



## 安全理事会

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2022 年 11 月 28 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 2633(2022)号决议所设专家小组成员谨随函转递根据该决议第 18 段提交的中期报告。

已于 2022 年 11 月 4 日将报告提交安全理事会第 2206 (2015)号决议所设委员会，委员会于 11 月 18 日审议了该报告。

专家小组谨请安全理事会成员注意本函及中期报告，并将其作为安理会的文件分发为荷。

南苏丹问题专家小组协调员

米凯尔·吉布(签名)

专家

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## 南苏丹问题专家小组根据第 2633(2022)号决议提交的中期报告

### 摘要

2022 年 8 月，南苏丹政府将 2018 年和平协议条款规定的过渡期延长两年，实际上将选举推迟到至少 2024 年 12 月。

各方对此反应不一。尽管重振后的民族团结过渡政府内部政治气氛极其紧张，存在严重的不信任，但总归还有一个可以维护和延期的政治进程，让人有理由感到一丝宽慰。令人沮丧的是，即使在四年之后，和平协议中的许多内容仍未实现。有人怀疑，协议延期的目的只是为了巩固那些迄今为止一直是协议主要受益者的精英阶层的政治和经济利益。

2018 年和平协议开创的政治进程，在 2020 年 2 月组建重振后的民族团结过渡政府的推动下，已经渡过了几次潜在的危險政治危机。各方商定了国家安全部门的统一高级指挥结构；反对派抵制议会，威胁到了政府的一个关键支柱，现在这一问题已经解决。从 2022 年 8 月开始，必要联合部队第一批士兵大多已最终结业。

然而，这一政治进程之所以能够存活下来，主要是由于组成这一进程的精英缺乏合意的备选方案，而他们的政治和经济利益在很大程度上与这一政治进程的存活息息相关。

甚至在南苏丹动荡的历史背景下，一个和平进程仅仅能够存活并不等同于进步。政治进程的价值取决于其是否有能力解决南苏丹绝大多数民众所面临的众多经济、安全和人道主义危机。如果从这个角度来看，那么这一政治进程的价值不大。朱巴当前所处的政治局势是：地方暴力事件不断；侵犯人权行为猖獗，其中包括地方性和系统性的与冲突有关的性暴力，人道主义危机和经济危机相互交织，使大多数民众受到一波又一波复合型冲击的重创。数百万人流离失所，许多关键的人道主义指标，特别是粮食安全，处于实现独立以来最糟糕的水平。

总部设在朱巴的政治与建设和平进程主要侧重于自我维持，而不是通过治理来缓解这些危机。因此，政治化的地方暴力已蔓延到该国腹地大部分地区，包括以前由政府严格控制的地区。与此同时，即使政府鼓励和平，但政府与反对派武装、叛逃者和未签署协议的武装团体继续发生冲突。

虽然必要联合部队的一些士兵已经结业，但没有明确的部署计划，也没有就如何安置整编指挥结构的中层军官达成任何一致意见。目前，他们似乎是本已复杂的安全格局中一个被边缘化的补充部队，而不是一支独立的、能打仗的国家战斗力量。

因此，尽管在朱巴建立了重振后的民族团结过渡政府，但该国的社会和政治结构却继续受损。朱巴以外的主要力量进一步分裂，而不是走向统一。

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\* 仅以来件所用语文分发，未经正式编辑。

## 一.背景

### A. 任务授权和差旅情况

1. 安全理事会第 [2206\(2015\)](#) 号决议对助长南苏丹冲突的个人和实体实施制裁制度,并设立了制裁委员会(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,委员会指认了 6 名个人,将对他们实施定向制裁。随着第 [2428\(2018\)](#) 号决议的通过,安理会对南苏丹领土实行武器禁运,并在被指认人员名单上增加了两人。2022 年 5 月 28 日,安理会通过第 [2633\(2022\)](#) 号决议,将制裁制度延期至 2023 年 5 月 31 日。
2. 安全理事会第 [2633\(2022\)](#) 号决议将南苏丹问题专家小组的任务期限延长至 2023 年 7 月 1 日,使其能够提供信息和分析,支持委员会的工作,包括与指认可能从事第 [2206\(2015\)](#) 号决议第 11 段所述活动个人和实体有关的工作。
3. 2022 年 6 月 22 日,秘书长经与委员会协商,任命了专家小组的 5 名成员(见 [S/2022/508](#))。
4. 在本报告所述期间,专家小组两次前往南苏丹,还去了肯尼亚、乌干达和阿拉伯联合酋长国。

### B. 与国际组织和其他利益攸关方的合作

5. 虽然专家小组独立于联合国各机构和机关开展工作,但也要感谢联合国南苏丹特派团(南苏丹特派团)和联合国其他工作人员(包括纽约的工作人员)提供支持。
6. 专家小组在访问南苏丹期间,要求与南苏丹政府内的 8 个机构和部委举行会议,但只收到一份答复。专家小组有机会与南苏丹常驻联合国代表团以及国防和退伍军人事务部进行了交谈,还与南苏丹人民国防军的高级军官、重振后的过渡期国民议会成员以及政府其他官员进行了非正式交谈。
7. 安全理事会第 [2633\(2022\)](#) 号决议第 17 段强调,专家小组必须与有关会员国、国际、区域和次区域组织和南苏丹特派团磋商。
8. 专家小组在南苏丹和其他地方有机会与联合国机关和机构进行了广泛磋商。专家小组还与根据《解决南苏丹共和国冲突重振协议》设立的大多数安全机制进行了磋商。
9. 专家小组多次向该区域内外的会员国发出会议请求,并有机会在乌干达和阿拉伯联合酋长国的首都与两国政府代表举行了会议。
10. 专家小组还向南苏丹政府、区域会员国以及其他个人和实体发出了 27 封公函,在起草本中期报告之前收到了 15 份实质性答复。专家小组随后收到的答复载于本报告附件。

## C. 方法

11. 本报告在专家小组研究调查的基础上编写完成。专家小组采访了多人和多个机构，收集了各种来源提供的可靠信息，查阅了个人、商业实体、机密来源和政府提供的文件。此外，专家小组借鉴了其先前的工作，包括以往提交安全理事会和委员会的公开报告和机密报告。

12. 专家小组遵循安全理事会制裁的一般性问题非正式工作组 2006 年 12 月报告 (S/2006/997) 所建议的标准。为达到适当的证据标准，专家小组已通过多个独立消息来源证实了本报告中的信息。

13. 专家小组以尽可能透明的方式开展研究，同时在必要时优先考虑保密。

## 二. 过渡期还有两年

14. 随着选举和过渡期结束快速到来，过渡期延长两年使当前的政治进程得以维持，但同时也使人对政府加速执行和平协议的能力和意愿产生了疑问。

### A. 各方对过渡期延长的反应不一

15. 2022 年 8 月 4 日，萨尔瓦·基尔·马亚尔迪特总统宣布将 2018 年和平协议规定的过渡期延长两年，<sup>1</sup> 同时附上一份路线图，概述执行该协议多项待执行条款的新时间表。<sup>2</sup>

16. 延长协议得到了协议所有各方的认可，但也有一些不同的声音，如全国民主运动，将延长协议称为“损人利己”。<sup>3</sup> 其他反对派团体和民间社会联盟抱怨说，磋商不够，<sup>4</sup> 而在三个州进行的公众看法调查显示，人们对政府在延长的两年时间内取得更多进展的能力和意愿表示怀疑。<sup>5</sup>

17. 但在协议延期之后，在程序上取得了一些进展。例如，2022 年 10 月 24 日，议会通过了《制宪进程法案》，该法案将为指导制定一部永久宪法提供法律框架。<sup>6</sup>

18. 此外，参与政治进程的官员也有延长当前安排的经济动机。南苏丹的财政越来越多地用于政府运行，而不是提供服务。在 2021/22 财政年度上半年，约 80%

<sup>1</sup> 2018 年 9 月签署的《解决南苏丹共和国冲突重振协议》，最初包括 8 个月过渡预备期和 36 个月过渡期的规定(第 1.1.2 章)。过渡期随着重振后的民族团结过渡政府成立最终于 2020 年 2 月开始。

<sup>2</sup> 见附件 1。

<sup>3</sup> 见附件 2。

<sup>4</sup> 见附件 3 和附件 4。另见 Eye Radio, “Peace parties implemented 27% of R-ARCSS in 3 years, will 70% be in 2 years?”, 12 August 2022, 可查阅 [www.eyeradio.org/peace-parties-implemented-27-of-r-arcss-in-3-years-will-70-be-in-2-years](http://www.eyeradio.org/peace-parties-implemented-27-of-r-arcss-in-3-years-will-70-be-in-2-years)。

<sup>5</sup> 瓦拉卜州、湖泊州和东赤道州的国际观察员提供的报告。

<sup>6</sup> 2022 年 9 月和 10 月，采访国会议员。

的预算内支出用于公共行政和安全部门。<sup>7</sup> 每个国会议员得到的薪酬大约是普通士兵薪酬的 300 倍。<sup>8</sup> 每名议员每年额外获得 15 000 美元的医疗津贴，总额是 2021/22 财政年度上半年卫生部支出的两倍。<sup>9</sup>

## B. 非签署方拒绝延期，但仍然意见不一

19. 未签署协议的武装团体一致反对延长过渡期。民族拯救阵线称延期是把持权力和维持现状的“非法”企图，<sup>10</sup> 而“南苏丹新政治分配问题志同道合的利益攸关方”（其中包括南苏丹联合阵线/军队被制裁个人保罗·马隆·阿万·阿内将军(SSi.008)）“断然且明确”拒绝延期。<sup>11</sup>

20. 尽管各方呼吁和平，但民族拯救阵线和政府军之间在中赤道州南部的战斗仍在继续，而政府军自 2022 年 6 月以来在西加扎勒河州和北加扎勒河州的几次行动拘留了若干被认为支持马隆的个人。<sup>12</sup>

21. 自延期宣布以来，未签署协议的武装团体也加紧活动，以建立更广泛的联盟，使协议延期与他们相关，包括与其他反对派人物会面，如南苏丹人民运动/军队的领导人斯蒂芬·布埃·罗尔尼扬和 Kit-Gwang 团体受制裁的个人西蒙·加特韦奇·杜尔(SSi.002)。<sup>13</sup> 一个全国共识论坛提出开展新的圆桌讨论，<sup>14</sup> 而民族拯救阵线拒绝了布埃先生提出的统一军事阵线和统一指挥结构的建议。<sup>15</sup>

22. 2022 年 10 月，圣艾智德团体在罗马组织了会谈，在此之后，六个反对派团体重组为非签署方南苏丹反对派团体，<sup>16</sup> 并与三国小组特使、欧洲联盟和梵蒂冈的代表以及圣艾智德团体领导层进行了磋商。<sup>17</sup>

<sup>7</sup> 财政与计划部编制的 2021 年 7 月至 12 月期间的支出报告，专家小组存档。上述数字包括安全、法治(包括警察)、经济职能和公共行政方面的支出。

<sup>8</sup> 2022/23 财政年度核定预算。

<sup>9</sup> 财政与计划部编制的支出报告，专家小组存档。

<sup>10</sup> 见附件 5。

<sup>11</sup> 见附件 6。

<sup>12</sup> 国际观察员向专家小组提供的报告。

<sup>13</sup> 专家小组存档的声明。

<sup>14</sup> Sudans Post, “Gen. Cirilo, Gen. Malong and Gen. Pagan reunites under one umbrella”, 26 October 2022. 可查阅 [www.sudanspost.com/gen-cirilo-gen-malong-gen-pagan-reunites-under-one-umbrella](http://www.sudanspost.com/gen-cirilo-gen-malong-gen-pagan-reunites-under-one-umbrella)。

<sup>15</sup> 见附件 7、8 和 9。

<sup>16</sup> 联合民主革命运动/军队、全国民主运动-爱国阵线、民族拯救阵线、南苏丹联合阵线/军队、苏丹全国变革运动和真正苏丹人民解放运动。

<sup>17</sup> 2022 年 10 月，采访非签署方团体高级代表；见附件 10 和 11。受制裁的个人保罗·马隆(SSi.008)申请旅行豁免以便能够参与访谈，申请获批。

### C. 必要联合部队已结业但还未部署

23. 经过几次拖延，2022 年 8 月 30 日，必要联合部队的第一批特遣队在朱巴结业，随后，托里特、迈里迪、瓦乌<sup>18</sup> 和博尔的更多特遣队也结业。

24. 官方数据受到的独立核查极少，但截至 2022 年 11 月初，约 37 000 至 40 000 名必要联合部队士兵从 17 个培训中心中的 13 个结业，主要是赤道大区和加扎勒河大区的培训中心。<sup>19</sup> 余下的培训中心大多位于上尼罗大区，预计将有更多士兵从余下的培训中心结业，但这些培训中心受到了冲突、洪水和其他后勤挑战的严重影响。<sup>20</sup>

25. 据报，一些受训人员结业时拿的是棍棒而不是武器，若干政府官员私下向专家小组表示，这样做是为了抗议武器禁运，暗示必要联合部队无力武装自己，而不是反映真正的武器短缺。<sup>21</sup> 这也可能反映了一种意图，即与南苏丹人民国防军和其他安全部门的对口部队相比，让整编部队处于弱势。

26. 在许多情况下，专家小组的调查表明，这些从培训中心结业的士兵是仓促召集的，甚至是新招募的。部队人员在培训中心之间调来调去，以方便结业，导致人数和身份混乱。<sup>22</sup> 例如，东赤道州新闻部长指出，“培训中心有一些人接受了培训并完成了培训，准备结业，但现在有其他部队要进来，他们甚至都不在培训中心却也要结业”。<sup>23</sup>

27. 反对派团体寄希望于必要联合部队能够取得成功，认为创建一支联合的国家军队是保护其利益和影响力的关键。反对派团体向专家小组强调，根据 2022 年 8 月 30 日的总统令，所有部队的士兵“在技术上”都已结业。<sup>24</sup>

28. 但政府是否认同必要联合部队的这一设想，还很不清楚。目前还没有已结业部队的实质性部署计划。许多士兵结业后只是接到了返回所在社区的命令。<sup>25</sup> 苏丹人民解放军反对派的一名前军官告诉专家小组，“结业对我的生活未产生任何影响。我已经重回靠卖木炭为生的平常生活”。<sup>26</sup> 截至 2022 年 10 月，只有一批

<sup>18</sup> 2022 年 9 月和 10 月，采访安全机制和政府高级官员。

<sup>19</sup> 同上，截至 2022 年 11 月 4 日。另见附件 12。

<sup>20</sup> 同上。

<sup>21</sup> 2022 年 9 月和 10 月，采访政府和军方官员。

<sup>22</sup> 2022 年 10 月，采访政府高级官员。另见 Radio Tamazuj, “Torit: Graduation of unified forces postponed again”, 13 September 2022, 可查阅 <https://radiotamazuj.org/en/news/article/torit-graduation-of-unified-forces-postponed-again>。

<sup>23</sup> Sudans Post, “Watchdog ‘disappointed’ as Eastern Equatoria postpones graduation of peace forces for third time”, September 2022。可查阅 [www.sudanspost.com/watchdog-disappointed-as-eastern-equatoria-postpones-graduation-of-peace-forces-for-third-time](http://www.sudanspost.com/watchdog-disappointed-as-eastern-equatoria-postpones-graduation-of-peace-forces-for-third-time)。

