恶化这些信函副本见附件一)。

18. 例如，2016 年 10 月 4 日据称来自一名“丁卡青年联盟”成员的公开信威胁说，“我们丁卡青年受够了这种勾当，现在我们敦促与我们宣战的所有赤道民众和其他部族在指定日期前离开我们的地区。”随后，一封显然出自同一来源的信件呼吁停止对其部族成员的暴行，“否则他们将为遭到的报复感到遗憾”，而且丁卡青年“在其人民每天被杀害的情况下不会容忍和保持沉默。”⁷ 另一个自称为“前北加扎勒河州的愤怒青年”的团体在 10 月 14 日散发给该地区非政府组织的一封信中发出警告：

“从现在开始，我们将在任何地方和任何场所对赤道民众发动迅速的报复性袭击。我们将找到你们并杀死你们。我们将轻蔑和野蛮地杀死你们。我们还将以前所未有的方式羞辱你们。我们将残酷地宰割你们，如同你们的人民在赤道地区的道路上对待我们母亲和子女的那样。报复性袭击必须从现在开始！‘一个国家、一个人民’已经死亡。我们将看到活生生和无比巨大的后果。”

19. “大乌韦勒警惕团体”10 月中旬在北加扎勒河州乌韦勒散发的另一封信指出：

“我们向所有赤道族群人民——妇女、男子和雌雄同体人、青年和老人以及没有提到的任何其他人群——发出 168 小时(7 个日夜)最后通牒，要求他们收拾物品，和平、安全地踏上返回赤道地区的旅程，否则会有可能作为装在棺材里的行李被带回家……此时此刻，我们正在战略要点部署部队，等待发动报复。”

20. 10 月 16 日一份在网上张贴、据称来自一个赤道族群青年团体的一声明发出威胁：“在丁卡族土地上或任何地方夺走任何赤道族民众生命的行为将遭到巨大和坚决的回应，赤道地区的每个丁卡人都将感受得到……”声明指出：“正如最近旨在打击赤道族群等非丁卡族的丁卡族计划显示，丁卡族对赤道族群人民实施了不公正行为；其主谋是丁卡族长老理事会；其实施方是基尔领导的部落政府，其目的是树立“丁卡族比其他部落优越”的思想。声明指示“丁卡人必须立即离开赤道地区。赤道地区承受了足够的损失，我们厌倦了，受够了。”⁸

21. 10 月 17 日据称东尼罗丁卡族青年发出的类似威胁要求所有赤道族群民众在七天内离开该州，并威胁说否则“我们将在我们的道路上对你们采取同样的做法，

⁷ “丁卡族青年联盟”关于谴责在朱巴-耶伊公路上杀害平民的信，2016 年 10 月 11 日，Garang Madut Apiin 和 Samuel Marial Dongrin 签署。

⁸ 见信的副本，见 <http://www.southsudanliberty.com/news/index.php/latest-news/1302-it-is-time-for-dinka-to-leave-equatoria-and-now>。

不要想当然，走着瞧。”另一个自称“东非丁卡族共同体”的团体谴责对丁卡族的袭击并试图要国际社会注意其克制态度及和平承诺，但在10月20日广泛散发的一份新闻稿中表示“丁卡族人民正在遭受针对其族裔的袭击，因此有权进行自卫，除非杀戮背后的团体立即停止法外处决活动。”“瓦乌州的大加扎勒河青年”10月24日向在该州工作的赤道族群民众发出威胁信，称“报复时机已经成熟，将尽快实施。”该信敦促“所有赤道族群民众在从本信日期起的72个小时内撤离加扎勒河。”

22. 针对大赤道的伏击丁卡族平民事件，10月12日新闻和广播部长迈克尔·马库埃在民族团结过渡政府发言人办公室新闻稿中威胁说，苏人解将对被认为窝藏苏人解运动/解放军反对派部队的赤道族群发动报复性袭击，并宣布“政府可能被迫作出反应，追捕藏在族群内的肇事人员。政府会被迫采取族群可能不赞成的措施，将这些分子从族群中消灭殆尽。”丁卡族长老理事会的一位主要成员 Aldo Ajou Deng Akuey 也在9月底公开声称，丁卡人正在成为“中赤道州有组织的部落恐怖主义分子”的目标，并说“他们必须住手，否则将面临灾难性回应。”⁹

23. 各部落之间越来越多地相互使用贬损性部落称谓，表明了一些部落间彼此妖魔化的程度。丁卡族将努埃尔族称为“叛乱分子”和“努埃尔猪”，将赤道族群称为“懦夫”和“nyam nyam”（除其他外意指“食人族”）。¹⁰ 赤道族群将丁卡族称为“土地掠夺者”、“天谴之物”、“讨厌之物”，或“MTN”（借用移动电话公司广告语“无处不在”）。¹¹ 努埃尔族将丁卡族词汇“Jieng”（丁卡族）恶搞地改为“Jiang”，该词在努埃尔族语言中指“奴隶”。

24. 所有各方的党派人士，包括一些政府高级官员，均利用社交媒体来夸大事件、传播谎言和隐含威胁、或张贴明目张胆的煽动讯息。在6月与国防和退伍军人事务部长库尔·曼扬和苏人解总参谋长保罗·马隆的一次会议上，后者向专家小组展示了其手机上的一段视频，他说视频显示一群“中赤道州的丁卡人”遭到杀害，并声称有核实视频真实性的第一手证人。专家小组无法确定视频的确切来源。然而，该视频已在社交媒体上传播，内容调查结果并不支持政府有关地点、时间或受害者族裔的说法。

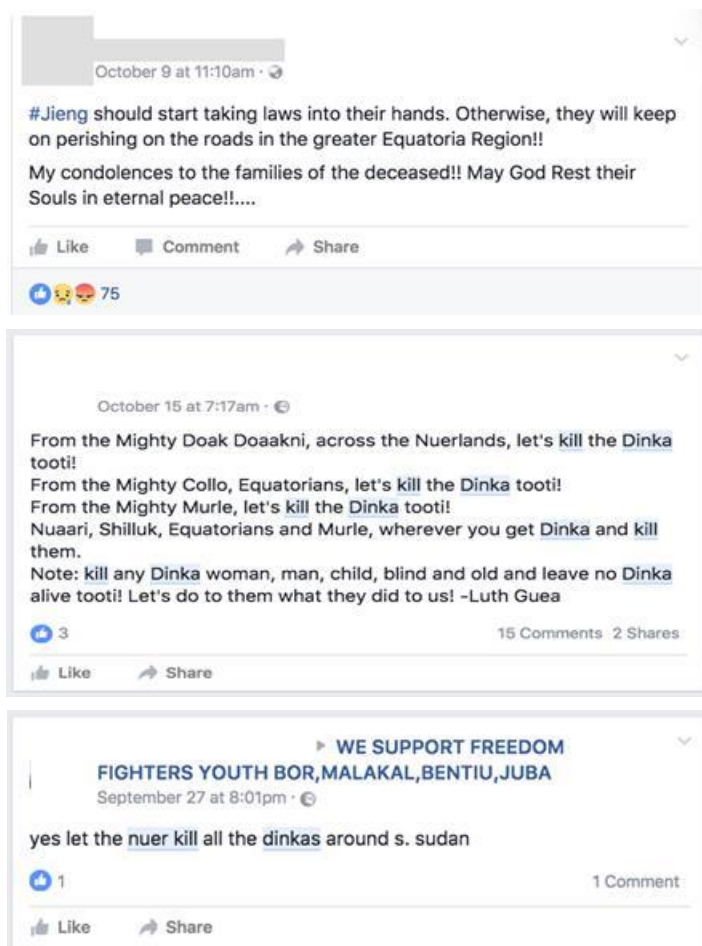
25. 下文图一为社交媒体的几张截图，显示了专家小组在调查过程中审查的一些网上煽动言论（更多实例见附件二）。

⁹ 见“丁卡族长老理事会警告南苏丹会发生灾难性战争”，Radio Tamazuj，2016年9月30日，见 <https://radiotamazuj.org/en/article/dinka-council-elders-warns-disastrous-war-south-sudan>。

¹⁰ 努埃尔族和丁卡族都使用“nyam nyam”一词，可指“食人族”，最近用法可指“吃货”。

¹¹ 这些名称摘自不同族裔的南苏丹人的许多社交媒体帖。

图一
社交媒体截图



B. 大赤道的战争

26. 正如专家小组在 2016 年 1 月的报告(S/2016/70)中所述，除朱巴以外，大赤道在战争的头 14 个月期间基本未受影响。然而，自 2015 年下半年以来，由于赤道族群与苏人解支持的丁卡族牧民之间的入地争议，该地区的暴力事件迅速增加。下列因素加剧了由此产生的敌对行动：没有执行《协定》、包括政府最初拒绝按照安全安排安置大赤道的反对派部队；丁卡族统治了政府的政治和安全机构，赤道族群被边缘化；赤道族群的农业和贸易因冲突扩大而中断。¹²

27. 这些趋势在 7 月朱巴暴力事件后急剧加速。截至 10 月初，至少有 20 万难民自 7 月朱巴冲突以来从南苏丹逃至乌干达，其中约 150 000 人来自赤道地区，这

¹² 2016 年 9 月和 10 月在内罗毕和坎帕拉与一名联合国消息来源、一名苏人解/解放军军官、两名苏人解运动/解放军反对派高级军官以及近 20 名赤道族群难民的机密约谈。

清楚表明该地区安全局势的严重性。估计另有 120 000 名赤道族群民众在境内流离失所。¹³ 根据与近期赤道族群难民和在该地区工作或访问的近十几名联合国和人道主义工作人员的约谈，专家小组认定，正在发生暴行和严重侵犯人权和国际人道主义法的行为，这进一步加深了赤道族群对基尔政权的敌意。