<sup>24</sup> 2022 年 10 月，采访反对派高级官员。

<sup>25</sup> 2022 年 9 月和 10 月，采访安全部门人员、政府官员和国际观察员。

<sup>26</sup> 2022 年 10 月，电话采访托里特结业的士兵。

约 2 000 名结业的必要联合部队士兵被部署到了瓦拉卜州，但这不是正式部署计划的一部分。<sup>27</sup>

29. 事实上，必要联合部队只是作为一支装备和训练都很差的平行部队存在。南苏丹人民国防军和国家安全署继续自行招募人员，<sup>28</sup> 包括招募儿童，<sup>29</sup> 而南苏丹人民国防军的一些最精干部队，特别是老虎营，则完全不参与这一进程。<sup>30</sup>

30. 与安全部门改革有关的挑战在工资单数据中显而易见。根据政府的数字，大约有 420 000 人在安全部门领取工资。<sup>31</sup> 财政与计划部长在预算讲话中非但没有计划减少这一数字，反而强调，武装部队的统一将使安全部门的工资账单再增加三分之二。<sup>32</sup>

### 三. 地方暴力猖獗

31. 政府和反对派部队之间的地方暴力一直存在，包括在团结州和上尼罗州。近几个月来，几起突出事件也突显出政府在维护其传统控制地区的安全方面所面临的困难程度。

#### A. 北通季县暴力事件

32. 2022 年 6 月 25 日，持有武器的丁卡族青年与政府安全部队在瓦拉卜州北通季县鲁阿尔贝特发生冲突，造成几十名士兵死亡，其中包括至少 18 名高级军官。<sup>33</sup> 8 000 多人流离失所。<sup>34</sup> 这些事件的意义还不止于此，因为通季是南苏丹许多最杰出的政治和安全精英的家园，历史上一直处于政府的控制之下。

<sup>27</sup> 2022 年 9 月和 10 月，采访安全部门人员、政府官员和国际观察员。

<sup>28</sup> 例如见停火和过渡期安全安排监测和核查机制的报告，题目是“2022 年 7 月 26 日国家安全署在西赤道州坦布拉县非法招募和培训人员”和“2022 年 7 月 26 日各签署方在上尼罗州纳西尔县违反《解决南苏丹共和国冲突重振协议》和《停止敌对行动、保护平民和人道主义援助准入协定》”。可查阅 <https://ctsamvm.org/ctsamvm-violation-reports>。

<sup>29</sup> 南苏丹境内招募儿童的情况已被国际组织以及国内和国际民间社会广泛记录和报告。另见秘书长关于儿童与武装冲突的年度报告(A/76/871-S/2022/493)。

<sup>30</sup> 2022 年 10 月，采访政府和军方官员。

<sup>31</sup> 财政与计划部，“快速信贷机制资金使用情况初步叙述式报告”，2021 年 3 月 12 日。可查阅 [www.mofep-grss.org/wp-content/uploads/2021/03/LD.-Report-on-Use-of-RCF-Funds-Revised-version-March-27-2.pdf](http://www.mofep-grss.org/wp-content/uploads/2021/03/LD.-Report-on-Use-of-RCF-Funds-Revised-version-March-27-2.pdf)。

<sup>32</sup> 财政与计划部，2022/23 财政年度预算讲话，2022 年 7 月。可查阅 <https://3309b9.n3cdn1.secure-server.net/wp-content/uploads/2022/08/Budget-Speech-Latest-02-08-2022-1.pdf>。

<sup>33</sup> 见附件 13。另见 Eye Radio，“Armed civilians kill dozens of soldiers in Warrap State”，27 June 2022，可查阅 [www.eyeradio.org/armed-civilians-kill-dozens-of-soldiers-in-warrap-state](http://www.eyeradio.org/armed-civilians-kill-dozens-of-soldiers-in-warrap-state)。

<sup>34</sup> Number One Citizen，“Over 8 000 people displaced in Tonj”，29 July 2022。可查阅 <https://onecitizendaily.com/index.php/2022/07/29/over-8000-people-displaced-in-tonj>。

33. 一名当地观察员描述说，过去几年来，该地区“对国家存在的反应”越来越消极，反映出朱巴以外政府核心选区内部的紧张局势日益加剧。<sup>35</sup> 在 2022 年 4 月举行的一次当地组织的和平会议上，社区代表担心通季的社区紧张局势“在签署《解决南苏丹共和国冲突重振协议》后失控”，以及随后未能“就……(关于)选拔人员填补各级政府职位达成共识”。<sup>36</sup> 他们还对“一些政府官员和警卫官通过煽动和提供致命武器参与煽动族群间冲突”表示关切。<sup>37</sup>

34. 2022 年 5 月启动解除武装行动，但很快就被紧张局势和不信任感所破坏。<sup>38</sup> 包括国家安全署在内的解除武装部队被指控对某些族群有偏见，<sup>39</sup> 包括针对 Awan Parek 族，据报，当地酋长遭到了胁迫和逮捕。<sup>40</sup>

35. 随着紧张局势的加剧，暴力武装抢牛最终导致袭击政府军，2022 年 6 月 25 日，总统基尔先生下令在 Rualbet 采取一次重大军事行动。<sup>41</sup> 部署了来自第 3、第 5 和第 11 师以及中赤道州的数百名军事人员。<sup>42</sup> 此外，据报在该地区看到了一架武装直升机。<sup>43</sup>

36. 尽管政府保证不会实施“集体惩罚”，<sup>44</sup> 但多份报告显示，部署导致了多起任意逮捕、杀戮和强奸事件，包括轮奸 Awan Parek 族妇女和未成年人。当地的医疗设施被安全部队征用，通往 Rualbet 的所有道路都不准人道主义援助进入。<sup>45</sup> 因此，农作物未能收获，导致人们担心北通季县 2023 年会出现粮食不安全问题。

37. Rualbet 冲突之后，基尔先生宣布成立两个调查委员会。第一个 2022 年 8 月成立，未能在三周的报告期限内提交报告。<sup>46</sup> 第二个调查委员会由朱巴的一个高

<sup>35</sup> 2022 年 10 月，电话采访当地一位著名的瓦拉卜观察家。

<sup>36</sup> 专家小组存档的正式会议摘要。

<sup>37</sup> 同上。

<sup>38</sup> Radio Tamazuj, “Tonj East community surrenders over 900 illegal guns in disarmament exercise”, 27 May 2022. 可查阅 <https://radiotamazuj.org/en/news/article/tonj-east-county-community-surrender-over-900-illegal-guns-in-disarmament-exercise>。

<sup>39</sup> 2022 年 6 月至 10 月，电话采访国家和国际观察员。

<sup>40</sup> 同上；经专家小组获得的报告证实。另见附件 14、15 和 16。

<sup>41</sup> Sudans Post, “Kiir to ‘punish’ killers of high-ranking military officers, civilians in Tonj”, June 2022. 可查阅 [www.sudanspost.com/kiir-to-punish-killers-of-high-ranking-military-officers-civilians-in-tonj](http://www.sudanspost.com/kiir-to-punish-killers-of-high-ranking-military-officers-civilians-in-tonj)。

<sup>42</sup> 2022 年 6 月至 10 月，电话采访国家和国际观察员。经专家小组获得的报告证实。另见 Eye Radio, “Top security chiefs vow to restore security in Tonj North”, 3 July 2022, 可查阅 [www.eyeradio.org/top-security-chiefs-vow-to-restore-security-in-tonj-north](http://www.eyeradio.org/top-security-chiefs-vow-to-restore-security-in-tonj-north)。

<sup>43</sup> 2022 年 9 月和 10 月，采访国家和国际观察员。

<sup>44</sup> 总统萨尔瓦·基尔·马亚尔迪特 2022 年 7 月 9 日在南苏丹独立日的讲话。

<sup>45</sup> 2022 年 6 月至 10 月，电话采访国家和国际观察员。经专家小组获得的报告证实。

<sup>46</sup> City Review, “President Kiir forms committee to probe Warrap conflicts”, 4 August 2022. 可查阅 <https://cityreviewss.com/president-kiir-forms-committee-to-probe-warrap-conflicts>。

级别安全小组组成，被派去“自行处理局势”，该小组编写了一份报告，但报告尚未公布。<sup>47</sup>

## B. 马约姆法外处决事件

38. 2022 年 8 月 8 日，与反对派指挥官斯蒂芬·布埃·罗尔尼扬结盟的 4 名男子在团结州马约姆附近的 **Kaikang** 被处决。处决由政府安全部队与州和国家政府高级官员合作执行。处决过程被录像和拍照，并广泛分发。<sup>48</sup>

39. 马约姆是团结州的一块飞地，主要由努维尔人组成，历史上一直由政府控制。跟布埃先生一样，被处决的这几名男子都来自马约姆，之前从政府军叛逃组建南苏丹人民运动/军队。<sup>49</sup>

40. 2022 年 7 月 22 日，为报复南苏丹人民国防军针对南苏丹人民运动/军队的行动，布埃先生指挥的部队袭击并烧毁了马约姆县专员办公室，杀死了县专员 **James Chuol Gatluak Manime** 和近 12 名政府军成员。<sup>50</sup> 大量报道称，县专员是国家安全顾问 **Tut Gatluak Manime** 的兄弟。<sup>51</sup>

41. 在随后的几天里，苏丹高级官员在喀土穆会见了受害者家属，据目击者说，他们答应抓获杀害他的幕后黑手。一个苏丹代表团也前往南苏丹讨论此事，代表团会见了基尔总统和 **Gatluak** 先生。<sup>52</sup>

42. 与此同时，团结州州长约瑟夫·努恩·蒙伊推尔及其州政府的几名成员前往马约姆，<sup>53</sup> 在一个大型集会上发表讲话，承诺“迅速且严厉地惩罚”任何与南苏丹人民运动/军队有关联人员。<sup>54</sup> 在 2022 年 7 月 29 日的一份声明中，南苏丹人民国防军的一名发言人在朱巴描述了南苏丹人民国防军机动步兵在马约姆参与各种行动打击南苏丹人民运动/军队的情况。<sup>55</sup> 第二天，南苏丹人民运动/军队的战斗人员伏击并摧毁了一个向马约姆运送军事装备的军事车队，打死了几名政府士兵。<sup>56</sup>

<sup>47</sup> 截至 2022 年 10 月。2022 年 10 月，采访南苏丹人民国防军高级军官。专家小组存档的政府声明。

<sup>48</sup> 专家小组存档的视频和照片。

<sup>49</sup> 2022 年 5 月至 8 月电话采访南苏丹人民运动/军队高级成员、社区成员和政府官员。专家小组存档的其他案件文件。

<sup>50</sup> 见附件 17 和 18。

<sup>51</sup> Eye Radio, “‘There will be no revenge,’ says grieving Tut Gatluak”, 15 July 2022。可查阅 [www.eyeradio.org/there-will-be-no-revenge-says-grieving-tut-gatluak](http://www.eyeradio.org/there-will-be-no-revenge-says-grieving-tut-gatluak)。

<sup>52</sup> 2022 年 7 月 27 日，南苏丹总统办公室声明。

<sup>53</sup> 团结州州长办公室新闻股的声明。

<sup>54</sup> 团结州州长办公室新闻股发布的视频和声明。

<sup>55</sup> 见附件 18 和 19。

<sup>56</sup> 专家小组存档的视频和报告。另见 Sudans Post, “Fighting erupts as gunmen attack army convoy heading to Mayom”, 26 July 2022。可查阅 [www.sudanspost.com/fighting-erupts-as-gunmen-attack-army-convoy-heading-to-mayom](http://www.sudanspost.com/fighting-erupts-as-gunmen-attack-army-convoy-heading-to-mayom)。

43. 与此同时，苏丹快速支援部队的军官找到了藏匿在苏丹的 11 名南苏丹人民运动/军队士兵。<sup>57</sup> 7 人被打死，<sup>58</sup> 其余 4 名军官 Gatluok Majiok、Nyuon Garang Kuol、Pur Ruop Kuol 和 Dhoal Barpuoh Tap 在边界被移交给南苏丹当局。<sup>59</sup>

44. 随后，4 人中的 3 人于 2022 年 8 月 8 日在马约姆附近的 Kaikang 被行刑队处决，当时南苏丹人民国防军官员和政府官员在场。<sup>60</sup> Majiok 先生在附近的茅草屋里被活活烧死。

45. 处决事件发生后，南苏丹政府对这一事件展开了调查。<sup>61</sup> 然而，8 月 25 日，总统拒绝了州委员会关于解除蒙伊推尔先生州长一职的建议。<sup>62</sup> 蒙伊推尔先生告知专家小组，该委员会的建议与马约姆的处决事件无关。<sup>63</sup>

46. 被处决士兵的亲属此后在南苏丹和苏丹都受到了骚扰和恐吓。<sup>64</sup> 专家小组收到并证实了团结州政府和安全人员虐待和拘留数十人的证据，其中包括至少两名南苏丹人道主义工作者和一名南苏丹活动分子，他们被认为批评蒙伊推尔先生。<sup>65</sup> 至少有一名当地活动分子在受到死亡威胁和恐吓后被迫离开了该国。<sup>66</sup> 蒙伊推尔先生已否认与这些事件有任何关联。<sup>67</sup>

### C. 上尼罗州的暴力和不稳定情况

47. 上尼罗州继续发生一些最激烈的战斗。暴力事件表明，朱巴在统一方面取得的进展往往掩盖了该国内部各团体和族群更深层次的分裂。

48. 政府有效地利用了约翰逊·奥洛尼和西蒙·加特韦赫(SSi.002)叛逃后组成的 Kit-Gwang 派，以削弱第一副总统里克·马沙尔和上尼罗州的苏丹人民解放军

<sup>57</sup> 采访观察员和人权监测员以及专家小组获得的报告和视频。见附件 20。

<sup>58</sup> 同上。

<sup>59</sup> 见附件 20。另见 Sudan Tribune, “Sudan arrests key rebel officers, hands them to South Sudan”, 8 August 2022。可查阅 <https://sudantribune.com/article262493>。

<sup>60</sup> 专家小组存档的视频和照片。见附件 21。

<sup>61</sup> 2022 年 8 月 10 日，南苏丹广播公司播出的对南苏丹人民国防军发言人的采访。专家小组存档的视频。

<sup>62</sup> 总统事务部 2022 年 8 月 25 日的信函，专家小组存档。

<sup>63</sup> 见蒙伊推尔州长对专家小组问询的完整答复的附件 28。

<sup>64</sup> 2022 年 8 月，电话采访团结州的机密消息人士。

<sup>65</sup> 2022 年 8 月和 9 月，电话采访受害者和人权监督员以及州一级官员。经专家小组获得的声明和文件证实。

<sup>66</sup> 2022 年 9 月和 10 月，采访人权活动者。

<sup>67</sup> 见附件 28。

反对派。<sup>68</sup> 然而，不久之后，由于政府实际上违背了整合他们部队的承诺，奥洛尼先生和加特韦赫先生分道扬镳，Kit-Gwang 派系本身也四分五裂。<sup>69</sup>

49. 暴力自此演变为多层次的冲突，其中包括苏丹人民解放军反对派、与奥洛尼先生结盟的希卢克-阿格威勒克部队、亲加特韦赫部队、白军以及其他努维尔族武装团体，包括来自团结州和琼莱州的武装团体。<sup>70</sup> 这种相互分裂和削弱可能符合政府加强对该地区控制的长期利益。

50. 平民依然遭到不分青红皂白的攻击，包括 2022 年 9 月的一次攻击，此次攻击期间，尼罗州一个收容大量流离失所者的阿迪迪昂岛着火，导致人道主义机构被摧毁，人员死亡。<sup>71</sup> 敌对民兵相互指责对方对这次攻击负责，加特韦赫向专家小组否认对此事负责。<sup>72</sup>

51. 此外，2022 年 10 月，暴力行为蔓延到了法绍达县，战斗随时打响，港口和检查站控制权变更，使尼罗河沿岸的走廊变得极不稳定。<sup>73</sup> 与此同时，阿塔尔-马拉卡勒-科多克走廊沿线的希卢克族村庄的安全局势变得更加紧张，进一步威胁到和努维尔族之间的关系。<sup>74</sup>