28. 在提交本报告前的几周，南苏丹首都朱巴所在的中赤道州发生了一些最严重的暴力事件。在 8 月底的一起案件中，据报苏人解在 Wonduruba 县的 Katigiri Payam 追捕和抓获了 20 名平民，理由是他们支持苏人解运动/解放军反对派。¹⁴ 包括两名 10 岁和 12 岁的男童以及两名年逾 65 岁的老年男子在内的上述平民在苏人解军营中遭到处决。另一名证人向专家小组讲述了苏人解运动附属部队在 9 月 4 日将 Lobonok 村夷为平地。¹⁵ 同日从 Lainya 县的 Kenji Payam 逃至乌干达的一名老年幸存者描述说，他躲在丛林中看到苏人解士兵袭击其村庄并抢劫所有贵重物品。他随后报告，在逃往乌干达时亲眼目睹路边有四名男子和一名妇女的尸体。¹⁶

29. 耶伊县和耶伊镇，受到上述近期暴力行为的影响尤为严重。专家小组收到许多报告，称苏人解运动/解放军附属武装部队不分青红皂白地袭击耶伊的平民，包括法外处决、强奸、绑架、任意逮捕和拘留、酷刑、殴打、骚扰和恐吓、抢劫和毁坏平民财产(包括烧毁房屋)和破坏生计。¹⁷

30. 为解决日益加剧的道路不安全状况，2015 年马隆指挥的苏人解部队据称在州长的请求下在耶伊部署。这是一个转折点。这些部队几乎完全由来自大加扎勒河的丁卡人组成。¹⁸ 2016 年 5 月 16 日，苏人解枪击一名天主教修女并导致其数日后身亡，进一步加剧了当地族群与政府附属安全部队之间的矛盾。¹⁹ 在

¹³ 见关于耶伊和周围地区的保护情况更新，2016 年 10 月 7 日，见 www.humanitarianresponse.info/en/system/files/documents/files/protection_cluster-update_on_yei_and_surrounding_area_7_october_2016.pdf。难民署驻乌干达办事处在南苏丹难民局势最新紧急状况(第 52 号，述及 2016 年 10 月 22 日至 24 日)中表示，10 月每天平均有 2 376 人从南苏丹逃至乌干达。

¹⁴ 信息来自联合国机密消息来源。

¹⁵ 2016 年 10 月在坎帕拉与来自 Lobonok 的一名难民的机密约谈。

¹⁶ 2016 年 10 月在坎帕拉与来自 Lainya 县 Kenji Payam 的一名难民的机密约谈。

¹⁷ 2016 年 9 月和 10 月在内罗毕和坎帕拉与联合国消息来源以及 12 名来自耶伊县的难民的机密约谈。

¹⁸ 2016 年 9 月在内罗毕与一名前苏人解运动/解放军军官，2016 年 10 月在坎帕拉与一名赤道族群宗教领袖和一名联合国消息来源的机密约谈。

¹⁹ 见人道主义事务协调厅，“机构间快速需求评估报告：中赤道州耶伊(2016 年 9 月 6 日至 8 日)”，见 http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irna_report.pdf；Fredrick Nzwili and Megan Cornwell, “Slovakian missionary sister shot in South Sudan”, Tablet, 19 May 2016, www.thetablet.co.uk/news/5577/0/slovakian-missionary-sister-shot-in-south-sudan；以及 “Nun dies after being shot in South Sudan”, IOL, 20 May 2016, 见 <http://www.iol.co.za/news/africa/nun-dies-after-being-shot-in-south-sudan-2024270>。

7 月朱巴暴力事件之后，苏人解与苏人解运动/解放军反对派在耶伊镇及该镇南部 Lasu payam 地区的激战引发了逃往乌干达、刚果民主共和国和朱巴的大规模流离失所潮。²⁰

31. 7 月和 8 月，苏人解以方便驱逐反叛部队为由，开始将耶伊周边各村的村民赶入该镇。苏人解随后在通往该镇的所有主要道路上设立了检查站。境内流离失所者和收容族群(无论族裔)都不准离开耶伊去照顾财产或农地，因此造成粮食短缺。²¹ 被政府安全部队视为隶属苏人解运动/解放军反对派的耶伊镇外的人员面临遭受殴打或杀害的风险。²² 据一些设法逃离耶伊的人员讲述，苏人解还袭击任何涉嫌支持反对派的镇内平民。²³

32. 2016 年 9 月 6 日至 8 日，联合国和各人道主义机构组成的一个人道主义评估团访问了耶伊。访问团报告了“暴力袭击，包括武装行为体用砍刀和枪支杀害平民以及实施绑架、性暴力、强迫招募和虐待的行为。”²⁴ 9 月 30 日，联合国难民事务高级专员公署(难民署)发表声明，例举了“包括殴打、定向击杀、残割、抢劫和焚毁财产在内针对平民的种种可怕暴力行为”，表示“若干平民被砍死，包括妇女和婴儿，”“并有报告称，许多 17 至 30 岁的青年男子因涉嫌支持反对派而被捕。”²⁵ 难民署还关切地注意到“据报估计约有 10 万人被困南苏丹的耶伊镇，而且继续有报告称通往边界的路上设置了路障。”²⁶

²⁰ 见人道主义事务协调厅，“机构间快速需求评估报告，中赤道州耶伊(2016 年 9 月 6 日至 8 日)”，见 http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irma_report.pdf。

²¹ 南苏丹特派团在 10 月 10 日的声明中指出，特派团“关注正在出现的人道主义危机，其中人民由于行动受到各种限制而无法自由活动、照料农场或养活自己，人道主义伙伴无法自由进入该地区并提供急需的援助。”见 <https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities>。由于粮食短缺以及缺乏药品和教育等人道主义服务，一个耶伊教会团体在 8 月底启动了紧急人道主义呼吁。见“Yei churches fear ‘massive exodus’ after desperate humanitarian situation,” Radio Tamazuj, 24 August 2016, 见 <https://radiotamazuj.org/en/article/yei-churches-fear-‘massive-exodus’-after-desperate-humanitarian-situation>。

²² 见耶伊和周围地区的保护情况更新，2016 年 10 月 7 日，见 <https://www.humanitarianresponse.info/en/operations/south-sudan/document/protection-cluster-update-yei-and-surrounding-area-7-october-2016>。经与联合国人员、赤道族群难民、一名赤道地区宗教领袖和四名前苏人解运动/解放军军官的多次约谈证实。

²³ 2016 年 9 月和 10 月在内罗毕和坎帕拉与 12 名来自耶伊县的难民的机密约谈。

²⁴ 见人道主义事务协调厅，“机构间快速需求评估报告，中赤道州耶伊(2016 年 9 月 6 日至 8 日)”，见 http://reliefweb.int/sites/reliefweb.int/files/resources/160923_yei_irma_report.pdf。

²⁵ 见 www.unhcr.org/57ee25224.html。同样在 10 月 10 日，南苏丹特派团发表声明，表示极为关切耶伊的局势，指出特派团收到了“关于对包括妇女和婴儿在内的无辜和弱势平民进行可怕暴力侵害的令人深感不安的报告”。见 <https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities>。

²⁶ 见难民署南苏丹区域最新紧急情况，2016 年 9 月 16 日至 30 日，见 data.unhcr.org/SouthSudan/regional.php。

33. 9月,南苏丹保护群组²⁷讲述了关于耶伊周边地区非法拘留和监禁情况的报告。²⁸该群组在10月指出,“关于青年男子遭到羁押和失踪的报告继续引起恐慌。”²⁹专家小组约谈了三名来自耶伊县青年,他们表示因涉嫌支持反对派而遭到政府行为体的威胁和骚扰。专家小组约谈的一名难民据称知道自7月中旬以来共有约35名男子被苏人解关押在不明地点。³⁰

34. 还有许多关于回家觅食的妇女遭受冲突中性暴力的报告。³¹一名来自Lainya县的难民告诉专家小组,他目睹其姐及另一名20岁的妇女遭到苏人解运动/解放军隶属部队的强奸。另一名证人说,他在7月从朱巴途经耶伊地区逃往乌干达时,看到一名妇女遭到穿军装男子的强奸,并看到若干具儿童尸体。³²据联合国机密消息来源称,据报9月19日5名苏人解士兵绑架、强奸并杀害了前往耶伊县地方市场的一名17岁女孩和两名妇女。

35. 据称在东赤道州也发生了类似的暴力侵害平民事件。例如,10月在坎帕拉接受专家小组约谈的一名证人表示,7月30日他在托里特看到7名手无寸铁的平民被即决处决。专家小组在该月约谈了另一名难民,他一直在马圭县尼穆勒镇工作,看到8名男子被政府武装部队袭击;据称仅有一人幸存。³³联合国的一个机密消息来源告诉专家小组,部署在马圭县Pajok、Ayaci和Palwar的苏人解部队于10月3日洗劫了商店和住宅,占领学校,强奸妇女并逮捕男子。

36. 联合国和各大人道主义机构的一个评估小组于8月17日至23日访问了托里特县的若干地点,确定民众“受到最近暴力事件的严重影响,这体现在性暴力、骚扰、武装分子使用社区设施和抢劫等直接侵害,以及逃亡途中死亡、家庭分离、行动受限和普遍社会心理压力等间接侵害。”³⁴评估报告还指出,日益加剧的不

²⁷ 南苏丹保护群组协调在南苏丹全国范围内开展关于族群保护、性别暴力、儿童保护、保护平民、法治、地雷行动和土地问题的人道主义保护活动。该群组设在朱巴,由难民署和挪威难民理事会的协调工作。见 www.humanitarianresponse.info/en/operations/south-sudan/protection。

²⁸ 见保护问题群组的最新情况:朱巴危机和冲突扩大,2016年9月16日,见 <https://www.humanitarianresponse.info/en/operations/south-sudan/document/south-sudan-protection-cluster-situation-update-16092016>。