52. 上尼罗州和琼莱州北部冲突爆发以来，已有数万人流离失所。<sup>75</sup> 随着 2022 年 8 月初以来数千名流离失所者抵达马拉卡勒，马拉卡勒平民保护点的人道主义局势明显恶化。<sup>76</sup>

## 四. 人道主义危机复杂化

### A. 洪水和粮食不安全

53. 南苏丹目前正面临独立以来最严重的人道主义危机之一。2022 年 8 月，世界粮食计划署确定约 900 万人需要人道主义援助，830 万人(约占总人口的 72%) “粮

<sup>68</sup> 见专家小组 2022 年最后报告(S/2022/359)。

<sup>69</sup> 2022 年 8 月至 10 月，采访政府、反对派代表和国际观察员。

<sup>70</sup> 2022 年 9 月，通过电话采访安全人员、社区领袖、反对派领袖和机密消息来源。

<sup>71</sup> 2022 年 9 月，电话采访上尼罗州的安全人员、人权观察员以及社区团体。

<sup>72</sup> 2022 年 10 月，电话采访西蒙·加特韦赫。

<sup>73</sup> 2022 年 9 月，电话采访上尼罗州的安全人员、人权观察员以及社区团体。

<sup>74</sup> 同上。

<sup>75</sup> 例如，见人道主义事务协调厅，“南苏丹：上尼罗河科多克事态发展最新情况”，2022 年 10 月 11 日。可查阅 [www.humanitarianresponse.info/en/operations/south-sudan/document/south-sudan-flash-update-developments-kodok-upper-nile-11-october](http://www.humanitarianresponse.info/en/operations/south-sudan/document/south-sudan-flash-update-developments-kodok-upper-nile-11-october)。

<sup>76</sup> 2022 年 9 月，电话采访上尼罗州的安全人员、人权观察员以及社区团体。

食严重无保障”，这是自独立以来记录的最糟糕情况。<sup>77</sup> 预计约有 140 万儿童会严重营养不良，自 2021 年以来，严重营养不良儿童的入院人数也在增加。<sup>78</sup>

54. 接受专家小组采访的人道主义者强调，由多种复合因素造成的紧急情况，导致人道主义状况多年来不断恶化。<sup>79</sup> 同样的民众现在通常多次受到多重危机的影响。救援人员谈到创伤深重以及流离失所地点拥挤不堪时说“在那里几乎听不到人的声音”。<sup>80</sup>

55. 洪水席卷全国，援助机构评估，南苏丹十个州中有九个州超过 90 万人受到影响。<sup>81</sup> 洪水还造成大量人员流离失所，洪水淹没了农田和牧场，使运送援助物资方面已经相当困难的后勤问题雪上加霜。

56. 地方暴力导致人道主义援助准入减少，援助工作者成了暴力袭击目标。对救援人员而言，南苏丹仍然是世界上最危险的地方，截至 2022 年 9 月，在执行任务时丧生的救援人员达到 8 人，这已经超过了 2021 年全年的总数 5 人。<sup>82</sup> 在一起事件中，与民族拯救阵线有关联的武装分子在中赤道州大耶伊地区绑架了大约 12 名当地卫生工作者。<sup>83</sup> 参与管理疫苗接种运动的卫生工作者被该阵线指控代表政府进行人口普查。<sup>84</sup>

57. 2022 年 5 月以来，南苏丹镑贬值幅度也超过 50%，在推高进口成本的同时，严重影响民众购买力。<sup>85</sup> 2022 年 5 月以来，全国大部分地区的食物费用以历史

<sup>77</sup> 世界粮食计划署(粮食署)南苏丹，《国家简报》，2022 年 7 月。另见粮食署，“南苏丹：粮食援助因资金枯竭而暂停，国家面临独立以来最饥饿的一年”，2022 年 6 月 14 日，可查阅 [www.wfp.org/stories/south-sudan-food-assistance-suspended-funding-dries-and-nation-faces-hungriest-year](http://www.wfp.org/stories/south-sudan-food-assistance-suspended-funding-dries-and-nation-faces-hungriest-year)；和 Eye Radio，“UN data: South Sudan's population falters around 11 million”，13 July 2022, 可查阅 [www.eyeradio.org/un-data-south-sudans-population-falters-around-11-million](http://www.eyeradio.org/un-data-south-sudans-population-falters-around-11-million)。

<sup>78</sup> 同上。另见人道主义事务协调厅，“南苏丹人道主义概况——2022 年 9 月”，2022 年 10 月 11 日，可查阅 [www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-snapshot-september-2022](http://www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-snapshot-september-2022)。

<sup>79</sup> 2022 年 10 月，采访人道主义者。

<sup>80</sup> 同上。

<sup>81</sup> 人道主义事务协调厅，《南苏丹洪灾情况简述 2》，2022 年 10 月 11 日，可查阅 [www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-flooding-snapshot-2-october-11-2022](http://www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-flooding-snapshot-2-october-11-2022)。另见国际危机组织，“南苏丹的洪水、流离失所和暴力问题”，2022 年 10 月，可查阅 <https://southsudan.crisisgroup.org>。

<sup>82</sup> 人道主义事务协调厅，“南苏丹人道主义局势不断恶化，针对平民和人道主义工作者的暴力行为上升”，新闻稿，2022 年 9 月 30 日。可查阅 [www.humanitarianresponse.info/en/operations/south-sudan/document/press-release-hc-statement-ingo-whh-staff-killed-2022-september-30](http://www.humanitarianresponse.info/en/operations/south-sudan/document/press-release-hc-statement-ingo-whh-staff-killed-2022-september-30)。

<sup>83</sup> 2022 年 9 月至 10 月，采访国际观察员、人权活动家和民间社会代表以及专家小组获得的报告。

<sup>84</sup> 专家小组获得的报告。

<sup>85</sup> 比较 2022 年 5 月和 10 月的官方汇率。

高速增长。<sup>86</sup> 此外，由于政府和军队的薪金没有支付，检查站和其他阻碍人道主义准入的障碍激增，使提供援助更具挑战性。<sup>87</sup>

## B. 地方暴力破坏粮食安全

58. 地方暴力继续使数万平民流离失所，一些人认为，袭击平民是故意行为，目的是最大限度地扩大袭击对粮食安全的影响，例如在关键的种植或收获季节使民众流离失所。<sup>88</sup>

59. 例如，2022 年 4 月，政府在团结州莱尔县(第一副总统里克·马查尔的家乡)苏丹人民解放军反对派控制区对平民发动了军事行动。当地县专员及其副手在南苏丹人民国防军部队的支持下，广泛利用来自科奇县和 Mayendit 县的努维尔族青年民兵袭击平民，致使平民流离失所。<sup>89</sup>

60. 由于这种暴力和流离失所发生在种植季节的早期，当地居民错过了整个种植周期，加上随后的洪水，在莱尔多地造成了 5 级饥荒，而且预计饥荒至少会持续到 2023 年年中。<sup>90</sup>

## C. 为军队采购粮食

61. 然而，政府为军队采购了大量粮食。

62. 2022 年 9 月，南苏丹人民国防军收到了 Amo 投资有限公司的一大批粮食。<sup>91</sup> 公司董事长库尔·阿京·阿特出席了交付仪式。<sup>92</sup> 专家小组在其 2022 年最后报告(S/2022/359)中报告了政府通过 6.5 亿美元石油担保贷款，努力为与阿特先生的 Amuk Trading and Investment 有限公司达成预算外军事粮食采购交易提供资金，这远远超

<sup>86</sup> 2022 年 6 月，采访人道主义行为体。另见人道主义事务协调厅，“2022 年 5 月南苏丹人道主义概况”，可查阅 [www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-access-snapshot-may-2022](http://www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-access-snapshot-may-2022)；现金工作组，联合市场监测倡议调查结果，2022 年 5 月 9 日至 15 日，2022 年 6 月 22 日，可查阅 [www.impact-repository.org/document/reach/117f6c2f/SSD-JMMI\\_Factsheet-May-2022-final2.pdf](http://www.impact-repository.org/document/reach/117f6c2f/SSD-JMMI_Factsheet-May-2022-final2.pdf)。

<sup>87</sup> 2022 年 6 月至 10 月，采访人道主义行为体。

<sup>88</sup> 同上。

<sup>89</sup> 专家小组获得的报告、图片和音频。采访当地和国家政治家、国家和国际监测员、人道主义者和民间社会组织。2022 年 4 月至 8 月。停火和过渡期安全安排监测和核查机制主席在技术委员会一次会议上的发言，2022 年 4 月 25 日。

<sup>90</sup> 2022 年 8 月至 10 月，电话采访人道主义者。

<sup>91</sup> 见附件 22。

<sup>92</sup> 南苏丹广播公司，专家小组存档的新闻广播。该公司的公司名有 Amo、Amou、Amok、Amuk Trading and Investment Company。专家组获得的文件显示，该公司成立于 2019 年 11 月，就在库尔·阿京·阿特和 Lou for Trading and Investment Company Limited 因贿赂和采购相关腐败行为被美国财政部制裁后不久。南苏丹广播公司的广播和专家小组的采访也证实，库尔·阿京·阿特是 Amo/Amou/Amok/Amuk 贸易公司的主要代表。另见 The Sentry, “Sanctioned South Sudanese Businessmen Are Skirting US Sanctions”, October 2021, 可查阅 <https://thesentry.org/reports/south-sudanese-skirting-sanctions>。

过了全年用于安全部门货物和服务的 3 900 万美元预算。南苏丹人民国防军人员向专家小组证实，这些粮食供应是给南苏丹人民国防军而不是必要联合部队的。<sup>93</sup>

63. 军队的采购做法受到的监督仍然有限。虽然采购工作表面上由国防和退伍军人事务部开展，但基尔总统在统一最高指挥结构期间单方面在南苏丹人民国防军内设立了军事采购主任一职，使该部队能够继续开展自己的独立采购工作。<sup>94</sup>

## 五. 对严重侵权行为的问责仍然有限

64. 2022 年 4 月 5 日，基尔总统宣布根据和平协议第 5.2 条设立真相、和解和消除创伤委员会。<sup>95</sup> 在随后的几个月里，政府还在马约姆、<sup>96</sup> Rualbet、<sup>97</sup> 卡约凯吉、<sup>98</sup> 莱尔<sup>99</sup> 以及东赤道州<sup>100</sup> 发生引人注目的事件后宣布成立调查委员会。

65. 截至 2022 年 11 月，这些调查的结果尚未公布，根据和平协议第 5 章设立南苏丹问题混合法庭工作进展甚微。几名官员和观察员强调，这些问责举措可能主要侧重于恢复南苏丹人民国防军的形象。<sup>101</sup> 几名军事犯罪嫌疑人已被安排休假或轮调到其他地点。<sup>102</sup>

### A. 卡约凯吉杀戮事件

66. 2022 年 5 月 26 日，南苏丹人民国防军部队在中赤道州卡约凯吉附近的 Kiri 村围捕了三名平民，带他们走了一小段路，然后未经审判或审问就将他们处决。<sup>103</sup> 将

<sup>93</sup> 2022 年 10 月，采访军方官员。

<sup>94</sup> 专家小组存档的文件。

<sup>95</sup> 总统 2022 年 4 月 5 日发表的讲话，专家小组存档。

<sup>96</sup> 2022 年 9 月 12 日总统办公室的声明。

<sup>97</sup> 同上。

<sup>98</sup> The Radio Community, “Committee formed to investigate killing of three civilians in Kajo-Keji”, 30 May 2022, 可查阅 <https://theradiocommunity.org/committee-forms-to-investigate-killing-of-three-civilians-in-kajo-keji>; 和 Eye Radio, “Gov.Adil forms committee to investigate Kajo-Keji incident”, 2 June 2022, 可查阅 [www.eyeradio.org/gov-adil-forms-committee-to-investigate-kajo-keji-incident](http://www.eyeradio.org/gov-adil-forms-committee-to-investigate-kajo-keji-incident)。

<sup>99</sup> 2022 年 9 月 15 日，总统办公室的声明。2022 年 10 月 14 日，州委员会又成立了一个实况调查委员会。

<sup>100</sup> Eye Radio, “Kiir to form committee to probe Magwi violence, summons Lobong and others”, 14 May 2022, 可查阅 [www.eyeradio.org/kiir-to-form-committee-to-probe-magwi-violence-summons-lobong-and-others](http://www.eyeradio.org/kiir-to-form-committee-to-probe-magwi-violence-summons-lobong-and-others)。

<sup>101</sup> 2022 年 10 月，采访南苏丹人民国防军一名高级军官、政府官员和国际观察员。

<sup>102</sup> 2022 年 10 月，采访政府和军方高级官员以及民间社会成员。

<sup>103</sup> 2022 年 6 月，采访当地平民、国家和国际观察员。另见人权观察，“Execution-Style Killings Emblematic of Impunity by South Sudan Army”, 1 June 2022, 可查阅 [www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army](http://www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army)。见附件 23、24、25 和 26。

这三名平民杀害很可能是为早些时候在该地区死亡的一名士兵报仇。<sup>104</sup> 在随后的几个小时里，士兵们返回村庄，殴打当地人，没收手机，又拘留了一些平民。<sup>105</sup>

67. 南苏丹人民国防军最初否认知悉此事。<sup>106</sup> 然而，随着照片证据的出现，政府宣布成立一个由不同安全机构成员组成的实况调查委员会，所有这些人都与政府关系密切。<sup>107</sup>

68. 向记者提供目击证人证词的当地平民受到了士兵的骚扰，一些人随后逃离了家园。<sup>108</sup> 在政府宣布成立实况调查委员会后，至少有一名证人及其家人在乌干达被南苏丹安全人员追捕。<sup>109</sup> 至少有一次，证人被南苏丹特工从坎帕拉的家中强行带走，并受到了处决威胁。<sup>110</sup>

69. 2022 年 9 月，一名与杀戮事件有牵连的当地指挥官被轮调到了卡约凯吉以外的其他地方。<sup>111</sup>

## B. 耶伊军事法庭

70. 2022 年 3 月，南苏丹人民国防军两名士兵在政府军与民族拯救阵线发生冲突过程中，在中赤道州耶伊镇以西的阿贝吉附近被打死。不久之后，一群士兵对邻近村庄的平民进行报复性杀戮、抢劫、强奸和酷刑，导致大量人员流离失所。<sup>112</sup> 面对这种情况，政府将十几名士兵召回耶伊镇的军营，并宣布拘留 16 名士兵，交由耶伊军事法庭审判。<sup>113</sup>

<sup>104</sup> Sudans Post, “South Sudan army soldiers murder 3 civilians in gruesome killing in Kajo-Keji”, 27 May 2022, 可查阅 [www.sudanspost.com/south-sudan-army-soldiers-murder-3-civilians-in-gruesome-killing-in-kajo-keji](http://www.sudanspost.com/south-sudan-army-soldiers-murder-3-civilians-in-gruesome-killing-in-kajo-keji)。

<sup>105</sup> 2022 年 6 月，采访当地平民、国家和国际观察员。另见人权观察，“Execution-Style Killings Emblematic of Impunity by South Sudan Army”，可查阅 [www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army](http://www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army)。

<sup>106</sup> The City Review, “SSPDF ‘yet to receive reports on Kajo Keji killings’”, 29 May 2022, 可查阅 <https://cityreviewss.com/sspdf-yet-to-receive-reports-on-kajo-keji-killings>。

<sup>107</sup> Eye Radio, “SSPDF chief seeks probe over Kajo-Keji killings”, 1 June 2022, 可查阅 [www.eyeradio.org/sspdf-chief-seeks-probe-over-kajo-keji-killings](http://www.eyeradio.org/sspdf-chief-seeks-probe-over-kajo-keji-killings)。

<sup>108</sup> 同上，“‘We are hunted for speaking to media,’ Kajo-Keji residents”，4 June 2022, 可查阅 [www.eyeradio.org/we-are-hunted-for-speaking-to-media-kejo-keji-residents](http://www.eyeradio.org/we-are-hunted-for-speaking-to-media-kejo-keji-residents)。

<sup>109</sup> 2022 年 9 月和 10 月，采访乌干达受影响人员和其他观察员。乌干达当局的正式调查报告，专家小组存档。

<sup>110</sup> 同上。

<sup>111</sup> 专家小组获得的报告。另见 Western Equatoria News, “Government installs new garrison commander for Kajo Keji County”, 29 September 2022。

<sup>112</sup> 2022 年 3 月至 6 月，采访民间社会成员和国际观察员的报告。

<sup>113</sup> 同上，另见 The City Review, “16 SSPDF officers detained over lootings, killings”, 30 March 2022, 可查阅 <https://cityreviewss.com/16-sspdf-officers-detained-over-looting-killings>；Radio Tamazuj, “About 16 SSPDF officers to face trial over atrocities in Yei”, 11 April 2022, 可查阅 [www.radiotamazuj.org/en/news/article/about-16-sspdf-officers-to-face-trial-over-atrocities-in-yei](http://www.radiotamazuj.org/en/news/article/about-16-sspdf-officers-to-face-trial-over-atrocities-in-yei)。

71. 2022 年 4 月，南苏丹人民国防军宣布审判推迟，并建议将扩大军事法庭程序，以便将耶伊长期积压的其他案件包括进来。<sup>114</sup> 在此期间，社区与南苏丹人民国防军之间匆忙启动了和解进程，据一些观察员说，其中涉及到胁迫平民。<sup>115</sup>

72. 2022 年 5 月，政府宣布，将在军事法庭审理 45 起案件，这些案件的时间可追溯到 2016 年，涉及 55 名犯罪人，其中包括平民。<sup>116</sup> 审判于 2022 年 6 月开始，同月结束，据报存在几个问题，包括在军事法庭审判几名平民，没有法律代理和翻译以及受害者缺乏隐私和保护。<sup>117</sup>

73. 在阿贝吉，很少有士兵被判犯有暴力罪，也没有对指挥责任进行调查。<sup>118</sup> 所有被定罪的士兵都来自低级军衔，有几个随后被调离耶伊。<sup>119</sup>

## 六. 区域和国际接触

### A. 区域安全合作与培训

74. 一系列区域安全合作协定加深了南苏丹与邻国的关系。专家小组记录了若干区域培训方案以及向南苏丹安全部队提供非致命性军事装备的情况。在大多数情况下，培训看起来已使南苏丹人民国防军、国家安全署和尚未编入必要联合部队的警察部队受益。

75. 卢旺达国家警察局于 2022 年 3 月宣布开设为期一年的警察高级指挥和参谋课程，招收对象包括来自南苏丹的警官。<sup>120</sup>

76. 据肯尼亚国防部称，2022 年 3 月，几名南苏丹安全部门成员从纳库鲁县肯尼亚军事学院举办的总务军官学员培训班毕业。<sup>121</sup>

<sup>114</sup> Number One Citizen, “Yei locals urged to report offences committed by soldiers”, 26 April 2022, 可查阅 <https://onecitizendaily.com/index.php/2022/04/26/yei-locals-urged-to-report-offences-committed-by-soldiers>; 同上, “Military court adjourned amidst Iftar festival, official”, 30 April 2022, 可查阅 <https://onecitizendaily.com/index.php/2022/04/30/military-court-adjourned-amidst-iftar-festival-official>。

<sup>115</sup> 2022 年 4 月，采访民间社会监督员。

<sup>116</sup> Number One Citizen, “Over 40 to appear before military court martial”, 11 May 2022, 可查阅 <https://onecitizendaily.com/index.php/2022/05/11/over-40-to-appear-before-military-court-martial>。

<sup>117</sup> 2022 年 6 月至 10 月，采访国家和国际观察员；经专家小组获得的报告证实。

<sup>118</sup> 同上。

<sup>119</sup> 同上。

<sup>120</sup> 卢旺达国家警察网站, “Police senior command and staff course students start study tour”, 14 March 2022, 可查阅 [www.police.gov.rw/media-archives/news-detail/news/police-senior-command-and-staff-course-students-start-study-tour](http://www.police.gov.rw/media-archives/news-detail/news/police-senior-command-and-staff-course-students-start-study-tour)。

<sup>121</sup> 肯尼亚广播公司, “President Kenyatta lauds modernization of Kenya’s military training”, 31 March 2022, 可查阅 [www.kbc.co.ke/president-kenyatta-lauds-modernization-of-kenyas-military-training](http://www.kbc.co.ke/president-kenyatta-lauds-modernization-of-kenyas-military-training)。肯尼亚国防部网站, “President Uhuru commissions first batch of graduate general service officers”, 1 April 2022, 可查阅 <https://mod.go.ke/news/president-uhuru-commissions-first-batch-of-graduate-general-service-officers>。

77. 此外，2022 年 5 月 27 日至 6 月 16 日，南苏丹部队参加了乌干达在金贾主办的东非共同体待命部队的训练。该方案的目标是培训部队能够向各种行动、灾害管理、反恐和打击海盗提供支持。<sup>122</sup> 南苏丹还将向东非共同体在刚果民主共和国东部的区域部队部署派遣一个营的南苏丹人民国防军。<sup>123</sup>

78. 2022 年 8 月，一个由南苏丹高级安全官员组成的代表团前往亚的斯亚贝巴，与埃塞俄比亚同行签署了一项安全合作协议。<sup>124</sup> 8 月 12 日，受制裁个人詹姆斯·科昂·朱沃尔(SSi.003)在朱巴会见了埃塞俄比亚国防军高级代表，并在会后接受媒体采访时证实，“数百名南苏丹军官和官员”将接受埃塞俄比亚军方的培训。<sup>125</sup>

79. 专家小组的采访和南苏丹新闻广播也证实，2022 年 8 月从苏丹运送来两批军事装备。<sup>126</sup> 据报，这批货物包括制服和其他非致命性装备，用途是向必要联合部队结业提供支持。<sup>127</sup>

## B. 国际接触

80. 南苏丹政府加强了与沙特阿拉伯、阿拉伯联合酋长国和其他海湾国家的接触。由海湾国家经营的公司是南苏丹原油的最主要买家，也是政府的贷款人。<sup>128</sup> 2022 年至今，基尔总统至少五次访问阿拉伯联合酋长国，其他商业和政府代表团也访问了朱巴。<sup>129</sup> 2022 年，南苏丹与沙特阿拉伯政府还在朱巴和利雅得举行了 5 次高级别会议。<sup>130</sup>

## 七. 公共财政分散

81. 在国家和地方层面积累和维护权力需要有创造和分配收入的能力。<sup>131</sup> 正如之前所描述的通季紧张局势所示，这就造成了对国家和地方各级权力职位的竞争。

82. 此外，这种情况还鼓励将南苏丹的财政分割成个人可以控制的预算和账户，破坏了将南苏丹收入集中并对其进行有意义监督的平行努力。

<sup>122</sup> 乌干达城市电视台的广播，由专家小组存档。

<sup>123</sup> 2022 年 10 月，专家小组采访政府官员；经专家小组存档的各种广播证实。

<sup>124</sup> 南苏丹广播公司新闻广播，2022 年 8 月 14 日和 8 月 16 日。

<sup>125</sup> 同上，2022 年 8 月 12 日。另见 S/2022/359。

<sup>126</sup> 2022 年 8 月，专家小组访谈。另见 Eye Radio, “Unified peace forces receive combat wears”, 26 August 2022, 可查阅 [www.eyeradio.org/unified-peace-forces-receive-combat-wears](http://www.eyeradio.org/unified-peace-forces-receive-combat-wears)。

<sup>127</sup> 同上；专家小组存档的南苏丹广播公司访谈。

<sup>128</sup> 见 S/2022/359。

<sup>129</sup> 专家小组存档的总统办公室的各种声明。

<sup>130</sup> 同上。

<sup>131</sup> 2022 年 7 月至 10 月，采访政府官员和国际观察员；经专家小组存档的财政与计划部提供的文件证实。

83. 公共资金、特别是石油收入继续被挪用到预算进程之外管理的账户和项目，就说明了这一点。这种转移有可能破坏南苏丹公共财政管理改革的影响，其中许多改革侧重于预算进程。

84. 2021/22 财年上半年就是一个生动的例证。在此期间，政府收到了 5.35 亿美元以上的石油收入，<sup>132</sup> 但没有一笔收入进入国库账户支付薪金和各部预算的账户。<sup>133</sup>

85. 50% 以上的石油收入，即 2.68 亿美元，分配给了专家小组前几份报告详述的石油换公路方案。<sup>134</sup> 额外的拨款直接拨给石油部(3%)和尼罗河石油公司。<sup>135</sup> 尽管议会和石油部都呼吁将尼罗河石油公司置于石油部的控制之下，但尼罗河石油公司仍由总统办公室控制。<sup>136</sup>

86. 此外，这些数字揭示了南苏丹在多大程度上继续依赖商业借贷来填补财政缺口。<sup>137</sup> 在 2021/22 财政年度的上半年，约 2 亿美元被分配用于偿还南苏丹国家投资开发银行以前未报告的贷款，该银行自 2020 年 10 月以来一直向政府提供短期信贷。<sup>138</sup> 这些贷款以滚动方式偿还，累计金额超过 6.75 亿美元，其中 5.4 亿美元是在 2021/22 财政年度借入的。<sup>139</sup> 另外还从国际货币基金组织获得了 1.5 亿美元。<sup>140</sup>

87. 从现有的支出报告来看，并不清楚这些贷款是如何使用的，也不清楚自 2020 年 10 月以来为何一直在寻求短期信贷。财政与计划部编制的文件在这一期间的预算内支出中仅占 1 070 亿南苏丹镑(约 2.37 亿美元)。<sup>141</sup>

88. 除了石油换公路方案之外，这一缺口有助于解释为什么尽管南苏丹的预算面临财政压力，但临时性的非预算支出，如为军队采购车辆和食品，仍然可以进行。

<sup>132</sup> 所涉期间为 2021 年 7 月至 12 月。采访从南苏丹购买原油的贸易商以及信函往来以及专家小组存档的政府文件。

<sup>133</sup> 经专家小组存档的财政与计划部编写的文件证实。

<sup>134</sup> 见 S/2021/365 和 S/2020/1141。

<sup>135</sup> 专家小组存档的文件。2022 年 8 月至 10 月，采访政府官员。

<sup>136</sup> 重振后的过渡期国民议会三读 2022/23 年度预算；专家小组存档的文件。

<sup>137</sup> 专家小组 2022 年最后报告(S/2022/359)详细说明了 2019 年一笔以前未报告的 5.29 亿美元贷款。另见附件 27。

<sup>138</sup> 专家组存档的机密文件，同时得到南苏丹财政和规划部编写的文件以及与机密消息来源的约谈内容的证实，2022 年 9 月至 11 月。

<sup>139</sup> 同上。

<sup>140</sup> 国际货币基金组织，第 22/266 号国别报告，“2022 年第四条磋商和工作人员监测的规划第二次审查”，2022 年 7 月。可查阅 [www.imf.org/-/media/Files/Publications/CR/2022/English/1SSD EA2022001.ashx](http://www.imf.org/-/media/Files/Publications/CR/2022/English/1SSD EA2022001.ashx)。

<sup>141</sup> 经专家小组存档的财政与计划部编写的文件证实。

89. 2022/23 年度预算显示赤字约为 5 600 亿南苏丹镑，造成了借入额外资金或减少工资和其他预算项目支出的压力。此外，已从国家投资开发银行借款 1.35 亿美元，专家小组看到的数字显示，南苏丹中央银行也有大量借款，2022 年 3 月至 8 月期间，南苏丹中央银行印刷了超过 2 700 亿南苏丹镑(4.23 亿美元)，<sup>142</sup> 与此同时，南苏丹镑大幅贬值。

90. 此外，专家小组收到的证词表明，南苏丹继续维持每天约 19 000 至 25 000 桶的石油实物转让，尽管过渡财政安排已于 2022 年 2 月左右付清。<sup>143</sup> 虽然南苏丹仍然向苏丹支付使用管道运输石油的费用，但欠苏丹的数额现在大大减少，苏丹因此很可能对南苏丹累积了超过 3 亿美元的债务。<sup>144</sup> 对这些转让的核算有限，使其很容易被挪用或侵吞。

## 八. 结论

91. 2022 年 10 月，朱巴辅理主教 Santo Loku Pio Daggale 认为，“没有人可以独享和平，这是不可能的，如果不是南苏丹的所有角落都实现了和平，那么就没有和平可言”。<sup>145</sup> 对南苏丹大多数人来说，这些话并非虚言。为确保今后两年的过渡期能够起到前四年没有起到的作用，需要大量的政府意愿、资源和目标明确的国际支持。

## 九. 建议

92. 专家小组建议南苏丹政府：

(a) 公布官方实况调查报告的调查结果和地方重大暴力事件，包括发生在马约姆、Rualbet、卡约凯吉和莱尔的重大暴力事件的调查结论；

(b) 通过普通预算程序管理石油换道路方案，以确保相关公共资金的分配和支出更加透明，同时加强监督。

93. 专家小组建议安全理事会关于南苏丹的第 2206(2015)号决议所设委员会：

(a) 向南苏丹政府重申第 2428(2018)号决议第 4 和第 5 段详述并经第 2633(2022)号决议第 2 段修订的豁免和通知要求；

<sup>142</sup> 专家小组存档的南苏丹中央银行编写的一份文件详细说明了 2022 年 3 月 9 日至 8 月 12 日期间政府借款 271 813 538 906.32 南苏丹镑。该行 2022 年 8 月的统计公报详细列出了 2022 年 3 月至 8 月期间约 3 050 亿南苏丹镑的借款。根据南苏丹银行的数据，2022 年 8 月底，1 美元兑换约 634 南苏丹镑。

<sup>143</sup> 2022 年 7 月至 10 月，采访政府官员和国际观察员；经专家小组获得的报告证实。

<sup>144</sup> 国际货币基金组织，第 22/266 号国别报告。

<sup>145</sup> Eye Radio, “‘They lie to you, peace only benefits politicians’, says Bishop Santo”, 11 October 2022。可查阅 [www.eyeradio.org/they-lie-to-you-peace-only-benefits-politicians-says-bishop-santo](http://www.eyeradio.org/they-lie-to-you-peace-only-benefits-politicians-says-bishop-santo)。

(b) 向东非共同体成员国和与南苏丹接壤的所有会员国重申，提供与军事活动有关的技术、培训、财政或其他援助属于第 2428(2018)号决议第 4 和第 5 段规定的武器禁运范围；

(c) 考虑制定一个培训豁免申请模板，具体说明是向南苏丹必要联合部队还是向安全部门其他分支机构提供培训；

(d) 向会员国重申，根据委员会工作准则第 12(d)款、根据第 2428(2018)号决议第 5 段和第 2633(2022)号决议第 2 段发出的所有通知或豁免请求应特别包含最终用户的名称，包括说明该用户是否是必要联合部队的一部分。

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**Annex 1: Speech by President Salva Kiir on the extension of transitional period, dated 4 August 2022**

**The Republic of South Sudan  
Speech by His Excellency, the President on the extension of R-  
ARCSS**

August 4, 2022

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- Your Excellency, Dr. Riek Machar, First Vice President of the Republic
- Your Excellences, Vice Presidents of the Republic
- Right Honorable, Jemma Nunu Kumba, Speaker of R-TNLA
- Honorable ministers of R-TgoNU
- Members of National Legislature
- Members of diplomatic Corps
- Representatives of Civil Society present
- Invited guests.