²⁹ 见耶伊和周围地区的保护情况更新,2016年10月7日,见 <https://www.humanitarianresponse.info/en/operations/south-sudan/document/protection-cluster-update-yei-and-surrounding-area-7-october-2016>。

³⁰ 2016年9月在内罗毕与来自朱巴的难民的机密约谈。

³¹ 2016年9月和10月在坎帕拉和内罗毕与联合国消息来源的机密约谈。

³² 2016年9月在内罗毕与来自朱巴的难民的机密约谈。

³³ 2016年10月在坎帕拉与来自马圭县的难民的机密约谈。

³⁴ 见 <http://reliefweb.int/sites/reliefweb.int/files/resources/Multi-Sector%20Rapid%20Needs%20Assessment%20Report%20-%20Torit%20County%20201608.pdf>。

安全状况正在干扰东赤道州的农业活动(该州被视为南苏丹的“绿带”及主要产粮区)，这将对该国各地的粮食安全造成严重影响。³⁵

C. 《协议》的执行情况

37. 7 月的战斗破坏了在执行《协议》方面取得的微乎进展。正如联合监测和评价委员会主席 Festus Mogae 于 10 月 19 日在联合监测和评价委员会全体会议的发言中指出，“战斗瓦解了包括联合军事停火委员会、联合行动中心以及战略防御与安全审查委员会在内的所有过渡时期安全安排机制，业已取得的微乎进展也已消失殆尽”。与塔班·邓·盖有关系的人取代了由马查尔任命的苏人解运动/解放军反对派代表，因此削弱了这些机构的包容性。成立过渡时期国家立法大会以及核准大赤道州和大加扎勒河州装备置放场，似乎是民族团结过渡政府在执行《协议》的体制要求方面取得的唯一明显进展。然而这两项举措都存有争议，苏人解运动/解放军反对派和其他方面认为它们是非法的。

38. 10 月 4 日，马隆在乌韦勒出席了 5 000 名苏人解部队新兵的毕业典礼，这一举动违反了《协议》所规定的安全部门改革。³⁶ 马隆赞扬苏人解指挥官 Jok Riak 将军和 Santino Wol 将军(他们均在 2015 年 7 月 1 日受到制裁委员会的制裁)努力从当地社区招募这些部队人员。鉴于政府在支付部队薪金方面存在困难(见第五节)，新兵的加入只会使财政问题雪上加霜。

39. 从马隆家乡乌韦勒招募过多的士兵，不但使实行安全改革的任何严肃努力变得更为复杂，而且还导致不稳定，因为很多苏人解人员认为，这样招募士兵是马隆试图改变部队的部族组成以加强控制、排挤眼中的对手与其他部族的手段。³⁷ 南苏丹包括政府内部以及反对派在内的一些高级军事和政治人物向专家小组表示，他们担心如果基尔的继任出现争议，马隆与对手丁卡人(包括库尔在内)之间的派别混战可能造成朱巴局势动荡。例如，10 月中旬有关基尔健康状况不佳的谣言在媒体和社交媒体广泛报道，导致 24 小时之内紧张局势升级，在基尔一系列公开场合露面后才得以缓解。³⁸

³⁵ Care, “CARE finds dire humanitarian situation in previously unaffected areas of South Sudan”, 援救社新闻稿, 2016 年 10 月 13 日, 见 <http://www.care-international.org/news/press-releases/care-finds-dire-humanitarian-situation-in-previously-unaffected-areas-of-south-sudan>。

³⁶ 见 Agoth Abraham, “5000 sSoldiers Ggraduate in Aweil East”, Gurtong, 4 October 2016。见 www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/19905/5000-Soldiers-Ggraduate-In-Aweil-East.aspx。

³⁷ 2016 年 3 月至 10 月与 4 位高级别苏人解军官的机密约谈。

³⁸ 媒体报道这一事件的例子可查阅 <http://eastafricamonitor.com/salva-kiir-not-dead-south-sudanese-government-insists/>。

D. 民间社会面临的威胁

40. 由于苏人解运动/解放军政府的政策和行动产生了更多的繁琐官僚主义限制和公开恐吓，南苏丹民间社会的行动环境大大缩小。因此，安全理事会第2290(2016)号决议第9段所规定的和解与政治进程受到了阻碍。一位民间社会代表对专家小组表示：“这届政府对对话没有兴趣，所以对话时间已经结束。”其他民间社会活动分子也有类似看法。³⁹

41. 基尔控制的过渡时期国民立法大会2月通过的《非政府组织法》、《救济和恢复委员会法》以及随后在3月颁布的非政府组织条例，为苏人解运动/解放军政府进一步干涉民间社会的活动创造了条件。《非政府组织法》为非政府组织设立了新的法律框架，而《救济和恢复委员会法》则成立了负责实施《非政府组织法》的监管机构。

42. 这两项法令均包含不符合国际最佳做法的条款，违反了《协议》的规定。⁴⁰例如，《救济和恢复委员会法》规定，救济和恢复委员会除其他外有权“领导非政府组织在南苏丹有需要的地区进行部署”(第7(3)节)，而不论这些组织是否具备在那种环境里工作所需要的能力、知识、资源或人员。《非政府组织法》则规定，所有非政府组织必须与政府一起“商定”业务领域(第9(b)(v)节)，使非政府组织无法确定自身的目标和活动。

43. 这些法律法规也剥夺了人道主义事务和灾害管理部根据《协议》在接受苏人解运动/解放军反对派领导之前历史上对救济和恢复委员会所具有的领导作用。救济和恢复委员会的条例就是由当时即将离任的人道主义事务和灾害管理部长Awut Deng Achuil签署核准的。因此，在民族团结过渡政府成立后，苏人解运动/解放军政府有效维持了对救济和恢复委员会的控制。

44. 救济和恢复委员会从7月开始邀请非政府组织提出延期申请，民间社会面临的压力加大。⁴¹根据《非政府组织法》，所有非政府组织必须在该委员会重新登记。⁴²若申请人有意从事的活动违反《非政府组织法》第6节所载各项原则，⁴³

³⁹ 2016年10月与南苏丹民间社会代表在坎帕拉的机密约谈。

⁴⁰ 据国际非营利法中心进行的立法分析。

⁴¹ 《非政府组织法》原定的延期登记截止日为2016年5月10日(该法生效3个月之内)。这一期限被无限期推迟。

⁴² 第9(c)节禁止任何非政府组织在南苏丹开展活动，“除非已经在委员会正式登记。”该法规定所有非政府组织必须登记，因而侵犯了《公民权利和政治权利国际公约》和《非洲人权和人民权利宪章》规定的结社自由权。此外，根据专家小组得到的资料，现已臭名昭著的“40个组织黑名单”实际上是指根据《非政府组织法》需要重新登记的所有组织清单，而不是因其活动而成为专门目标的非政府组织清单。

⁴³ 这些原则包括“公平选择地理区域分配项目”、“接受受益方、捐助方和相关公共机构问责”、“方案的可持续性”、“地方社区和受益人的参与”以及“尊重南苏丹共和国主权”。

救济和恢复委员会登记处可以拒绝接受申请。但这些原则并无清晰界定，因此在随意施加限制、乱收费用、程序不一以及实施威胁和恐吓方面存在较大空间。⁴⁴

45. 专家小组收到报告称，根据《非政府组织法》特定条款及相关条例，如救灾和恢复委员会提出要求而各组织仍不放弃资产，委员会便威胁拒绝延长期限、甚至取消登记。在提交本报告时，至少有 4 个非政府组织在申请延长其民间社会组织身份时一开始被拒绝或遭威胁拒绝，原因是政府怀疑他们的活动具有“政治”性质，随后通知其作为政党登记，这表明从事宣传活动的民间社会行为体面临的特别压力。⁴⁵

46. 许多民间社会行为体、国际非政府组织和记者的报告称，库尔领导的国家安全局下属国内安全局越来越多地插手民间社会组织所涉事务。根据 2015 年《国家安全局法案》，国家安全局拥有无限制的权力拘留嫌疑人、监测通信、进行搜查和扣押财产而不受司法监督。大量报告称，国家通信管理局和国家安全局视察非政府组织的设施，检查其电信设备，并要求非政府组织缴纳“费用”才能继续开展行动。专家小组目前正在调查这些报告。

47. 安全理事会 2016 年 9 月初访问朱巴时会面的民间社会活动分子也成为国家安全局的目标。专家小组证实，至少有 3 人因出席会议而受到直接威胁。实际数字可能更高。

三. 武器的采购

48. 专家小组根据任务规定继续调查武器进入南苏丹的情况。

49. 在 9 月 28 日与专家小组的会晤中，第一副总统邓·盖反驳了南苏丹出现 L-39 喷气机的说法，而专家小组早在 9 月提交安全理事会的报告(S/2016/793)中已经记录了支持性证据，包括照片和目击者证词。会晤中，邓·盖让国防和退伍军人事务部长提供关于喷气机的进一步资料，但部长表示拒绝。

50. 专家小组得到了 2016 年 8 月联合国组织刚果民主共和国稳定特派团从陪同马查尔进入刚果民主共和国的战斗人员中缴获的武器的初步资料。武器来源与专家小组此前的记录相符，即独立之前和之后在南苏丹采购，包括在苏丹、中国、美利坚合众国、以色列和东欧各国制造的武器和弹药。

⁴⁴ 据国际非营利法中心。在与国内和国际民间社会组织的多次机密约谈中也得到证实。

⁴⁵ 例如，社区进步赋权组织收到政府来信，命令该组织两周内停止运作，否则作为“非法”论处。见 Justin Lynch, “South Sudan activists say intimidated for meeting diplomats,” Associated Press, 8 September 2016, 见 <http://bigstory.ap.org/article/2731beaf514a48d29dc9fe582f497748/south-sudan-activists-say-intimidated-meeting-diplomats>