**Ladies and gentlemen**

Today, I am informing the people of South Sudan that the political parties who signed the Revitalized Agreement on Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) have unanimously agreed to a 24-month extension of the interim period. I want you to understand why we reached this decision.

As seen in the unanimous decision across political parties, we are not extending the transition because I want to stay in the government longer. We don't want to rush you into an election that will take us back to war. I have been fighting since I was a teenager when I joined the first Anyanya, and I spent 50 years in the armed struggle so that

you could feel the same dignity that many others worldwide feel. Nothing compares to the happiness I felt as the SPLM/A delivered your independence.

When we founded the Government of the Republic of South Sudan, we had the opportunity to build a country we would all cherish and defend. But, as your leaders, we lost focus after independence. Instead of building an effective state and cohesive nation, we began fighting among ourselves for power. As a result, we took you back to an even more bitter war where brothers fought themselves for seats.

The revitalized agreement was our chance to correct our mistakes, and I do not underestimate or dismiss what we have achieved already through this agreement. We have stabilized the country and established a framework to transform the state by building effective institutions. Due to unforeseen circumstances, we had to finance the agreement alone amid other serious priorities, like a bloated government and catastrophic flooding. As a result, significant issues remain unimplemented. Among these, we must prioritize some to succeed as a country.

I consider the reunification of the army, constitution-making, and the conduct of a census necessary to implement elections and establish a new government without reverting to war. Reunifying the army means we would protect the outcomes of the elections against spoilers who would use it as an occasion for violence. The constitution-making process will determine what type of government we need - decentralized, centralized, federal, parliamentary, presidential, etc. These choices, if wisely decided, will set South Sudan on a course of progress for centuries to come. The census will provide

the evidence upon which we will determine the details of voting, state formation, and nation-building. We will redouble our efforts to complete these to lead you to a successful election and build an effective government.

While Article 8.4 says that two-thirds of the parties can amend the agreement, Riek Machar and others unanimously decided to extend the transition period. Our shared intention is to take you to a peaceful election. While we want to implement the agreement entirely, we must be realistic. We did not even implement the mighty CPA fully, yet it remains a historic accomplishment that none will deny or reverse. Therefore, we have decided to prepare the soil over the next 24 months to plant the seeds of South Sudan's elections with a unified army, visionary constitution, and firm understanding of our country upon which to build a government that can complete the war on poverty, ignorance, and hopelessness.

While we deliver this message with heavy hearts, we nonetheless have clear minds. We know this transitional government is not what you deserve, but it is better than war. So, we extend the transition period as a pragmatic and realistic choice for 24 months of healing and consolidating.

Others, like myself, spent their entire lives struggling for the dignity of the South Sudanese people. I close this message by calling on two of them, in particular, to come back to South Sudan and collaborate with us in creating conditions for a complete political transition from war to lasting peace. Comrades Pagan Amum and Thomas Cirilo should come back home and join hands with us in Juba, like some of their comrades have. We were together in the liberation, and while we have deferred, we need them to join us now to set history on a correct course.

Thank you

## Annex 2: Statement National Democratic Movement on the extension of the transitional period, dated 4 August 2022



**National Democratic Movement**  
(NDM)



**Chairman**

Date: 4 August 2022

### **Statement on the extension of the transitional period of R-ARCSS**

We followed today, the 4<sup>th</sup> of August, the function organized by the President of the Republic for the extension of the transitional period beyond 22 February 2023. The NDM would like to make its position clear on this matter.

- 1- All along the implementation process we have all observed deliberate stalling, obstruction and selective implementation of some provisions of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). There were even cases of clear violations of the agreement by the major Party in it. Today, four (4) years since the R-ARCSS was signed on 12 September 2018, the Parties have not completed implementing the activities earmarked for the Pre-Transitional Period which was to be for 8 months only, such as the unification of the forces and completing the formation of government structures which remain outstanding. Nothing was done regarding the activities of the Transitional Period which started on 22 February 2020. It was clear that these deliberate obstructions of the agreement were driving at the extension of the transitional period for the regime to buy more time in power.
- 2- Driven by its total commitment to R-ARCSS, the NDM has been consistent in pointing out moves meant to stonewall the implementation of the peace agreement and has been putting forward practical suggestions to the Parties and Guarantors on how to accelerate the implementation process, even to forego some provisions, so that the elections are conducted on time. This was necessary not only to end the vicious cycle of transitional governments the country has been reeling under since 2005, but most importantly to avail the opportunity for the South Sudanese to vote for the first time since the country became independent eleven (11) years ago so as to elect a government that can truly represent them. All these suggestions went unheeded.

- 3- We are cynically told today that because the necessary prerequisites for conducting a free, fair and credible election have not been implemented, it was necessary to extend the transitional period under the same administration that has been responsible for the failure and deliberate obstruction of implementing the same for the last four (4) years. For sure, this extension has nothing to do with the implementation of R-ARCSS but more to do with staying in power for as long as possible. No number of extensions will ever change the equation.
- 4- Sadly, some of those who have been on the receiving end all this time have joined the bandwagon wanting to believe in the specious argument that the alternative to extension is the unravelling of the agreement or what they called Square One! It is an empty scare tactics. It is also a flawed argument and the NDM did present a plan to RJMEC on 19 June 2022 titled "A roadmap for the general elections in South Sudan" suggesting the way forward which was neither blanket extension nor for sure suggesting going to Square One.
- 5- Our roadmap was based on the realization that the prerequisites for conducting credible elections were not fulfilled, and hence it wouldn't be possible to carry out free, fair and credible elections by 22 December 2022 as planned. Based on this reality what was required was to work out a new timetable for elections based on the implementation of the prerequisites. If that timetable goes beyond 22 February 2023, then a new transitional period is to be worked out to cover that extra time needed to conduct the elections. Both the timetable and the new setup beyond February 2023 have to be agreed in an inclusive conference of all the active forces in South Sudan: the Parties and Stakeholders to R-ARCSS, the civil society organizations and the holdout groups who are now in negotiations with the government. Since the President had a special mention of some of the hold out groups, why exclude them from discussing the way forward? That conference was to be held outside South Sudan and mediated/facilitated by IGAD, AU or UN (this trio is carrying out a similar role in Sudan) and witnessed by the Troika, EU and other friends of South Sudan. The government whose mandate and legitimacy expires on 22 February 2023 cannot arrogate to itself a matter which concerns the future of the whole country. The South Sudanese needed to be consulted to find out if they can trust a government that has failed to take them to elections in four years and still counting to do so in two more years. Those in government should have even been conscious enough about the conflict of interests in the decision they have taken.

- 6- The roadmap which was unveiled today, is conspicuously silent on any explanation regarding why it was not possible to keep to the timetable of R-ARCSS, contains no guarantees as to how the two years will be different from the previous four, the extension is not tied to the elections timetable nor to the implementation of the outstanding activities, and no mention at all of an all-inclusive conference for the South Sudanese to discuss and agree on the way forward beyond 22 February 2023. It is that conference that would decide on the transitional administration that can be trusted to carry out the elections.

On the basis of the above the NDM, as a signatory to R-ARCSS, distances itself from the roadmap rolled out today as it is just nothing but increasing the time of stay of the current government in power. We advise our colleagues in government to revisit their stand and present what they signed today as their position in a round table conference of all the active political and civil society forces in South Sudan. That is the only legitimacy the South Sudanese will trust. There is still enough time for them to do so.

Our people are still suffering as the insecurity surges, the economy plummets, our refugees continue to languish in millions under difficult conditions in the refugees' camps and those remaining in the country face extreme humanitarian difficulties including hunger, disease, violations of human rights and floods. We should be mindful of them more than clinging to power that does not serve the very people we claim to represent. True leaders are those who put the interests of the people above their own.

  
Dr Lam Akol,  
Chairman of NDM



**Annex 3: Statement by South Sudan Women on the extension of the transitional period, dated 5 August 2022**

**South Sudanese Women**

**PRESS STATEMENT FOR IMMEDIATE RELEASE**

**Rejection of the Extension of the Revitalized Peace Agreement on the Resolution of Conflict in South Sudan (R-ARCSS)**

**August 5<sup>th</sup>, 2022**

South Sudanese women leaders and their constituencies express their extreme concerns about the extension of the transitional period for twenty-four months after February 2023.

We note that women and girls have suffered the most in South Sudan's internal conflict since 2013. They have been subjected to systematic sexual violence, including rape, and their access to socioeconomic justice and political participation have greatly diminished. Three years after the signing of the Revitalized Peace Agreement on the Resolution of Conflict in South Sudan (R-ARCSS), the agreement on power-sharing has neither ended the violence nor delivered the basic services to the suffering citizens.

The current government has failed the people of South Sudan several times in the last eleven years. It has failed to carry out its mandate, including implementing the peace agreement and protecting the civilians. Therefore, the extension of the transitional period under the current leadership would neither produce a real democracy nor end the suffering of the people.

Thus, there is a need for convening an inclusive conference that brings together various South Sudanese stakeholders, including representatives of the government, political parties, opposition groups, civil society, people with disabilities, women, and youth groups, traditional chiefs, the diaspora, faith-based groups, and friends of South Sudan, among others. The goal of the proposed conference is to discuss the way forward and to agree on an inclusive roadmap that leads to the formation of a new transitional administration, with a specific mandate and timelines, led by technocrats to stabilize the country and transition it to democracy.

*South Sudanese Women include civil society organizations, academia, entrepreneurs, faith-based, women with disabilities, and youth groups, among others.*

Email Contact: [ssudanesewomen@gmail.com](mailto:ssudanesewomen@gmail.com)

## Annex 4: Statement by The Voluntary Civil Society Taskforce on Implementation of the Peace Agreement on the extension of the transitional period, dated 4 August 2022



### The Voluntary Civil Society Taskforce on Implementation of the Peace Agreement

#### PRESS STATEMENT

#### Call for Inclusive and Consultative Process for Discussions of Road-Map on Implementation of Outstanding Provisions of the R-ARCSS

4<sup>th</sup> August 2022

We the Civil Society groups, express our concerns and outmost disappointment in the recent turn of events and especially how R-TNoGU has chosen to handle the process for developing a Road-Map on the implementation of outstanding provisions of R-ARCSS.

Acknowledging the continues lamentation from key actors within R-TGoNU trying to convince the public and friends of South Sudan that the Agreement is difficult to be implemented or rather not implementable. How would they alone develop a Road-Map for the same agreement without widely consulting the stakeholders?

After signing of R-ARCSS and following its incorporation into the Transitional Constitution of Republic of South Sudan (TCRSS) 2011 as amended, R-ARCSS become part of the social contract between the People and the Government and there are clear procedures outlined for any amendment to be introduce to the agreement by the parties or any person. Therefore, in our opinion the current processes of developing Road-Map, be it for implementation of outstanding provisions of the R-ARCSS within the remaining seven months or an extension, must be done through a credible, legitimate, inclusive and People Driven Processes. Therefore we wish to state the following:

- We consider the ongoing conversation on the purported developed Road-Map, as intra and inter parties' conversation, hence, we urge the parties to build consensus and convince the people of South Sudan that they indeed will honor their own Road-Map.
- The alleged "civil society consultations" as rightfully attributed to one entity within the civil society, is not enough. We wish to categorically state that this is not sufficient consultations and defeat the meaning and spirit of inclusivity as outlined in R-ARCSS.
- As representative of Civil Society groups and in an effort to echo the concerns of the public including the forces that have remained in the training centers and cantonment areas for way longer that one could humanly bear, we would wish to hear the parties clearly articulate what will they do different to realize the implementation of the remaining provision of the R-ARCSS in the next seven months.
- Any discourses pertaining renewal, remolding and rethinking of post February 2023 governance arrangement and political dispensation must include the participation of all stakeholders for realization of Inclusive People Driven Process.

End

*It is worth noting that the Voluntary Civil Society Taskforce on Implementation of Peace Agreement (The Taskforce) is a network of over 30 diverse and impartial civil society organizations (CSOs) with wider grassroots presence in 10 States and 3 Administrative Areas. The Taskforce works to ensure that there is genuine implementation of the peace agreement that paves way to peace and stability in South Sudan. For*

## **Annex 5: Statement by the National Salvation Front (NAS) on the extension of the transitional period, dated 8 August 2022**



**SOUTH SUDAN**  
Restoring Unity & Dignity of the People  
**National Salvation Front/ Army**  
**OFFICE OF THE SPOKESPERSON**  
**General Headquarters**

Ref: NAS/OSM/15

8<sup>th</sup> August 2022.

### **STATEMENT ON THE EXTENSION OF THE INTERIM PERIOD**

On 4<sup>th</sup> August 2022, the Revitalized Transitional Government of National Unity (R-TGoNU) under President Salva Kiir and First Vice President Dr. Riek Machar illegally extended the interim period giving themselves another twenty-four (24) months in power after February 2023. This illegal decision of the SPLM political elites in Juba has not come as a surprise to the National Salvation Front (NAS) as NAS has been monitoring and alerted the public of the secret political and diplomatic machinations that culminated into this decision.

NAS from the onset of the conception of the Revitalized Agreement on Resolution of Conflict in South Sudan (R-ARCSS) and its subsequent signing, rejected this agreement because it does not address the root causes of the conflict in the country. The extension of the life-span of R-ARCSS until 2025 means renewing the same futile agreement that has prolonged the suffering of the people of South Sudan and now taking the country to total collapse and disintegration.

The Leadership of NAS would like to state the following to the people of South Sudan and the International Community:

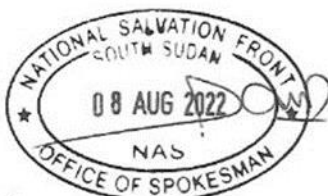
1. NAS Condemns in the strongest possible terms the illegal action of President Kiir and his peace partner the First Vice President Dr. Riek Macher on extending their period in office under the pretext of implementing the flawed R-ARCSS. Their sole aim is being in power and maintaining the status-quo.
2. NAS maintains its position that R-ARCSS is a flawed agreement and will not bring about sustainable peace and transformation in the country. The R-ARCSS has never addressed the root causes of the conflict in the country; hence, the extension of the interim period for another 24 months is prolonging the suffering of the people of South Sudan and thwarting sustainable peace.

Email: samuelsuba@yahoo.co.uk

3. The extension of the life-span of the R-TGoNU until 2025 means the extension of impunity, corruption, insecurity, inter-ethnic and intra-ethnic violence, obstruction of civil space and stifling of freedom of expression.
4. President Salva Kiir is on record on several occasions complaining that the R-ARCSS is designed not to be implemented because it is non-implementable. There is therefore no logic in the extension of something that is unimplementable.
5. NAS reiterates its strong conviction and commitment that durable peace can prevail in South Sudan only if the root causes of the conflict in South Sudan are addressed through all-inclusive and credible political process.
6. The call of President Salva Kiir on NAS Chairman and Commander-in-Chief, Gen. Thomas Cirillo Sawka to go to Juba to participate in peace building is futile attempt by President Kiir to distract the people of South Sudan from holding him to account for illegally clinging on to power and avoiding the root causes of the conflict that must be addressed to bring about sustainable peace. NAS calls on President Kiir to make a patriotic gesture to immediately step down and allow the people of South Sudan to chart their destiny towards sustainable peace and prosperity.
7. NAS urges IGAD, AU, TROIKA and the International Community to stand with the people of South Sudan in the rejection of the extension of the interim period of the R-ARCSS and support the people of South Sudan to chart a new way forward to end the war and achieve sustainable peace.
8. NAS calls on the people of South Sudan, political parties, civil society groups, faith-based groups, professionals, Women and Youth to reject and resist this illegal decision by Salva Kiir and Riek Machar and chart a way forward for the country.

**Suba Samuel Manase**

**NAS Spokesperson**



Email: samuelsuba@yahoo.co.uk

## Annex 6: Statement by the Like-minded stakeholders for a New Political Dispensation in South Sudan on the extension of the transitional period

### Statement of the Like-Minded Stakeholders for a New Political Dispensation in South Sudan on the unilateral extension of the Transitional Period by R-TGONU

The Like-Minded Stakeholders for a New Political Dispensation in South Sudan met on Saturday, 6th August 2022, convened by NSSOG and PCCA, to deliberate on the unilateral extension of the transitional period by the Revitalized Transitional Government of National Unity (R-TGoNU). The participants in the meeting consisted of the Non-Signatory South Sudanese Opposition groups (NSSOG) to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), other opposition movements, the People's Coalition for Civil Action (PCCA), other civil society organizations, women groups, youth associations, religious leaders, prominent personalities and issued the following statements:

1. We categorically and unequivocally reject another extension of the Transitional Period by R-TGoNU beyond its current expiry of February 2023. The R-ARCSS has already been extended twice in the Pre-Transitional Period and R-TGoNU has failed to achieve sustainable peace. President Salva Kiir has repeatedly said that "this agreement was designed not to be implemented." He made similar remarks about the initial ARCSS signed in August 2015 that it was "not a Bible nor a Koran", meaning it was open to violations.
2. We reiterate our position that the R-ARCSS is a flawed agreement that has not addressed the root causes of the conflict in the country and hence will not lead to sustainable peace. The agreement has only exacerbated the suffering of the people of South Sudan.
3. We call upon the people of South Sudan, in all their diversities, to unite and embark on broad-based consultative processes that would culminate in an inclusive political dialogue by all the South Sudanese stakeholders in a round table conference, in a neutral place, to agree on a new viable transitional arrangement

Finally we recognize and applaud the material and diplomatic support of regional and international partners for peace in our country and seize this opportunity to extend an open invitation to EAC, IGAD, AU, UN, TROIKA and indeed all other friends of South Sudan to help the people of South Sudan in their desire to unite and shape the future of their country through an inclusive national political process.

General Thomas Cirillo: NAS



General Paul Malong  
Awan: SSUF/A



Ambassador Emmanuel  
Ajawin: NDM-PF



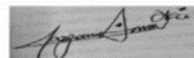
Mr Alex Yatta  
Lukadi: SSNMC




Ustaz Thomas Tut Doap:  
UDRM/A



Hon Pagan Amum  
Okiech: Real SPLM



Mr. Abraham Awolich:  
PCCA




Mr. Wol Deng Atak: UPDP



Mr. Abraham Lado Lolik: SSPR

Abraham lolik

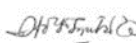
Ms Suzanne Jambo: STEPS




Ms Angela Tuna SAA



Dr Henry Lejukole, Academic & Professionals



**Annex 7: Proposal for Unified Military Front circulated by Stephen Buay Rolnyang, dated 19 October 2022**



**SOUTH SUDAN PEOPLE'S MOVEMENT/ARMY  
(SSPM/A)**

**OFFICE OF THE CHAIRMAN & COMMANDER-IN-CHIEF**

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**SSPM/A/10/015/2022** **19 October 2022**

To: General Paul Malong Awan -Chairman and commander-in-chief, SSUF/A  
 R: General Thomas Cirilo Swaka -Chairman and commander-in-Chief, NAS  
 R: General Simon Gatwech Dual -Chairman and Commander-in-Chief, SPLM/A-IO (Kitgwang)

**Re- Unified Front**

Dear Comrades,

I am writing to your comradeship requesting for the formation of a unified military front to challenge the regime physically in a joint military front to liberate the people of South Sudan from the dictatorship rule in Juba.

**Formation of Joint military High Command Council (JMHCC)**

S/N	Rank	Name in full	Position
1.	General	Paul Malong Awan	Commander -in-Chief of the Unified forces
2.	General	Thomas Cirilo Swaka	Deputy Commander-in-Chief of the Unified Forces
3.	General	Simon Gatwech Dual	Chief of General staff of Unified Forces
4.	General	Stephen Buay Rolnyang	Deputy Chief of General staff for Operations and Security
5.	General	From NAS	Deputy Chief of General staff for Admin and finance
6.	General	From SSUF/A	Deputy Chief of General staff for Logistics and Procurement
7.	General	From IO-Kitgwang	Deputy Chief of General Staff for Military Orientation

**Office of the chairman and commander-in-Chief**

1

## **2. Formation of the Unified Fronts.**

1. **1<sup>st</sup> Front** – Equatoria region to be commanded by a General officer from the NAS.
2. **2<sup>nd</sup> Front**- Upper Nile region to be commanded by a General officer from the IO Kitwang.
3. **3<sup>rd</sup> Front**- Bhar El Ghazal region to be commanded by a General officer from the SSUF/A.

## **3. Formation of Infantry Divisions**

### **1<sup>st</sup> Front infantry Divisions (Equatoria Region)**

1. **1<sup>st</sup> Infantry Division- Central Equatoria**
2. **2<sup>nd</sup> Infantry Division- Eastern Equatoria**
3. **3<sup>rd</sup> Infantry Division- Western Equatoria**

### **2<sup>nd</sup> Front infantry Divisions (Upper Nile Region)**

1. **4<sup>th</sup> Infantry Division- Unity state**
2. **5<sup>th</sup> Infantry Division- Upper Nile state**
3. **6<sup>th</sup> Infantry Division – Jonglei state**

### **3<sup>rd</sup> Front infantry Divisions (Bhar El Ghazal Region)**

1. **7<sup>th</sup> Infantry Division-Northern Bhar El Ghazal, Wau and Raja**
2. **8<sup>th</sup> Infantry Division- Warrap**
3. **9<sup>th</sup> Infantry Division- Lakes**
4. Your c/ship positive respond will be highly appreciated.



General Stephen Buay Rolnyang  
**Chairman and Commander-in-Chief, SSPM/A**  
SSPM/A GHQ DAJO, UPPER NILE REGION

Office of the chairman and commander-in-Chief

## Annex 8: SSUF/A Response to proposal for Unified Military Front, dated 21 October 2022



### **SOUTH SUDAN UNITED FRONT/ARMY**

#### **OFFICE OF THE CHAIRMAN AND C-IN-C OF SSUF/A**

Date: October, 21, 2022

No: SSUF/A/ OoC/ C.I.C/ 5-A-1

To: Gen. Stephen Buay Rolnyang,  
Chairman and C-IN-C SSPM/A

R: Gen Thomas Cirillo Swaka Chairman and C-IN-C of NAS

R: Gen. Simon Gatwech Dual, Chairman and C-IN-C of SPLM/A - IO Kitgwang

**Re: Establishment of Joint Military High Command Council ( JMHCC) and Unified Forces.**

In reference to your letter dated 19 October, 2022, vide number SSPM/A/10/015/2022. In which you come up with a proposal to challenge the regime by fighting collectively under one leadership and launch offensive fronts to save our country from the brutality of the Salva Kiir government.

We would like to assure you that, your proposal has been accepted by this end. We will work together until this proposal finds its way to implementation.

In order to restore the current situation imposed against the people of South Sudan, from the dominance of this tyrannical regime, we ought to unite as leaders, and launch a full-scale military operation against the Juba regime.

The only solution to save the country from the hands of the dwarves, is an organized military campaign from all directions, we lack this strategy and the government of Salva Kiir has found ways to prolong the suffering of our people. Let's unite for the dignity of the people of South Sudan.

Please accept my assurances of highest consideration.



Gen. Paul Malong Awan  
Chairman and C-IN-C of South Sudan United Front/Army.



+254757694736



garangkuot287@gmail.com

## Annex 9: NAS Response to Gen. Stephen Buay Rolnyang's Proposals for Joint Military Command

Email: samuelsuba@yahoo.co.uk



**SOUTH SUDAN**

Restoring Unity & Dignity of the People

**National Salvation Front/ Army**

**OFFICE OF THE SPOKESPERSON**

**General Headquarters**

Ref: NAS/OSM/22

25<sup>th</sup> October 2022.

### Statement on the Proposal of Formation of a Unified Military Front

The Leadership of the National Salvation Front (NAS) has come across a letter circulating online in form of a proposal signed by Gen. Stephen Buay Rolnyang, the Chairman and Commander-in-Chief of South Sudan People's Movement/Army (SSPM/A). In the letter, dated 19<sup>th</sup> October with reference SSPM/A/10/015/2022, and subject: **United Front**, Gen. Stephen Buay Rolnyang proposes the formation of what he terms a United Force and proposes the Chairman and Commander-in-Chief of NAS, Gen. Thomas Cirillo Swaka, to be the Deputy Commander-in-Chief of the proposed United Forces.

The Leadership of NAS would therefore like to state the following:

1. NAS has taken note of the content of the letter of Gen. Stephen Buay Rolnyang, the C-in-C of SSPM/A expressing his opinion on the need of having a military alliance.
2. NAS Leadership has neither been consulted nor has it discussed anything with Gen. Stephen Buay Rolnyang about his proposal. NAS therefore is not a party to his proposal.
3. NAS is committed to the new Road-map by the National Consensus Forum (NCF) towards convening a Round-table Conference of all South Sudanese Stakeholders: political parties, civil society groups, faith-based groups, women groups and youth groups to address the root causes of the conflict in the country and chart a way forward to sustainable peace.
4. NAS is a movement with structures such as the Salvation Council (SC) and Military Command (MC). These structures perform different functions and roles including provision of guidance and direction to NAS Leadership on strategic issues like working together with other opposition groups and making alliances.
5. NAS Leadership urges its members supporters to treat this proposal for the establishment of a united military force as an individual's opinion.

Suba Samuel Manase

NAS Spokesperson.



Email: samuelsuba@yahoo.co.uk

## Annex 10: Call for stakeholders consultative meeting that launched the National Consensus Forum



### The People's Coalition for Civil Action

Juba, South Sudan

Email: [thecivilactionssd@gmail.com](mailto:thecivilactionssd@gmail.com)

23<sup>rd</sup> July 2022

**For Immediate Release**

### The Call for Stakeholders Consultative Meeting

The People's Coalition for Civil Action (PCCA) wishes to invite all civil society, political parties/movements, faith-based organizations, and political groups to prepare for stakeholders consultative meeting. This invitation is a direct response to recent calls by stakeholders for a national political dialogue or a roundtable to decide on the future of South Sudan prior to the end of the Transitional Period of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).

The PCCA is a pro-democracy non-violent movement committed to pursuing political change in South Sudan through non-violent actions and discourses, which it deems are the most appropriate means for reversing the slow decay and steady breakdown of the South Sudanese nation. The PCCA strongly believes that South Sudan is redeemable when its people can unite to challenge the status quo, which is defined by lack of strategic vision, deviation from peace and democratic paths, growing authoritarian rule, extreme violence, ethnic divisions, ubiquitous insecurity, deep rooted impunity, and widespread menace of corruption and economic mismanagement.

Confronting this situation is not a task of any special genius loner, it requires a formidable unity of purpose among the people and among the civil and political forces in South Sudan to rescue and avert the inevitable disintegration of the country if it is allowed to continue its present path.

Driven by the desire to unite the people of South Sudan, the PCCA, in collaboration with South Sudan opposition political forces, civil society organizations, and the faith-based groups, plans to convene a virtual solidarity meeting for all the stakeholders in South Sudan. The meeting aims at building consensus among the stakeholders on urgent matters around the impending expiration of the transitional period in South Sudan and to consider recent calls for a roundtable. As a corollary, the meeting hopes to consolidate unity and consensus on matters critical to and pertaining to peace and stability in South Sudan.

Specifically, the meeting has the following objectives:

1. Getting to know one another

2. Exploring collective response to the impending expiration of the R-ARCSS Transitional Period and the term of the RTGoNU.
3. Presenting a viable alternative route to peace beyond the R-ARCSS—the roundtable.
4. Consolidating unity among South Sudan stakeholders, including agreeing on a model and structure of future engagements.
5. Issue a joint communiqué.

The PCCA believes in the following as guiding its engagement with the stakeholders:

1. We believe that the fundamental problem in South Sudan is rooted in the failure of political leadership and so seeking a solution that addresses the leadership issue is critical.
2. The 8 years of joint Kiir—Riek administration (2005—2013), plus the 2015 and 2018 agreements, show clearly that Salva Kiir and Riek Machar cannot work together because of deep-seated mistrust and sheer incompetence, but they are holding the country to ransom as every peace agreement brings them back to lead the country. It is this mistrust between them that is the cause of the failure of the two peace agreements to deliver on the desired results. The people of South Sudan in the National Dialogue Conference were unanimous that the two must step aside if the country is to enjoy peace and stability. It is our considered opinion that the two must not be part of any transitional set-up after 22 February 2023.
3. The people of South Sudan have spoken through the South Sudan National Dialogue, its resolutions must therefore be considered part of a puzzle in building national consensus, with an eye to subject controversial provisions to further debates as a measure to include those who were excluded.
4. We believe that one way to avoid more crises in the country is to convene a national political dialogue that will culminate in a new administration of public trust, led by people of consensus and technocrats. We also believe in the need to build a new, credible, inclusive professional national army and security with the support of international military panel of experts.
5. We do not consider the current security, political, and economic conditions conducive for the conduct credible, free, and fair elections, though we believe strongly in the exercise of democratic elections as the basis for attaining a legitimate government.
6. The PCCA believes that South Sudan has seen more than enough violence, so we seek change in South Sudan non-violently.

If you seek inclusion in this consultative meeting, please contact the PCCA at [thecivilactionssd@gmail.com](mailto:thecivilactionssd@gmail.com).

**The People Shall Prevail!**

*Steele Swales*

*[Signature]*  
...The End...

*[Signature]*

## Annex 11: Press Statement on Non-Signatories South Sudan Opposition Groups consultations with Troika, the European Union, the Vatican Secretariat and Sant'Egidio, October 2022

### NONE SIGNATORIES SOUTH SUDANESE OPPOSITION GROUPS (NSSSOG)

#### Press Statement on Rome Meetings

The leaders of the Non-Signatory South Sudan Opposition Group (NSSOG) held consultative meetings from 10<sup>th</sup> -14<sup>th</sup> October 2022 in Rome, Italy. The meetings were convened to explain and seek support for a New Political Dispensation in South Sudan in light of the failure of the Reconstituted Transitional Government of National Unity (RTGoNU) to implement the flawed Revitalized Agreement to Resolve the Conflict in South Sudan R-ARCSS).

During the five- day period, the Non-Signatory Opposition Groups held separate meetings with the Special Envoys of the TROIKA countries (USA, UK, NORWAY) to South Sudan and EU Representatives; the Vatican Secretary of Relations with States; the leadership of the Community of Sant'Egidio; and Diplomatic Missions. The NSSOG leaders explained the urgent need to rescue the country through the building of a National Consensus for a New Political Dispensation for South Sudan that will culminate in a Roundtable Conference. The Roundtable Conference will bring together South Sudanese Political Groups, Civil Society Organizations, Faith-based groups and religious leaders, and women and youth groups to discuss and address the root causes of the conflict in the country and chart the way forward towards achieving permanent peace and sustainable democracy in the country.

The leaders of NSSOG urge all South Sudanese to be vigilant against misrepresentations and distortions of the meetings by some media outlets and individuals. These Rome meetings were planned and conducted to find the most appropriate ways of how to rescue the country from the violent vicious cycles of failed transitions and illegitimate extensions of the failed transitional governments and prevent South Sudan from total disintegration and collapse.



Pa'gan Amum Okiech  
NSSSOG SPOKESPERSON

October 21st, 2022.