51. 记录在案的武器中有一件值得注意，即以以色列武器工业公司制造的一支 Micro Galil 式步枪，序列号 36100549。这是专家小组查明的此类武器的第 3 件，其他两件(序列号 36100566 和 36100588)已于 2015 年在上尼罗州记录在案。在与苏人解运动/解放军反对派成员访谈中得知，这些武器均来自南苏丹政府的军库，或者是在战场上缴获，或者是叛变者带来。专家小组 2016 年 1 月报告(S/2016/70)指出，根据制造商向专家小组提供的资料，这 3 件武器属于 2007 年出售给乌干达国防部的那批武器。最终用户证书上并未说明武器会转让给南苏丹。专家小组目前已查明这批中有 3 件此类武器，说明这些武器是从乌干达转到南苏丹的大批武器中的一部分。⁴⁶

52. 9 月，专家小组收到西班牙提供的有关西班牙警察在洗钱和诈骗持续调查中获得的贩运至南苏丹的武器的资料。资料详细说明了欧洲的武器贩运网络与苏人解运动/解放军反对派领导层之间在 2014 年期间的信息往来，后者通过塞内加尔的中间人要求提供大量小武器、弹药和轻武器。专家小组的进一步调查表明，这批货物至少已部分交付。⁴⁷ 专家小组正与西班牙当局和其他方面合作，进一步证实这些武器的来源，并跟踪其在南苏丹的使用。

53. 同样在 9 月，专家小组收到了南苏丹高级别机密来源的资料和文件，显示 2014 年 7 月保加利亚工业工程和管理公司向乌干达国防部交付了一批小武器弹药和 4 000 支突击步枪。文件显示，此次交易由在坎帕拉注册的 Bosasy Logistics 公司担任中介，这家公司在专家小组前几次报告、包括在 2016 年 1 月提交的报告(S/2016/70)中均有描述。这些武器和弹药随后被转运至南苏丹。虽然专家小组还在进一步调查这次交易，但如专家小组在 2016 年 9 月的 120 天报告(S/2016/793)中所述，专家小组注意到最近从乌干达到南苏丹的武器转让可能使用 2014 年较早时期的转让模式，即由 Bosasy Logistics 公司及其总裁 Valerii Copeichin 促成交易。⁴⁸

54. 专家小组收到各种来源的多份报告称，5 月以来武器经乌干达陆路或空运至朱巴和瓦乌进入南苏丹。⁴⁹ 了解这些行动的两个高级别消息来源表示，这些武器包括小武器和轻武器、弹药和装甲车。专家小组手头上有 1 份 2015 年 5 月苏人解签署的合同，内容为提供总价 7 187 500 美元的 Panthera 装甲车。⁵⁰ 承

⁴⁶ 专家小组于 2 月向乌干达政府就提供关于这些武器的更多信息提交了正式书面请求，但没有收到答复。

⁴⁷ 与参与采购过程的反对派高级军官的机密约谈。

⁴⁸ 专家小组收到的报告称，Copeichin 拥有摩尔多瓦国籍。

⁴⁹ 几名苏人解高级军官、1 名邻国外交代表、1 名邻国安保官员以及 1 名在南苏丹开展工作的国际组织人员在机密约谈中向专家小组报告了这些货物。

⁵⁰ 合同没有具体说明购买车辆的数量，也没有详细说明技术规格。

包提供装甲车的是埃及与中东发展公司，埃及国民 Mohamed Atta Jad 为公司代表。公司在开罗注册。⁵¹ 专家小组正在调查这份合同和最近对南苏丹空运之间的关系。

四. 对联合国和人道主义行动的阻挠和袭击

A. 对联合国的阻挠和攻击

55. 正如专家小组 2016 年 9 月报告(S/2016/793)所述，苏人解运动/解放军政府最高成员一贯妖魔化联合国。例如，9 月 13 日基尔发表针对联合国的长篇公函，指责联合国把马查尔撤出刚果民主共和国东部，称“显然联合国不是解决办法的一部分”；“因此现在有人说，人们认为联合国并非抱持中立立场。他们的担心是实实在在的。”⁵²

56. 苏人解运动/解放军政府指控联合国南苏丹特派团(南苏丹特派团)在朱巴联合国保护平民地点助长犯罪活动并窝藏武装分子。9 月 18 日，南苏丹特派团发表声明回应了这一指控。⁵³ 10 月中，特派团再次发表声明，重申保护平民地点的民用性质。⁵⁴ 与政府指控相反，国际移民组织对朱巴保护平民 1 号地点和 3 号地点境内流离失所者的生物鉴别登记清楚表明，这些地点主要是妇女和儿童，而不是打仗年龄的男子。在 38 874 人中，有 8 283 人(约 21%)为 18 至 59 岁之间的男性。其余近 80%是妇女和至少 2 万名儿童，近半数儿童的年龄不到 5 岁。⁵⁵

57. 亲政府分子还坚持利用社交媒体鼓动反对在南苏丹的国际存在，特别是联合国。一直利用社交媒体账户散播针对联合国存在煽动性言论的知名人士有南苏丹驻华盛顿大使馆的外交官 Gordon Buay 以及南苏丹记者 Mading Ngor Akec Kua，包括图二所示例子(更多例子见附件二)：

⁵¹ 埃及常驻联合国代表团给专家小组的信函，2016 年 10 月 14 日。

⁵² 见“基尔总统指责联合国支持马查尔谋求政权更迭”，《苏丹论坛报》，2016 年 9 月 14 日。见 www.sudantribune.com/spip.php?article60221。

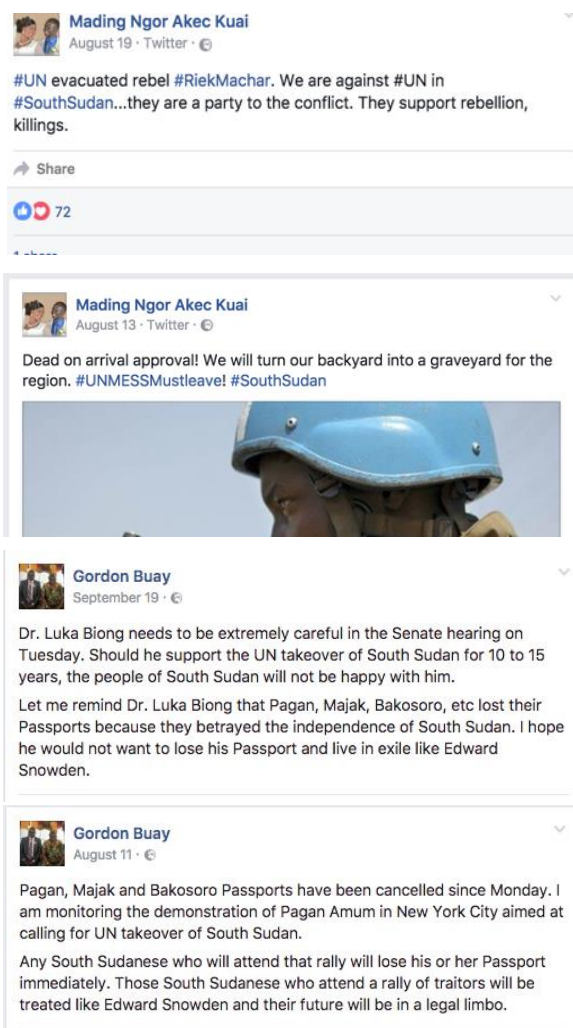
⁵³ 见 <http://reliefweb.int/report/south-sudan/united-nations-mission-south-sudan-unmiss-responds-sudan-peoples-liberation-army?>。

⁵⁴ 见 <http://reliefweb.int/report/south-sudan/unmiss-reminds-all-parties-respect-civilian-nature-poc-sites>。

⁵⁵ 见 <http://reliefweb.int/report/south-sudan/dtm-south-sudan-juba-un-house-poc-sites-biometric-registration-update-october>。

图二

通过社交媒体发表的煽动性言论截屏



58. 持续系统违反联合国和南苏丹共和国政府关于联合国南苏丹特派团《部队地位协定》的行为仍在继续，仅 9 月就记录了 19 次违反事件。绝大多数是对联合国实行动限制，只有 1 起是由苏人解运动/解放军政府关联平民和武装行为体所为。苏人解运动/解放军政府一般禁止南苏丹特派团在爆发冲突和据报发生侵犯人权行为的地区巡逻，使特派团无法执行任务。例如，尽管南苏丹特派团多次尝试并公开请求进入耶伊地区，核实安全局势急剧恶化以及大量侵犯人权行为的报告，苏人解仍不允许特派团在 2016 年 4 月至 10 月进入这一地区。⁵⁶

⁵⁶ 见 2016 年 10 月 10 日和 12 日南苏丹特派团就准入受阻发表的声明，见 <https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities> 和 <https://unmiss.unmissions.org/unmiss-statement-yei-call-immediate-cessation-hostilities> ; <http://unmiss.unmissions.org/unmiss-statement-increased-incidents-violence-south-sudan>。

59. 基尔于 10 月 14 日宣布成立一个委员会, 促进改善联合国和人道主义行动的活动与准入, 并在两周内根据第 2304(2016)号决议的规定部署区域保护部队, 但在提交本报告时(2016 年 10 月 28 日), 没有证据表明这些问题有任何进展。10 月 19 日, 内阁事务部长 Martin Elia Lomuro 致函安全理事会主席, 确认接受卢旺达、肯尼亚和埃塞俄比亚作为区域保护部队的部队派遣国。然而在 10 月 24 日, 基尔的发言人 Ateny Wek Ateny 公开拒绝了这些国家。⁵⁷