## Annex 12: General overview of reported NUF graduation ceremonies as of November 2022

Panel interviews with government officials, military officers, security mechanisms, and international observers, corroborated by press reporting and government statements, indicate the graduation of Necessary Unified Forces has proceeded broadly along the following lines, as of 4 November 2022.

Training centre	Graduation ceremony	Graduation date
<b>Greater Equatoria region</b>		
1 Gorom	Juba	30 August 2022
2 Maridi	Maridi	17 September 2022
3 Morota	Juba / Bor	27 September 2022
4 Owinykibul	Torit	19 September 2022
5 Muni	Juba	30 August 2022
6 Rajaf	Juba	30 August 2022
7 Lologo	Juba	30 August 2022
8 Rambur	Juba	30 August 2022
9 Agut-Makur	Juba	30 August 2022
<b>Grater Upper Nile region</b>		
10 Alel		
11 Twofogia		
12 Panyier	Bor	27 September 2022
13 Muom		
14 Kaljak		
<b>Greater Bahr el Ghazel region</b>		
15 Mapel	Wau	4 November 2022
16 Pantit	Wau	4 November 2022
17 Masanabira	Wau	4 November 2022

As the Panel has detailed in this Interim Report, however, there has also been considerable uncertainty over the number and identities of many graduates. Not all forces from a given training centre have been included in the relevant graduation ceremony and some training centres have been renamed and/or relocated. Additional ad hoc training centres, including centres associated with existing SSPDF facilities, have also been used to train some Necessary Unified Forces, though it remains unclear how these have been integrated into graduation ceremonies to date. With little verification of numbers and identities available, this table is only intended as a broad overview of the pattern of reported graduations to date.

## Annex 13: List of SSPDF officers killed in Rualbet, Tonj North

RUALBET PAYAM OF TONJ NORTH			
DATE: 25/06/2022			
1/no	RANK	NAMES IN FULL	DEAD
1.	COL.	AMOL DAU DENG	DEAD
2.	COL.	DAU LUAL BOL	DEAD
3.	LY-OL	AKETCH CHIMAN PACH	DEAD
4.	MAJ.	DENG MATHIANG ACHIR	DEAD
5.	MAJ.	SANTINO KUOT KUOT	DEAD
6.	MAJ.	MATOKH DENG MAGOK	DEAD
7.	MAJ.	MUORTER MADHIEU	DEAD
8.	CAPT.	KUOL AGOK KUC	DEAD
9.	CAPT.	ABIEL LANG NYANG	DEAD
10.	CAPT.	DENG AGOK MAWIEN	DEAD
11.	CAPT.	KUOT GONG MADOL	DEAD
12.	CAPT.	AKOL NGONG	DEAD
13.	CAPT.	MADHIEU DENG YOR	DEAD
14.	1 <sup>st</sup> LY.	TONG AKOON AKOT	DEAD
15.	1 <sup>st</sup> LY.	WIEU AKON DENG	DEAD
16.	1 <sup>st</sup> LY.	MANYOR THIAK GON	DEAD
17.	1 <sup>st</sup> LY.	WILLIAM CHIRUONG	DEAD
18.	RLSM.	BOL REECH MADOL	DEAD
19.	RLSM.	MARIAK GUM AKECH	DEAD
20.	RLSM.	JOK MADUT KIIR	DEAD
21.	S/M.	MANUT LUAL CHAN	DEAD
22.	S/M.	MACHAR AGUER MAWIEN	DEAD
23.	SGT.	MANYANG CHOL MAJOOK	DEAD
24.	SGT.	THON GUET MANGOK	DEAD
25.	SGT.	MAJAK AGOK	DEAD
26.	SGT.	KUC KUC BAK	DEAD
27.	CPL.	BAK GARANG BAK	DEAD
28.	CPL.	RUMBOK MANGONG YAK	DEAD
29.	CPL.	BOL	DEAD
30.	CPL.	WOL THONY AKOL	DEAD
31.	CPL.	MANUT GUANG	DEAD
32.	CPL.	AKOON CHOL MARINO	DEAD

RUALBET MAYANG OF TONJ NORTH			
DATE: 25/06/2022			
1/no	RANK	NAMES IN FULL	DEAD ONE
1	COL.	AMOL DAU DENG	DEAD
2	COL.	DAU LUAL BOL	DEAD
3	LY-O.L	AKETCH CHIMAN PACH	DEAD
4	MAJ.	DENG MATHIANG ACHIR	DEAD
5	MAJ.	SANTINO KUOT KUOT	DEAD
6	MAJ.	MATOKH DENG MAGOK	DEAD
7	MAJ.	MUORTER MADHIEU	DEAD
8	CAPT.	KUOL AGOK KUC	DEAD
9	CAPT.	ABIEL LANG NYANG	DEAD
10	CAPT.	DENG AGOK MAWIEN	DEAD
11	CAPT.	KUOT GONG MADOL	DEAD
12	CAPT.	AKOL NGONG	DEAD
13	CAPT.	MADHIEU DENG YOR	DEAD
14	1 <sup>st</sup> LY.	TONG AKOON AKOT	DEAD
15	1 <sup>st</sup> LY.	WIEU AKONG DIEN	DEAD
16	1 <sup>st</sup> LY.	MANYOR THIAK GON	DEAD
17	1 <sup>st</sup> LY.	WILLIAM CHIRUONG	DEAD
18	RLSM.	BOL REECH MADOL	DEAD
19	RLSM.	MARIAK GUM AKECH	DEAD
20	RLSM.	JOK MADUT KIIR	DEAD
21	S/M.	MANUT LUAL CHAN	DEAD
22	S/M.	MACHAR AGUER MAWIEN	DEAD
23	SGT.	MANYANG CHOL MAJOOK	DEAD
24	SGT.	THON GUET MANGOK	DEAD
25	SGT.	MAJAK AGOK	DEAD
26	SGT.	KUC KUC BAK	DEAD
27	CPL.	BAK GARANG BAK	DEAD
28	CPL.	RUMBOK MANGONG YAK	DEAD
29	CPL.	BOL	DEAD
30	CPL.	WOL THONY AKOL	DEAD
31	CPL.	MANUT GUANG	DEAD
32	CPL.	AKOON CHOL MARINO	DEAD

## Annex 14: Letter from the Awan Parek community to the Governor of Warrap State

Hon. Aleu Ayieny Aleu  
Governor, Warrap State  
Kaujak, South Sudan

June 1<sup>st</sup>, 2022

REF: Appeal for Urgent Intervention to address the growing insecurity in Tonj North County

Honorable Governor,

We are writing to you as representatives of the people and leaders from Awan Parek Community to raise this urgent appeal. We are compelled by the recent deterioration in the security situation in our area to register our deepest concern to you as the leader of our state and the sole authority mandated to resolve threats to our common welfare as people.

The ongoing series of attacks against innocent and defenseless civilians in our area have severely damaged the harmony that has historically prevailed among our various communities. The sense of impunity that prevails in our area is reaching unprecedented levels. People who have maimed, injured and killed people are continuing to roam freely, even when their involvement is public knowledge.

We would like to specifically note the following recent attacks that led to the death of civilians to illustrate the scale of this problem:

1. On 12<sup>th</sup> March, 2022, a group of armed youth from Gongoor launched an attack on a group of residents gathered at marriage ceremony in Anyibuth (Lian Ayii Section of Awan Parek). This attack led to the death of Akec Wol Mayen, a male of 27 years and seven wounded people are: - Wut Manyual Akec, a male of 41 years, he is a Sub – Chief in Lian Ayii section, Gum Majok Mayiik 53 years old, Manguak Mayen Mayen, a male of 35 years, Mangong Madut Mayen 43 years, Akec Mangong Madut, 50 years, Ayol Mayom Mawien a young girl of 12 years.
  2. On 3<sup>rd</sup> May, 2022, another group of armed youth from Gongoor launched an attack at Ngapdeng-noon and killed in cold blood Mrs. Anger Gook Mawien, a mother of five children approximately 60 years old and Mabior Majok Aneithii, a male of 54 years old, and wounded person Ayii Majok Deng Ayii (Majok- Alek).
- On 4<sup>th</sup> April, 2022, a group of armed youth launched a night attack at Apor Village that extremely resulted to the serious wound of Mrs. Akuol Athian Anci, a mother of 8 children, 66 years old.
- On 13<sup>th</sup> May, 2022, a group of armed youth raided a peaceful cattle camp resulting to the killing of Nhialic Chol Dhel in cold blood and took away hundred herds of cattle which remain at large.
- On 30<sup>th</sup> April, 2022, a group of armed youth raided 53 cows of Mayiik Ayii and Bol at Ayilor village which remains at large too. In the same raid, two old women were inhumanely driven away with cows and later released back and their health is under threat.

6. On 16<sup>th</sup> March, 2022, a group of armed youth from Gongoor subsequently raided Machuet Village that resulted to the looting of 130 of goats and sheep of Manut Mabok Angong.
7. On 11<sup>th</sup> April, 2022, another looting occurred in the village of Gak area in which 11 cows of Matueny Noon were ransacked and not recover up to date
8. On 4<sup>th</sup> April, 2022, a group of armed youth launched a ransack on the herds of cattle of Paan Bol to which 53 cows were all taken and later Tonj North County authorities successfully managed to recover the 53 cows to rightful owners.
9. On 15<sup>th</sup> May, 2022, a group of armed youth came and driven away 12 cows of Lual Maduot Kuot in Agoor Village.
10. On 25<sup>th</sup> April, 2022, a group of armed youth robbed four oxen in Lian Ayii section
11. On 3<sup>rd</sup> April, 2022, a force came and arrested Akec Arop Makerdit without warrant of arrest from county and Payam authorities and taken to unknown location in which the family does not know his whereabouts up to date
12. On 4<sup>th</sup> May, 2022, an unknown force from Awul Payam came to Lian section without the knowledge of Rualbet Payam authorities, arrested and detained Wol Malueth Ngong at unidentified location.
13. On 3<sup>rd</sup> May, 2022, a road – ambushed occurred at Akol – Awet to which a public transport car was looted.
14. On 17<sup>th</sup> May, 2022, a group of armed youth from Awul Payam went and raided a village in Awan Parek and driven away 50 heads of cattle.

The above-mentioned incidents are just illustrations of the scale and severity of this problem, and we strongly believe that your intervention is urgently needed along the following tracks:

- We call on your government to expeditiously investigate this attacks, arrest the suspects and ensure their trial to assure families of victims that there is rule of law that will hold criminals accountable.
- We call on your government to finalize the comprehensive civilian disarmament campaign across all counties of Greater Tonj, because uneven disarmament has emboldened some criminal elements to target some vulnerable communities with their illegally acquired arms.
- We call on your government to implement the resolutions of the Greater Tonj Peace Conference, which specifically called for the declaration of the state of emergency among other urgent steps. This will allow your government and other national institutions to comprehensively address the persistent challenges of insecurity in Warrap State.

Sincerely,

Signed:

Chairman, Awan Parek Community Association in Juba

c: Chiefs of Awan Parek

c: File



## Annex 15: Statement by Awan Parek community

### Statement For Immediate Release

SN01-2022-0625 - Office of Awan Parek Diaspora Community

Email: [awanparekdiasporacommunity@gmail.com](mailto:awanparekdiasporacommunity@gmail.com)

Tel: +1814-703-4358. Cell: +6147-062-8228

June 26, 2022

*Re: APDC's statement on civilian's killing, looting, the burning of villages and unlawful detentions of local chiefs by South Sudan's security forces in Rualbet payam.*

*Washington-Ottawa- Melbourne:* The esteemed office of Awan Parek Diaspora community has issued the following statement regarding the killing, looting of property, burning of villages and unlawful detentions of chiefs by National Security forces based in Awul Payam.

First and foremost, the Awan Parek Diaspora Community would like to express our heartfelt condolences to the families and friends that have lost their lives, both civilians and security officers, in this senseless, ongoing violence. We unreservedly condemn the fighting or any continuation of the violence and urge that it be brought to stop immediately!

#### **Timelines of events leading to current security situation**

On April 3, 2022, National Security forces came to Awan and arrested Akec Arop Makerdit without the knowledge of the county and payam authorities and taken to an unknown location in which his whereabouts is not known up to date.

On April 4, 2022, a group of armed youth dressed in military uniforms looted a village called Gak and a property of a civilian man called Matueny Noon were ransacked.

On April 25, 2022, another group of armed youth claiming to be from National Security forces raided four oxen in Lian Ayii section of Awan Parek and took the oxen to Awul Payam instead of Warrap town which is the county headquarters.

On May 4, 2022, unknown security forces came from Awul Payam to Lian again without the knowledge of Rualbet Payam administrators, arrested and detained a civilian called Wol Malueth Ngong at an unknown location up to date.

On May 17, 2022, a group of armed youth from Awul Payam went and raided a village in Awan Parek and drove away 50 heads of cattle. All these cows have not yet been recovered and returned to rightful owners, yet the army is stationed in Awul where the alleged armed youth came from.

On June 10, 2022, a group of armed youth from Awul Payam came to Rualbet and Killed a 7ft 20-year-old brilliant young man by the name Parek Bol Awengdit and ran back to Awul, where the security forces are stationed. The government of Warrap state led by Aleu Ayieny Aleu deliberately or ineptly failed to arrest the culprits.

On June 10, 2022, a group of armed forces was sent to Rualbet to arrest youth claimed to be wanted by the army. This happened to be the same day that Parek Bol Awengdit was killed.

On June 19, 2022, the acting commissioner and Governor went to Rualbet with huge armed forces and arrested all the three chiefs of Awan Parek community. The chiefs are currently in detention in the National Security prison whereby they are being subjected to insurmountable human rights abuses every day. They are denied access to food and medical attention. This should not happen in 2022.

On June 25, 2022, National Security forces from Awul Payam, deliberately attacked three sections (Awan, Jurlian & Jurbol) of Rualbet payam from different directions. The army armed with heavy artillery and modern machine guns started shooting unarmed civilians deliberately which resulted in 38 deaths, 82 wounded and immeasurable destruction of property worth. The deliberate targeting of civilian populations based on their ethnic identity by means of killings, burning of 130 huts, raiding of over 200 herds of cattle by the soldiers, unlawful detention of Paramount Chief Mabior Parek, Sultan Ayii Majok and Sultan Maduot Wunkuel Noon by National Security Service, provoked civilians to fight back in self defense.

### **Human rights abuses**

So far, there is crystal clear evidence that the army has committed human rights abuses, and even though the situation is still fluid, it is going to be beyond dire. We in the diaspora strongly condemn the human rights abuses meted on the vulnerable civil population by South Sudan Defence forces that is meant to protect lives and property of its people.

### **Immediate steps needed to contain this evolving security situation**

This group would like nothing but an end to an armed conflict. As such, we beseech the authorities in charge to:

1. Order restrain and protect human rights by ensuring accountability for abuses committed by soldiers and the National Security forces.
2. Release all the chiefs from Awan Parek Community that were detained in placed in deplorable prison conditions without cause. Their continued detention without trial is degenerating the situation.
3. Allow humanitarian aid into the area to help more than 760 displaced civilians of which majority arin Jur-Lian Ayii, Awan-Noon and Jur-Bol areas.
4. Ensure the protection of civilians against deliberate killing, the destruction of their homes.
5. Declare a state of emergency as per recommendation by the resolution of Greater Tonj Peace Conference of 2022.
6. Review the need for the presence of the National Security forces in Awul - if the forces stationed in Awul cannot impartially keep peace among feuding communities, then they need to be removed. There is no national border needing protection by the National armed forces in Awul. If they are stationed there to keep peace among feuding neighboring communities, then they have failed and failed miserably.
7. The state government needs to immediately engage community chiefs and other local leaders to help put this conflict to an end. Begin this process by forming a task force that is composed of individuals representing stakeholders from feuding communities.