B. 对人道主义行动的阻挠和攻击

60. 2013 年 12 月冲突爆发以来, 至少有 67 名援助人员被杀, 其中 9 月专家小组提交报告以来有 8 人被杀。被杀者大多是南苏丹人。最近进入 10 月的头 7 天内有 3 名援助人员被杀。10 月 14 日在东赤道州, 非政府组织 ZOA 的 1 个小组从托里特前往项目现场途中, 有明显非政府组织标志的车辆遭到伏击, 1 名援助人员被枪杀。死者是 41 岁的农业干事。10 月 8 日, 阿科博一个人道主义组织的 1 名本国工作人员被杀, 原因不明。同一时期, 另一个非政府组织的 1 名本国工作人员在东赤道州 Budi 的战斗中被杀。⁵⁸

61. 2016 年的头 9 个月报告了超过 640 起人道主义准入事件, 9 月就有 81 起。在这 81 起事件中, 有 59 起涉及暴力侵害人道主义人员和资产, 包括袭击、伏击和武装袭击大幅增加, 8 月报告了 5 起, 9 月报告了 11 起。报告的武装伏击和攻击主要发生在东赤道州、中赤道州、西赤道州、湖泊州和西加扎勒河州。⁵⁹

五. 经济崩溃

A. 宏观经济情况

62. 截至 10 月底, 政府仍未承诺实行健全的经济治理, 正如专家小组 2016 年 9 月报告(S/2016/793)所述, 这进一步破坏了安全局势的稳定。南苏丹镑继续贬值, 汇率不断下跌导致通货膨胀飙升至 682.1%。⁶⁰ 1 月以来, 消费价格指数上升超过 500%, 9 月达到峰值 2 348 点。⁶¹

63. 专家小组得到的数据表明, 2016/17 财政年度国家预算支出预计将超出收入 149%。⁶² 为此, 政府制定了一项财政紧缩与外部借贷提案, 其中采纳了国际货

⁵⁷ 见“南苏丹再次拒绝邻国参与区域保护部队”, Radio Tamazuj, 2016 年 10 月 24 日。见 Available from <https://radiotamazuj.org/en/article/south-sudan-again-rejects-neighboring-counties-participation-rpf>。

⁵⁸ 见“人道协调厅南苏丹人道主义通报”, 第 16 号, 2016 年 10 月 20 日。见 http://reliefweb.int/sites/reliefweb.int/files/resources/1601020_OCHA_SouthSudan_humanitarian_bulletin16.pdf。

⁵⁹ 见人道主义事务协调厅, “南苏丹: 人道主义准入情况简况 - 2016 年 9 月”, 见 http://reliefweb.int/sites/reliefweb.int/files/resources/september_access_snapshot_20161011.pdf。

⁶⁰ 见 <http://www.tradingeconomics.com/south-sudan/inflation-cpi>。

⁶¹ 见 <http://www.tradingeconomics.com/south-sudan/consumer-price-index-cpi>。

⁶² 民族团结过渡政府预算讲话, 2016 年 10 月。

币基金组织(基金组织)5月访问后提出的建议。⁶³ 10月19日,联合监测和评价委员会主席委员会全体会议上讲话表示,“我们赞扬民族团结过渡政府为编制雄心勃勃的预算所做的工作,这也得到了许多分析人士的赞许。强有力的支出限制措施对于预算至关重要,也是稳定的条件。”这项战略如何执行将是对政府处理宏观经济危机严肃态度的考验。

64. 2016/17 财政年度预算草案估计为 223 亿南苏丹镑,其中一半将用于安全部门。⁶⁴ 由于城市居民会受到薪金削减的冲击,预计在非安全部门采取的紧缩措施可能会导致局势不稳。由于缺乏财政透明度,世界银行拒绝给南苏丹财政和经济规划部任何新项目提供资金。⁶⁵

65. 2016/17 年预算收入的计算依据为石油日产 12 万桶,这是 2013 年 12 月以来最低的开采率。没有任何迹象表明邓·盖 8 月与喀土穆重新谈判管道和转让费用的努力取得了成功,这意味着政府将继续向苏丹支付每桶 24.1 美元的费用,由于石油价格的波动,这减少了预算收入。也没有迹象显示石油工业恢复到了战前水平;团结州的油田在战争最初几个月就停止了开采,持续不断的冲突导致难以开展时间漫长且技术复杂的石油生产恢复过程。⁶⁶

B. 卡塔尔国家银行案

66. 由于政府大部分支出用于战争,专家小组在调查政府外部资金来源时得到的资料表明,截至 2 月卡塔尔国家银行向政府提供了两张信用证,总额约为 6.32 亿美元。资金被南苏丹银行以 1 美元兑 2.96 南苏丹镑的固定汇率用以购买当地货币。石油收入下降后,政府无法按时付款,便重新安排了偿还期限。⁶⁷ 由于 2016 年外汇储备急剧下降,石油收入持续下跌,卡塔尔国家银行不大可能向该国政府进一步提供资金。

C. 石油掉期交易

67. 石油预付款仍然是政府用以筹集短期资金的少数几个机制之一。根据与国际石油公司签订的合同,政府在远期石油掉期交易中获得预付款,并在一定时期内以商定的利率还款。

⁶³ 见 Denis Dumo, “South Sudan seeks \$300 million in external support for budget”, Reuters, 29 August 2016. 见 <http://www.reuters.com/article/us-southsudan-budget-idUSKCN1141CO>

⁶⁴ 见 “2016/2017 年度南苏丹预算为军队和军事行动拨款数十亿”, Radio Tamazuj, 2016 年 10 月 18 日。见 <https://radiotamazuj.org/en/article/south-sudan-budgets-billions-army-military-operations-20162017>。

⁶⁵ 与世界银行代表的约谈,2016 年 9 月 22 日,内罗毕。

⁶⁶ 见 “南苏丹计划在团结州地区恢复石油生产”,《苏丹论坛报》,2016 年 8 月 20 日。见 <http://www.sudantribune.com/spip.php?article59981>。

⁶⁷ 2016 年 7 月 21 日基金组织官员给专家小组的答复。

68. 从事这种安排的主要是 Trafigura Pte Ltd.和 Addax Energy SA 这两家公司。专家小组调查得到的资料表明, 2015 年 11 月至 2016 年 4 月, Trafigura Pte Ltd 公司购买了 700 万桶达尔混合原油。⁶⁸ 据报, 政府通过这些交易获得的收入总额为 1.25 亿美元。专家小组还得到了石油部的数据, 显示 2016 年 2 月至 4 月 Addax Energy SA 公司从南苏丹政府购买了 120 万桶达尔混合原油。据报, 政府通过这些交易获得的收入总额为 3 500 万美元。

六. 旅行禁令和资产冻结的执行情况

69. 专家小组确认, 受到制裁的 Peter Gadet 2016 年 9 月从喀土穆前往内罗毕, 截至提交本报告他仍在肯尼亚。

七. 建议

70. 专家小组提出建议如下:

(a) 为实现安全理事会第 2290(2016)号决议提出的目标, 即在南苏丹实现包容和可持续的和平, 制裁委员会根据上述决议第 9 段和第 10 段的规定, 指认对威胁到南苏丹和平、安全和稳定的行动和政策负责的高层决策者, 包括对国际人道主义法和国际人权法所规定的严重罪行负有责任者以及有能力和影响力延续或终止这场战争的人。专家小组在 2016 年 1 月向制裁委员会提交了包含这些人姓名的保密附件。

(b) 为了防止进一步破坏南苏丹安全局势的稳定, 特别是持续大规模侵犯人权的行为——专家小组认定这与各方向非国家行为体和团体提供武器和弹药直接相关, 并为了防止进一步转让或使用重型装备, 安全理事会禁止所有会员国从本国境内或通过本国领土或由其国民或利用悬挂其国旗的船只或飞机, 向南苏丹供应、出售或转让任何类别军火或相关物资, 包括武器和弹药、军用车辆和装备、准军事装备及上述物项的备件, 以及与军事活动有关的或与提供、维修或使用任何军火和相关物资, 包括与外国部队提供任何形式的培训或提供武装雇佣军(无论其是否来自本国境内)有关的技术援助、培训、财政或其他援助。专家小组还维持其在 2015 年中期报告(S/2015/656)第 84(d)、(e)和(g)段中所列的此种禁运的执行方式建议;

(c) 为进一步遵守现有指认,⁶⁹ 制裁委员会致函肯尼亚共和国和乌干达共和国银行监管机构, 重申《联合国宪章》第七章第四十一条规定的义务, 请银行监管当局遵守第 2206(2015)号决议规定、经第 2290(2016)号决议延长的资产冻结, 并发布一份新闻稿, 鼓励肯尼亚和乌干达的国家和商业银行实施资产冻结。

⁶⁸ 每次交付的实际购买价格各不相同, 每桶从 18.30 美元至 32.60 美元不等。

⁶⁹ 见 <https://scsanctions.un.org/fop/fop?xml=htdocs/resources/xml/en/consolidated.xml&xslt=htdocs/resources/xsl/en/southsudan.xsl>。

Annex I: Letters from Tribal Communities

An open letter to the Equatorian Community: Why are you turning your region into the Greater Upper Nile?

Posted: October 4, 2016 by PaanLuel Wä in Commentary, Contributing Writers, Opinion Articles, Opinion Writers

By Bior Raad, Juba, South Sudan



8-members-of-bor-dinka-community-killed-along-juba-yei-road

October 4, 2016 (SSB) — It is absolutely indisputable that Equatorians are delighted in or feeling pleasure from inhumane slaying of Dinka. It is unclear whether these sporadic killings came out of the meeting as a resolution to wipe Dinka out of South Sudan or could it be deliberately done to provoke Dinka to horrifically retaliate. Our silence all this long was to maintain a good relationship in order to live in a society where we are never strangers to our fellow brothers and to each other. We may have differences and quarrels, but these are brotherly quarrels that cannot divide us and destroy our togetherness.

What do you think if Dinka take part in flashing out sons and daughters of Equatoria working in their areas? Not only that, also organise the armed youth groups to be stationed on various roads, charged with duties to kill other non-Dinka tribesmen. By the way, Dinka has the capacity to turn this country into anarchy and cleanse elements that support terrorism. It is sad to receive hourly report that the dear ones have been murdered on their way to Uganda, Kenya and even within territories of Equatoria.

Dinka are always nervous when travelling on road simply because of those people who set up barricades on trunk roads instructed by their chiefs and politicians to search for ‘MTN’ as they referred to Dinka. No one in this ruthless time can risk to sleep in the car. Everyone is alert keeping a close watch at next seated Equatorian passenger. Most of them are the ones setting up cars to fall into ambush.

Seeing this happen evokes anguish and anger in someone like me who lost relatives and friends few days ago in Kajo-Keji road ambush that claimed the life of eleven innocent civilians.

Sudan by then has been in a long devastating civil war aimed at secession but such barbaric actions have never been reported. Khartoum, our great enemy by then did not devised such inhumane killing to war captives. I have never heard Equatoria elders and leaders coming out publicly to denounce these ethnics’ targeted killings as well as urging their communities to cease this behaviour. It means that they are in support of it.

It troubles my mind to understand what we have done to Equatorians and the rest of South Sudanese who hate Dinka for no reason. There is nowhere in Equatoria or elsewhere that you will never spot bones of Dinka's son who sacrificed his life for the sake of this country. Where were those who today say they don't want Dinka in their areas?

Matter of fact, We the youth of Jieng are tired of this act and as per now, we urged all Equatorians and other tribes who have declared war against us to leave our areas before designated dateline elapses because we will not fold our hands, seat back and watch our relatives being slaughtered every day.

This is just to inform everyone that Dinka has a culture of war where people confront themselves in the broad daylight. Come out and declare it as a war against Dinka.

We have refused to lend our ears to this matter for long and it has been used against us as our cowardice. Enough is enough. This time, we will not tolerate nonsense. If we can take vengeance among ourselves, how hard is it to let innocent Equatorians pay for the action of their brothers. The rest of the communities who are happy with this tribal killings will also test the bitterness of their actions. Whoever is found will be consumed by the wrath of angry avengers the day it will start though still remain concealed.

This is the time for eye for an eye. If the state of social disorder is what you want, we have declared it and we shall see who will desert this country to who? Most of you who have never conducted funerals of gunshot deceased, will this time conduct multiples of them. It is absolutely a fool of ourselves to treat enemies of peace with white teeth exposed and subsequently, they turn out to be the pain in ass.

Why would you scapegoat your grievances that need government attention to the innocent travellers? Your complaint of Dinka cattle destroying your farms was exceptional and government acted immediately to drive back cattle to their original places. What happened again that you are killing Dinka travellers? Are they also trespassing your farms?

Jieng youth is totally disappointed with this inhumane behaviour. To be honest, we have come up with the resolution that we have to embark on such inhumane killings. We will also target enemies of peace in and beyond our areas. We know some tribes in Equatoria who have involved in these killings and we are not going to spare them, our action will be enormous.

Innocent civilians who fled their homes to refugees' camps because of food insecurity narrates senseless and false stories that Dinka want to kill us. A story that implicate Dinka and the UNHCR get interested in these fabricated life stories. Isn't this selling out? If we don't learn to be honest to ourselves, this country will not accommodate us. Change your negative attitudes towards Dinka otherwise we will not wait to be killed in the same way.

The write is the Senior Member of Jieng Youth Union in Juba and can be reached on biorraad@gmail.com

Posted Online:

<https://paanluelwel.com/2016/10/04/an-open-letter-to-the-equatorian-community-you-are-turning-your-region-into-the-greater-upper-nile/>



JIENG YOUTH UNION

Hai- thuora Juba -South Sudan
Tel: 092006291/0955263926 Email:jiengyouthunion@gmail.com

CONDEMNATION STATEMENT

Having been following keenly the target killing of innocent Dinka people on Juba-Nimule and Juba-Yei roads,

We the Jieng Youth Union in the Republic of South Sudan and abroad on behalf of the entire Jieng Youth condemned in strongest term possible the target killings of innocent Dinka youth, women, children and elderly persons.

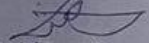
The recent inhumane killings of hundreds of civilians on Juba-Yei road on 08/oct/2016 was witnessed nationally and internationally, therefore we called upon those groups who organize target killing after they have code named particular tribe as MTN to stop this brutal and ruthless killings with immediate effect from now. Failure to do so, the Jieng Youth will not tolerate and keep silence while their people are being killed on daily basis.

We also urged the government to address this burning issue as soon as possible before it gets out of hands, because our people are being picked out in the public means and ended up being killed just because of their ethnicity by Equatorian bandits, forgetting that their sons and daughters are working with humanitarian organizations in Dinka areas for example, in greater Bhar el ghazal and greater upper Nile. We Jieng Youth have a capacity to retaliate but we don't want to take laws into our hands because we are laws abided citizens.


As Youth organization of Jieng, we belief in unity of the people of South Sudan and we don't look or define any tribe as our enemy and deserve to be killed just because of their tribe.

In conclusion we appeal to those who are behind these inhumane and ethnic killings of Dinka to cease from what they are doing and we warn them seriously to stop their barbaric and inhuman acts of killing innocent civilians immediately. Otherwise they will regret the retaliation.

Finally, we convey our deeply heartfelt condolences to the families of the deceased who have lost the lives of their beloved ones in the hands of criminals.

Sign By: 
Samuel Marial Dongrin
Chairman of Jieng Youth Union



Sign By: 
Garang Madut Aplin
SG

To Healthnet.

To: All Equatorians in our area

10/14/16

Retaliation Attack Began

We, the Angry Youth of Greater Northern Bhar El Ghzal States are bringing to your attention the organizations that are working in the area that we do have any problem with you. Our build up problem is with Equatorians who are working here and with you. We have given them peaceful sanctuary here in our area while their people in Equatoria are viciously butchering our innocent people for many years. For how should we sit with our hands folded? The revenge attack is about to explode and it will be ugly nasty to our brothers and sisters from Equatoria region. We give you all the constancy, but you paid us the bad token instead

The Angry Youth sat yesterday to careful deliberate and discuss on the next move since the final dateline given to the Equatorians working and living in the area was expired. We have raised again the number of serious issues in our first letter about killings and atrocities committed against our innocent civilians living and moving in/on Equatorians roads. Since 2013, the Equatorians has been committing many atrocities and gross human rights violations by killing ethnic community of Dinka origin. This will never continue unchecked.

Also, the killing of more than 30 unarmed innocent Dinka civilians mainly, women and children last week on Juba- Yei and Juba- Numeli roads has exacerbate our intentions for revenge against any other Equatorians living in our area. The same Equatorians we are giving peaceful accommodations are the same people brutally killing and lynching our people in Equatoria region. We cannot keep silence any more. We MUST take a quick action and revenge every life lost. Our innocent civilians in Equatoria have endured so must and we cannot take it anymore. The innocent women and children your people killed do not know President Salva Kiir Mayardit nor they are in Kiir's government. Your people killed them because they belong to Dinka. We will also kill you because you belong to Equatoria, period.

Our silence for so long does not mean we are happy with what is going on in the Equatoria region. The government you are engaging now and claiming to give you 100% security guarantee is the same government who is letting us down. They are lying to you. How are they going to give you 100% security guarantee when there is no armed security at the gate and police or armed escort to the fields? We are monitoring your communications very closely. Let them keep lying to you. We are at your throats and we will react John Rambo's Movies scene on you.

In light with all the above mentioned facts, it was agreed that we are going to take a quick revenge attack against Equatorians anywhere and any place from now on. We will find you and kill you. We will despicably and barbarically kill you. We will also humiliate you like it is never done before. We will gruesomely cut you like what your people did to our mothers and children on Equatoria roads. Retaliation attack MUST begin right now! ONE NATION, ONE PEOPLE IS DEAD. The consequences will graphically and horrifically huge.

By Angry Youth of former Northern Bhar El Ghzal

EQUATORIAN YOUTH WARNING: “IT IS TIME FOR DINKA TO LEAVE EQUATORIA AND NOW”

FROM Equatorian Youth

TO All Dinka in Equatoria

Date: 16th October 2016

Oct 17, 2016(Nyamilepedia) — The Equatoria Youth makes this communique in response to Dinka government threats, which were broadcasted on the SSBC, and preached by the Dinka politicians on the internet and social. Please read carefully:

- The Equatoria Youth takes seriously the threat by Dinka “Angry Youth” to commence immediate killing of Equatorians living and serving in Dinka land, according to their letter dated 14th October 2016;
- The Equatoria Youth Condemns the killings of all and taking the lives of any innocent civilians in our nation, the South Sudan;
- Notes the injustices perpetrated by the Dinka upon the people of Equatoria, as it has been shown recently in the Dinka Plan against the non-Dinka, including Equatoria; masterminded by Dinka Council of Elders; implemented by the tribal Government, presided upon by Kiir that sought to enshrine Dinka supremacy over other tribes;
- Notes that “One Nation, One People” is not only dead, but also it never existed; for this has always been a government that preferentially treated Dinka and shamefully a Dinka centric government. But more importantly adversely affects all the other 63 ethnic groups for the benefit of the Dinkas.
- Determines that the unwelcomed presence of Dinka in Equatoria must end, until such a time when a formula of equal citizenship and co-existence has been agreed;
- Reminds the Dinka that the “gun equations” has now changed, we have the means and the willingness to respond and decisively. That there are more Dinkas in our lands than our people in their lands, thus there is no lack of Targets should the Dinka choose to continue in the same path their Dinka Centric government has taken even before Kiir unleashed death on the Nuer and ever since, murdering our women and children in pretense of killing rebels.
- Sternly warns that any Equatorian lives taken in Dinkaland or anywhere shall receive swift and determined response that every Dinka in the territories of Equatoria will come to know, from us the youth, in every inch of this great Equatorian land.
- **DECIDES THAT DINKA MUST LEAVE EQUATORIA IMMEDIATELY.**
- Equatoria has taken enough losses, **are fed up and enough is enough.**

The Press release was submitted to Nyamilepedia on behalf of Equatoria Youth by Justin S Kwaje. For more information give a shout at j.kwaje@aol.com

Online

<http://www.nyamile.com/2016/10/16/equatorian-youth-warning-it-is-time-for-dinka-to-leave-equatoria-and-now/>, accessed 22 October 2016.

Melut County
Eastern Nile State

Date: 17/10/2016

**TO: All Equatorians Working with Different
International NGOS in Eastern Nile State
Andit's respective Counties**

Ref: letter no: 01/10/2016

Sub/Expulsion:

We the youth of Eastern Nile State, are here by informing you that, enough is enough, we are tired of conducting the funerals of our late brothers, Sisters, Mothers, fathers and Children whom your brothers always ambushed and killed on Juba Nimule road, Juba Yei road, Juba Torit, Kapoeta road, Juba Kajokeji road, Juba Mundri, Maridi Yambio road. Etc, So you can not enjoy the services in our state while continue killing our people in your States, and call them **(MTN)** or **(Unwanted goods)**, therefore, we are here by assuring you that, leave our State immediately with in one week, before we acts, or we shall apply the same practices to you on our roads, don't take this for granted, but wait and see.

Thanks

Prepared by Eastern Nile State Youth

MTN: Who's behind the picking and killing of Dinka MTN?

Oct. 18 [Press Releases](#) [8 comments](#)

PRESS RELEASE FROM THE OFFICE OF JIENG UNION (DINKA) IN EAST AFRICA

This press release comes from the office of Jieng Union in East Africa. Jieng Union was formed in 2014 to represent the interest of Dinka people and act as their voice where there is a threat to their existence wherever they are.

Thus, acting on behalf of the Dinka people, we, the leaders of Jieng Union in East Africa have noted with great and grave concern as it has come to our attention based on concrete evidence that the war in South Sudan is no longer against the government but against Dinka people because of their ethnicity.

As a matter of fact, which is supported by the evidence of the eye-witnesses and survivors, Dinka people are being targeted by certain organized groups whose intention is to eliminate them in South Sudan. The clear intention of these groups is shown by the use of the word "MTN".

MTN is a well known South African Telephone Network that stands for Mobile Telephone Network, whose slogan is "Everywhere You Go" because it is found almost in all countries in Africa.

Therefore, the organized groups mentioned in the third paragraph above are using the slogan of the MTN, "Everywhere You Go" to refer to the Dinka people since they are also found everywhere in South Sudan, hence, derogatorily referring to them as "MTN."

It is not a surprise that since the adoption of the word "MTN" which has now become synonymous with the word "Dinka people", the killings of Dinka people has increased to disproportionate level.

Dinka people are being targeted everywhere, and in particular, on major roads in South Sudan. These major roads include: Juba-Yei Road, Juba-Mundari Road, Juba-Terekeka Road, Juba-Bor Road, Juba-Torit Road, Juba-Nimule Road, Juba-Kecji-Kecji Road and Yei-Kaya Road. The Vehicles travelling on these major roads are frequently stopped by these groups as already mentioned above, who then search those vehicles to find out whether Dinka people are on them. Once a Dinka person or Dinka people are found on board, they are ordered to go down from the buses or taxis and then killed without any strong reasons but because they are Dinkas.

As a result, many Dinka people have been killed because of their identity and ethnicity. What makes us to conclude that they are being targeted is the fact that once these groups stop the vehicles, they ask passengers to show their identity cards and when it is found out that the holder of the identity card is a Dinka or they are Dinkas, they are ordered to go down from the buses or taxis and immediately executed and dumped on roadsides.

For instance, on 30th of September 2016, 11 Dinka students who were undertaking training in nursing course at Kecji-Kecji in South Sudan were killed on the road from Kecji-Kecji to Juba because of their identity. As the evidence suggested and through the use of the "MTN," they were singled out among other passengers and mercilessly murdered because they were Dinkas.

Again, on the 2nd of October, 2016, three (3) traffic Dinka police officers were killed in cold blood at Aruu Junction because of their identity.

On October 8, 2016, about 200 Dinka people, mostly women, children and elderly who were travelling from Yei to Juba were massacred in cold blood simply because they were Dinka members. On the same day as the killing was going on, on Juba-Yei Road, Dinka people who were staying at Rom Village at Meluth County in Eastern Nile State of South Sudan were killed and their houses burned down because they were Dinka people.

What makes the killings mentioned in the above paragraph even worse and heartbreaking was the way they were killed. They were killed and after that the dead bodies were mutilated and finally burned beyond recognition. It was horrific and gruesome killing and at the same time inhuman.

There are a lot of evidence substantial the existence of these horrible killings has already taken away hundreds of lives of Dinka people who are killed through target killings since the beginning of 2016 because of their identity and ethnicity.

Apart from killings, there are also evidences which show that the abovementioned groups are organized with the sole mission to use all means to eliminate Dinka people. For instance, these groups have now resorted into checking the names of Dinka people in the telephones of non-Dinka people and if the Dinka names are found in mobile telephones of non-Dinka, then the person whose telephone contain the name of the Dinka is detained and beaten because he has the name of Dinka people in his or her telephone.

In addition, these groups also check the logbook of the vehicle if the logbook is registered in name of the Dinka, then, the car, taxi or the bus is burned. This explains why Eco bus registration number SSB 154A which was burnt to ashes. According to the report, the attackers identified themselves as enemies of the Dinka people, fighting to take over government in South Sudan. They accused the Dinka and Ugandans of supporting the government of President Salva Kiir.

So their rationale of killing Dinkas is to eliminate of all of them because they are supporting the government, thus indiscriminately killing all children, women and elderly contrary to the international humanitarian law as we shall explain latter in this work.

We have, therefore, come to the conclusion that killing of Dinka people which include children, women and elder is not because of their support to the government but because of their ethnicity and identity.

Thus, the purpose of this press release is threefold: first of all, to condemn these barbaric killings in the strongest term possible, secondly, to bring to the attention of the international community that Dinka people are being targeted because of their ethnicity and therefore are entitled to self-defense unless the groups behind the killings stop the activities of extra-judicial killings with immediate effect, and finally, to warn these groups to unconditionally stop killings our people.

Condemnation of targeting killings against Dinka people

We, the leaders of Jieng Union in East Africa have condemned these barbaric killings of our people in the strongest terms possible. We would like to bring to the attention of these groups behind the killings of our people to the fact that the international human rights law, regional human rights law and South Sudan national law give the Dinka people the rights to life, security, integrity of persons and the rights to self-defense.

Thus, killings Dinka people due to their ethnicity violates the prohibition on the arbitrary deprivation of the right to life, which they enjoy under the law. In addition, these groups must know that during a non-international armed conflict, directing attacks against civilians not directly participating in hostilities, including extra-judicial killings is the violation of Additional Protocol II and Common Article 3 of the Geneva Conventions, which prohibits all violence directed against them including murder, mutilation, cruel treatment and torture.

We condemn these groups of people who target our Dinka people because of their ethnicity. Their actions of killing Dinka people who are innocent civilians based on their ethnicity amount to discriminatory diverse treatment, which is a violation of the international human rights law that prohibits discrimination. In addition, it also amounts to the violation of common Article 3 of the Geneva Conventions and fundamental guarantees set forth in Article 4 of the Additional Protocol II.

We further strongly condemn the deliberate, ethnicity-based attacks on our people, which are widespread and systematic. The violence being directed against Dinka people is clearly defined by its scale and method, which indicates that they are being targeted because of their ethnicity. For instance, killings of our people is not random, accidental or isolated acts of violence, but rather it involves a high level of preparation that we believe it follows a certain pattern as indicated by the use of the word “MTN” to refer to Dinka people for easy identification and targeting.

We must stress that target killings and other acts of violence against Dinka people can constitute serious violations of international humanitarian law. Moreover, depending on the circumstances, which are met in this

case, if established before the Court of law, such acts also amount to the violation of Article 13 (2) of Additional Protocol II.

We condemn and tell whoever is behind the killing of Dinka people that what they are doing is collective punishment, which is a reprisal directed against them due to their perceived support to the government, which is contrary to the international human rights law. The attacks on Dinka people who are accused of supporting the government of South Sudan can constitute a collective punishment which is in contravention of Article 4 (2) (b) of the Additional Protocol II.

Therefore, we condemn the killings of our people unreservedly and we would like to bring to the attention of all the International Community members that the war in South Sudan is no longer civil war between the government and the oppositions but it is now being directed against Dinka people because of their ethnicity since they are Dinka people were the President is coming from.

Our Information or warning to the International Community

As leaders of Jieng Community in East Africa, we have found it imperative to bring to the attention of the International Community that we are extremely disappointed and dismayed by the impotent response from the International Community to condemn these barbaric and inhuman acts which is in contravention of the international human rights and humanitarian law.

We would like also to inform the International Community that we, the Dinka people know how to fight and we can do it to the required standard but in this case, we have not chosen to adopt the violent means resolving the problems despite the fact that many of our people have been killed in cold blood.

The reason we have been keeping quiet and just watched helplessly though our people are being murdered everyday is because we need peace and unity in South Sudan. In other words, our interest is to save lives of innocent people and also to ensure that dispute is solved peacefully in South Sudan.

However, the way things have reached now as our people are being murdered mercilessly, we are likely to rethink our approach unless the groups behind the killings of our people stop with immediate effect. Thus, our information or warning is going to the international Community or whoever are in the contact with the rebels or these criminals who are killing our people to tell them to stop immediately and unconditionally. If they don't stop these terrorist activities of targeting our people, we shall be forced to take the law into our hands to defend our people and since we have already warned the whole world in this press release, no one will again raise an accusing finger towards us because we are entitled to self-defense if we are being killed.

Warning to the people behind the killings of Dinka People

We would like to reiterate our call on these groups to stop killings innocent Dinka people and if they do not give heed to our appeal to stop inhuman activities, then this serves as a warning that unless the killings of our people stop with immediate effect, we shall be forced to take the law into our hands to defend ourselves. At that point, there will be no compromise as we shall begin with those who are working in Dinka areas and who come from the areas from which we suspect the people killing Dinka people to be coming from.

Inclusion, this press release is not intended to incite Dinka youth as we would like to emphasize that, we, the Dinka people need peace in South Sudan but we would also like to stress that though we need peace, the peace should not be maintained at our expenses because we are also citizens of South Sudan and we should be given equal treatment. We cannot be killed without defending ourselves on the ground that there is a need for peace in South Sudan. The role of peace keeping is for every citizen in South Sudan irrespective of their ethnical backgrounds.

Therefore, we again call upon the people killing our people to stop killing them and if they do not, then we shall be forced to fight in self-defense if these subversive and barbaric activities of killing our people due to their ethnicity do not stop.

By the office of Jieng Union in Diaspora (East Africa) and undersigned by the people listed below:

Signed by

Name Title Signature

1. Peter Maniel Kuc Chairperson of Jieng Union (+256774343608)
2. Mabior Ikau Chairperson of Greater Bahr el Ghazal made up of ten states
3. Koul Monytong Chairperson of Jieng Padang
4. Ngor Mayor Chairperson of Greater Lakes State made up of three States
5. Akot Garang Chairperson of Aweil States
6. Machar Chol Chairperson of Greater Warrap States

Note the Copies have been given to all the embassies, the UN High Commission for Human Rights office in Uganda and other civil societies. The photos shown below are for those who have been killed on the road because they are members of Dinka ethnic group.

The article entitled: Who is behind the picking and killing of MTN? A nickname for Dinkas in South Sudan. MTN is a network with logo of “everywhere you go”, the business company’s logo becomes nickname for Dinka in South Sudan. They ask people in vehicles, is there MTN? They said yes if available or no if not!

By David Matiop Gai, Juba South Sudan

Source: Paanluelwel.com

The author is a co-founder of National Mental Health Care Organization; He holds Bachelor degree in Social work and social Administration from SSCUST, Bachelor degree in Theology from CLT in Kalispell, Montana USA, and a fellow researcher. He can be reach at tonggaid551@yahoo.com/davidmatiopgai@gmail.com.

Source: Paanluelwel.com

The above photo is of the nurse students who were training at Kecji-Kecji in South Sudan because he was a Dinka.

The person being carried in the above photo was one of the victims in Juba-Yei Road Massacre on 8/10/2016

Source: Paanluelwel.com

The people who are lying dead in the above photo were some of the victims in Juba-Yei Road Massacre where over 200 people mostly women and children were killed on 8/10/2016

Source: radiotamazuj.org

The vehicle above is carrying people killed on target killing because they are Dinka

Source: newsweek.com

The above photo is one of the massacres of Dinka people in target killings

Online:

<http://www.southsudannation.com/condemnation-of-target-killings-of-dinka-and-warning-to-do-orchestrating-it/>, accessed 18 October 2016.

Date 24/10/2016

From Greater Bahr El Ghazal Youth in Wau State.

Ref: To All Equatorians working in UN Agencies, NGOs and other Private Sectors.

Reference to all Equatorians working in the above mention underlined subject.

We the sons and daughters of Bahr El Ghazal region are always killed by the Equatorians with hidden agenda of targeting other ethnic groups. We have been enduring this situation for so long, but our brothers from Equatoria region took us to be fools than beyond their recognition. The time of retaliation has come to its mature stage, which will be effective as soon as possible.

Equatorians have been practicing grime politics in the offices of UNMISS, UN Agencies, NGOs and other institutions.

Below are the mains point couple to the introduction above.

1. Discriminated killing of innocent civilians in Equatoria region.
2. Funding of rebels in your region through access of DOLLARS you are earning from Bahr el Ghazal region.
3. Segregated recruitment of the staff by ignoring the native of this region because you are holding the key positions in the organizations.
4. Your management in organizations results to failure of many projects in this region.

In conclusion, we urge all the Equatorians to *evacuate* Bahr el Ghazal region within 72 hours effective from the date of this letter.

Failure to respect this will result to havoc situation!!!!

CC to:

- All Media Outlets.
- All Equatorians.

BY: YOUTH OF GREATER BAHR EL GHAZAL.

Annex II: Examples of Incitement on Social Media

added 2 new photos.

August 18 · 🌐

Dinka Elijah Wa Wendit wanted Dr. Riek Machar Teny Dhurgon dead and can't believe that he is alive (in DRC & Khartoum).

Really!! Dinka think killing him is like killing Nuer leader Col. Samuel Gai Tut simply for Dinka to cling into power for life??? You killed Nuer Leader Col. Samuel Gai Tut, yet you still have great Nuer leaders you are facing their angers. Dinka, You will not escape!!

Blood of innocent will make you bowdown before President Riek Machar Teny Dhurgon

October 10 at 11:21pm · 🌐

Walai walai !! I swear by today I declare a war against equatorians. #DINKA #DINKA why do you let animals cheered you, while you are holding spare . pls turn yourself and deal with this animal. Anyone who is ready just follow me less start it where ever thought in juba... . #tit_for_tat_is_afair_game...

May their soul rest in peace.....

...eeling crazy.

October 13 at 9:35pm · Tambul, Sudan · 🌐

The life of those innocence people who were massacred during juba incident still alive today though they're not sharing with us on earth 's surface but they're still in our minds and hearts because they have been killed inline of ethnicity with their identity as #nuer

Though there's few guys boring by worsen situations running after money forgetting the yesterday killing done by one whom they today praising him as master because of resources given to them to deny thier images to others ,but we will still continue fighting against the enemies because we're painning the actions of yesterday done by #salvakiir

#RIGHT OF THOSE PEOPLE WHO HAVE BEEN KILLED WILL DEFEATS YOUR MONEY THOUGH YOU'RE DENYING THE FACTS TODAY

#YAATABANDENG

Salva kiir must go

👍 7

► South Sudanese All Over The World, Future Politicians Quorum

October 13 at 7:12am · 🌐

Truth told !

If Dinka run mad because of 21 mathiang anyoor that were kill in Yei-Juba road and what about nuer victime of 15 Dec when salva kiir kill 200,000 innocent nuer civilian in juba.

Dinka like to kill and they don,t want to be kill.

added 2 new photos.

October 4 at 4:18pm · 🌐

#Dinka are for peace in South Sudan, president Kiir is been obfuscated/confused by #Nuer themselves. President Kiir should immediately make a choice whether to support those #pigs_Bul_Nuer, professional thieves (#Taban_Deng and hybristophilic #Ezekiel_Lol_Gatkuoth) or bring peace between Dinka with all the tribes in the region.

South Sudan cannot be destroyed by these two groups of Nuer. These groups are brainless, unthinkable, and hybristophilic individuals who only think about money issues than all South Sudanese lives.

@By professor Belle Gatlueng, the Lost Boy of South Sudan, 1988®

Follow · October 9

Am convinced today seeing vulnerable group like children and women being murdered too in the name of Dinka walai Equatorians am speechless other than being fear-monger. Genocide will be the only solution to this horrible situation.

👍 Like 💬 Comment

I agree with dr. Lam, like one said if dinka can recurit their sons why not others? We need south sudan be like somali is ok, we gonna do it... No ones can be sacred...

Like · Reply · August 26 at 3:31pm

Me personally, I will do something against whether u like it or not I don't even have relatives whom they killed but am disturbed by that equatorians putting their hands on we Dinkas. Brother, my life will not end without slaughtering an equatorian what and see u are just living yourselves to useless cowards to kill u and during the struggle u Dinkas were the supper men who brought out south sudan . To inform equatorians , u are in problems

Like · Reply · 1 · October 12 at 3:18pm

replied · 3 Replies

Those red ants are continuing to bite in the name of tribes and when one set them on fire, outcry will pour out that Dinkas are killing minorities. They need those of late Thon Ayii. "Thon Ayii Anyanya mow, Garang Mabior Anyanya mow"...

Like · Reply · 2 · October 9 at 12:26pm

Sample of anti-UN social media posts by Mading Ngor Akec Kuai



Dhiéu Ayuén Mayén shared **Mading Ngor Akec Kuai's** post.
August 21 · 🌐

This is the first time I disagree with my hero **Mading Ngor Akec Kuai**, Cause we can kick their asses and stay in the UNITED NATIONS AT THE SAME TIME. IT'S NOT HARD TO DO

Mading Ngor Akec Kuai
August 21 · Twitter · 🌐

Philippines should opt out of the #UN & #SouthSudan should also follow suit. <https://t.co/1Tf0vXSt9R> via @business




Duterte Threatens to Withdraw Philippines From UN, Hits US

The Philippines' brash-talking president has threatened to withdraw his country from the United Nations.

BLOOM.BG/2BRF3J0

Mading Ngor Akec Kuai
August 13 · Twitter · 🌐

Dead on arrival approval! We will turn our backyard into a graveyard for the region. #UNMESSMustleave! #SouthSudan



UN okays Juba troop deployment as South Sudan objects - BBC News

The UN Security Council authorises a 4,000-strong regional protection force for South Sudan's capital, Juba - but the government rejects the move.

BBC.COM/NEWS/WORLD-AFR...

➦ Share

👍 13

Mading Ngor Akec Kuai
August 3 · 🌐

And this Revolution will be televised! Join the group, one youth, one South Sudan. #UNMESSMustLeave #OurSovereigntyInHands



240 Likes
3 talking about this

Like Page

➦ Share

👍 🤔 🙄 19