11.

8. In addition to the above immediate steps being taken, we urge the President of the Republic of South Sudan, the Chief of General Staff and the National Government to also consider relieving the state Governor, General ALeu Ayieny, of his duties. He has exhibited an inability to maintain peace in the state - that's his number one role, and if he can't do that, then someone else capable of protecting lives of not just the civilians but also of the national security and armed forces present in Warrap state. The state is in bad need of a Governor who can provide innovative solutions to current security|problems in the state.

-The End-


Approve by Awan Parek Diaspora Community members:

1. Akoon Mabuoc Deng
2. Ayii Machar Madut
3. Bol Aweng Machar
4. Bol Maluach Kuot
5. Kuot Parek Machar
6. Maduot Mabior Parek
7. Machar Maduot Madut
8. Manyang Kuot Maduot
9. Majak Maluach Kuot
10. Parek Athian Anei
11. Wol Akech Wol

**For media inquiries, please direct them to [awanparekdiasporacommunity@gmail.com](mailto:awanparekdiasporacommunity@gmail.com)  
Tel: +1814-703-4358. Cell: +6147-062-8228.**

Cc Tonj Community in Juba chairman: Ustaz Lewis Anei Madut  
Cc Warrap State Acting Governor: Ustaz Diing Wek  
Cc IGP- Gen. Majak Akech Malok  
Cc Minister for internal security: Gen. Obuto Mamur  
Cc Chief of General staff: Gen. Satino Deng Wol  
Cc President of South Sudan: H.E. Salva Kiir Mayardit  
Cc U.S. Embassy in South Sudan  
Cc Embassy of Canada to South Sudan  
Cc United Nations Mission in South Sudan (UNMISS)  
Cc Amnesty International.

## Annex 16: Statement by the Majak Youth Association, dated 5 June 2022



**MAJAK YOUTH ASSOCIATION FOR DEVELOPMENT**  
*"United in Diversity"*

5<sup>th</sup> Jun, 2022

From the office of the chairperson.


Condemnation of the Arrest and torture of Ajak Aliel Ajak, Mapiny Chok Mapiny, Arol Chol Marou and Mangong Juac in Tonj North county by National security General, Mawien-magol.

We had received with sadness and disturbances from within us, the illegal arrest, torture and detention of the above mentioned young people from both Majak and Alabek Payams of Lou Mawien community. The young men were arrested this morning of Sunday the 5th of June. They were seen being driven to unknown location in a national security's pick up land cruiser. The motif of the arrest, torture and detention is attributed to the fact that the young men refused to participate in the faked community peace conference which is being forced on the community by Gen. Mawien-magol Mawien, Abur Achol Chol, Hon. Mawien Dhee, Athuai Athuai and commissioner Kuol Akoon of Tonj North county. It is really very bad that the members of the group are using their resources and positions to oppress and blackmail the innocent civilians in order to tune them towards their self-interests.


We strongly condemned as Majak Payam youth leadership in Juba that illegal arrest, torture and detention of the youths and urge both National and the state governments to immediately intervene and release these young people while they hold account those perpetrators behind the arrest. What we know is that the act committed by these youths in refusing to go to participate in the so called peace conference is not a national security threat neither is it of state or local security threat. It is just their individual right to do so.

we call upon the National security leadership in Juba to immediately pay keen attention to the activities of General Mawien-magol in Lou Mawien community. It is not the first time this particular General acted like this, the first was in 2018 when he tied one of the community youth by the name Malual Lual known as Malual Aiding behind the military tank and pulled him anguishly on the ground just to blackmail him to not accept the creation of a new county in the community by then and in the end nothing was done. National security is a very credible institution which South Sudanese have faith in. It shouldn't be allowed to be abused and made unpopular by one person. We know the president ordered the Generals in active service like Gen. Magol not practice politics and stir up communities but Gen. Magol had defied this order and indulges himself in stirring up communities in Lou Mawien for his own interests. Very unfortunate!


In our humble opinion, we believe Peace shouldn't be blackmailing. It should be voluntary. It is not individual but a common belonging. If one owns it and forces people to it, then there must be something wrong with it and so Forcing people to participate in the peace-making may in doubt the credibility of Gen. Magol's peace in the first place.

Sign 



Nelson Wol Machin Abalgak,  
Chairperson of Majak Youth Association for Development (MYAD)



**Annex 17: Statement by SSPM/A, dated 22 July 2022, concerning operations in Mayom**



**SOUTH SUDAN PEOPLE'S MOVEMENT (SSPM)**  
**SOUTH SUDAN PEOPLE'S ARMY (SSPA)**  
**SSPM/SSPA GENERAL HEADQUARTERS**  
**DAJO, UPPER NILE REGION**

---

**SSPM/SSPA/7/025/2022**

**22<sup>nd</sup> July 2022**

**Re- SSPM/A Press release**


Major General Kerubino Ruay Tap, the SSPDF Commander of 4<sup>th</sup> infantry Division came to Mayom town, unity state last week with intention to clear Mayom area of the SSPM/A forces and launched an attack on SSPM/A forces at Bong on 21/7/2022, killing one SSPA soldier. The SSPM/A forces retaliated immediately by attacking and capturing Mayom this morning on 22/7/2022, around 0300 Hours AM.

The SSPM/SSPA high command has directed the SSPM/A forces to withdraw from Mayom town to nearby villages where they shall be re-organized and conduct similar operations against military objectives, regime pro-militias and regime installations in Western Upper Nile **(Unity state)** and part of Warrap, Northern Bhar El Ghazal and Raja.

As part of our rule of engagement, the SSPM/SSPA shall be committed to minimize unnecessary suffering of civilians and other non - combatants including religious people, correspondents, local and international NGOs and foreign nationals.

1

Chairman and Commander-in-Chief



The SSPM/SSPA is hereby cautioning the international oil workers in Western Upper Nile and Upper Nile regions to be evacuated immediately within one week time to avoid being caught in crossfire because the regime could not guarantee their safety.

The SSPM/SSPA is committed to liberate the people of South Sudan from the dictatorship's policy of divide -and -rule along tribal lines setting tribes against tribes, institutionalized corruption and creating more territorial militias impeding formation of the national and professional army in the country for them to remain in power for the rest of their life. Our People have been tribalized by the regime. They are unable to work together to achieve justice and freedom to confide in each other or even to do much of anything at their imitative.

Therefore, It is an optional for the SSPM/SSPA to choose violent means because all forms of peaceful and non-violent means have failed, and we are left only with an armed resistance to liberate our people by unseating this despotic regime in the shortest time possible and install a democratic system of governance in the Republic of South Sudan to allow our citizens to choose their leaders in a free and fair elections and decide on our laws.

Finally, the SSPM/SSPA urges all the SSPDF officers and local armed youths to join the revolutionary army to rescue our country from disintegrating into tribal factions.

No foreign saviours that shall come to our help. Some foreign states will even assist the regime to advance their own economic or political interests and some foreign states will act against a regime only to gain their own economic, political, or military control over the country.

The foreign states may become actively involved for positive purpose only when the internal resistance movement has already began shaking the regime, it will therefore, focus international attention on brutal nature on the regime. Therefore, international pressure will be very useful when they are supporting a powerful internal Resistance Movement like the SSPM/SSPA. However, in the absence of a strong internal resistance movement, such actions by foreign states are unlikely to happen. Let us help ourselves by standing together so that we must unseat this repressive regime so that we enjoy Permanent peace, justice, and freedom in our beloved nation.

The Chairman and Commander -in-Chief of the SSPM/SSPA congratulates the SSPM/A gallant forces for capturing Mayom town, unity state.

SSPM/SSPA- Oriaah!! Victory is ours!!!



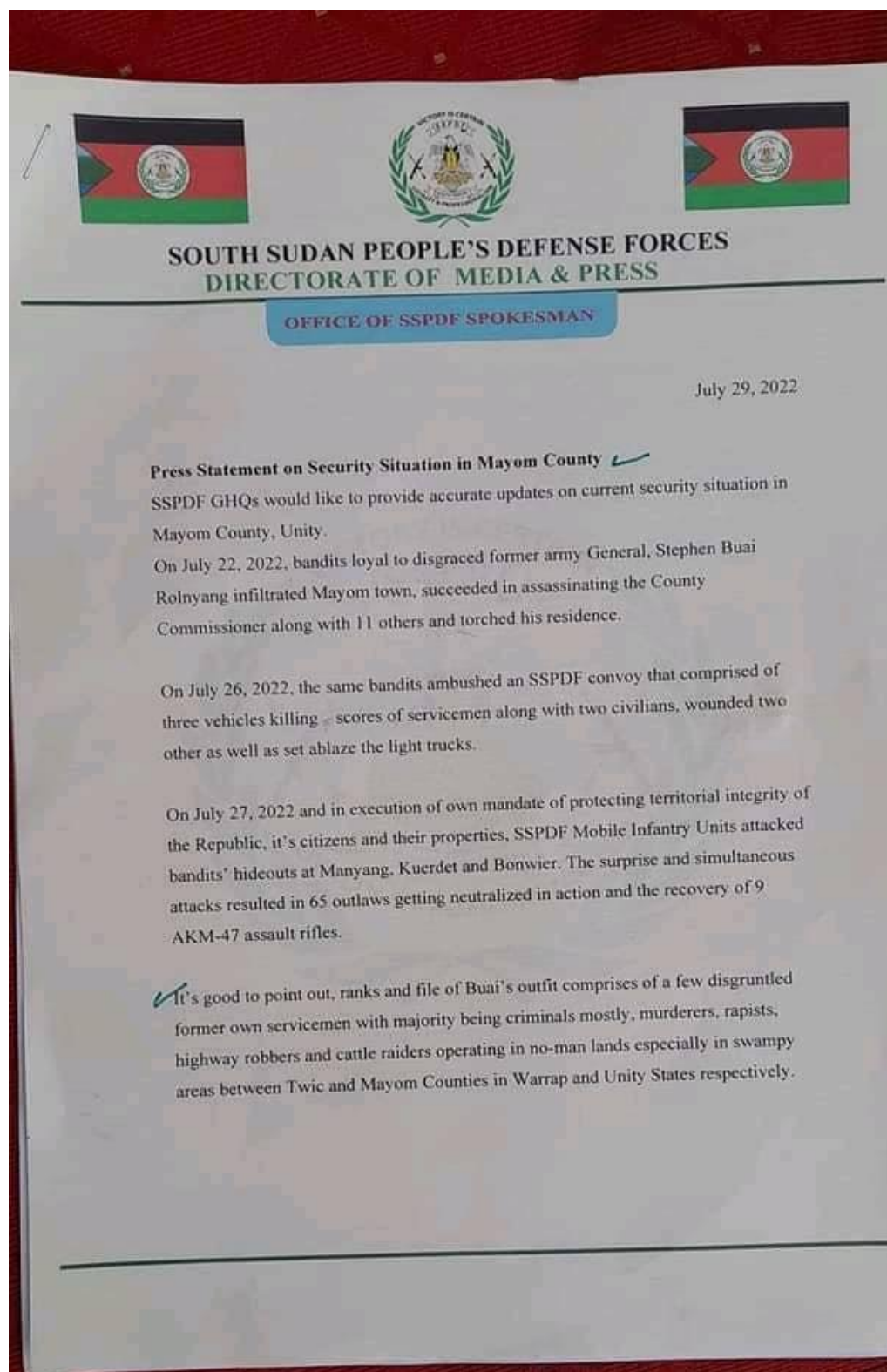
General Stephen Buay Rolnyang  
**Chairman and Commander-in-Chief**  
 SSPM/SSPA

3

Chairman and Commander-in-Chief



## Annex 18: Statement by the SSPDF on attack on Mayom town, dated 29 July 2022



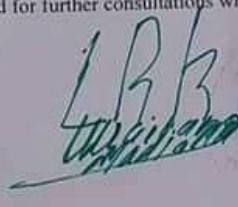

In conclusion, the leadership of SSPDF would like to make the following assurances:

1. That surgical offensive operations will continue in order to bring to justice bandits' field commanders that include, Spiritual Leader Lt. Gen. Gai Machaek, Maj. Gen. Gatluak Majok and their subordinates.

2. That Commercial flights should continue with their normal operations since rebels operating in and around Mayom do not have capacity to showdown aircrafts.

3. Finally, allegations that Maj. Gen. Keribeno Ruai Tap, Commander of 4th Infantry Division, Brig. Gen. Kugar Yar, Military Intelligence Chief and Brig. Gen. Chabak Machiek Gatpan, Commander of 11th, Infantry Brigade were arrested in Mayom and flown to Juba is un true. To the contrary, they came to Juba to submit situational report and for further consultations with the command.

Regards

**Maj. Gen. Lul Ruai Koang "psc"(ET)**  
Director for Media & Press and SSPDF Spokesman,  
SSPDF GHQs-Bilpam

## Annex 19: List of casualties from SSPM/A attacks on Mayom, dated 22 July 2022



**REPUBLIC OF SOUTH SUDAN**  
**UNITY STATE - BENTIU**  
**MAYOM COUNTY**  
**EXECUTIVE DIRECTOR'S OFFICE**



Ref: RSS/USB/MC

Date: 22/07/2022

**Mayom attack casualties at 2: 30 AM**Names of Deceased people

S/No	Rank	Name in full	Unit	Title
1.	Maj. Gen.	James Chuol Gatluak Manime	County	Commissioner
2.	Brig. Gen.	Simon Wayah Ruai	Wildlife Service	Chief Inspector
3.	2 <sup>nd</sup> Lt.	Mawum Matur	SSPDF	Soldier
4.	2 <sup>nd</sup> Lt.	Joklena Bakuony	Wildlife Service	Police
5.	R/SM	Reyhok Wicyey Chuol	Police Service	Policeman
6.	PVT	Yien Tap Badeng	SSOA	Soldier
7.	PVT	Gatpan Dor Madiet	SSPDF	M.I Personnel
8.	PVT	Tiem Nyok Muon	SSPDF	M.I Personnel
9.	SGT	Gatduel Jany Koh	SSPDF	Soldier
10.	PVT	Majiek Bol	Police Service	Policeman
11.	PVT	Gatzlay Tetleh Leak	Police Service	Policeman
12.	PVT	Gatdet Malieth	Police Service	Policeman

Names of Wounded People

S/No	Rank	Name in full	Unit	Title
1.	Capt.	Zoal Juoy Duop	SSPDF	Officer
2.	Capt.	Chipak Rok Deng	SSPDF	Officer
3.	2 <sup>nd</sup> Lt	Deng Gatjiek Patai	Police service	Policeman
4.	SGT	Mun Yoach	Police Service	Policeman
5.	PVT	Puok Kuol Gatjiek	Police service	Policeman
6.	PVT	Lam Mead Gatwech	Police service	Policeman
7.	PVT	Wadar Lual Wuor	Police service	Policeman
8.	PYT	Kuaher Mut Kernyang	Police Service	Policeman
9.	PVT	Riak Matung Bieth	Police service	Policeman
10.	PVT	Both Machuop Mathoat	Police service	Policeman
11.	Girl	Nyekuola Kotek Maliah	Civilian	Girl
12.	Woman	Nyepech Nyuon Dak	Civilian	Woman
13.	PVT	Bol Mawich Dak	SSPDF	Soldier

Sign: .....

**Gatdet Gany Madut Dirngu**  
**Executive Director of Mayom County**

Tel: +211917728800 / +211915688199

**Annex 20: Images showing involvement of Sudanese Rapid Support Forces in arrest of SSPA/M members in Sudan**



Gatluak Majiok



Killing of Gatluak Majiok in Kaikang, near Mayom, in South Sudan



**Annex 21: Still from a video showing execution of three SSPM/A officers near Mayom**

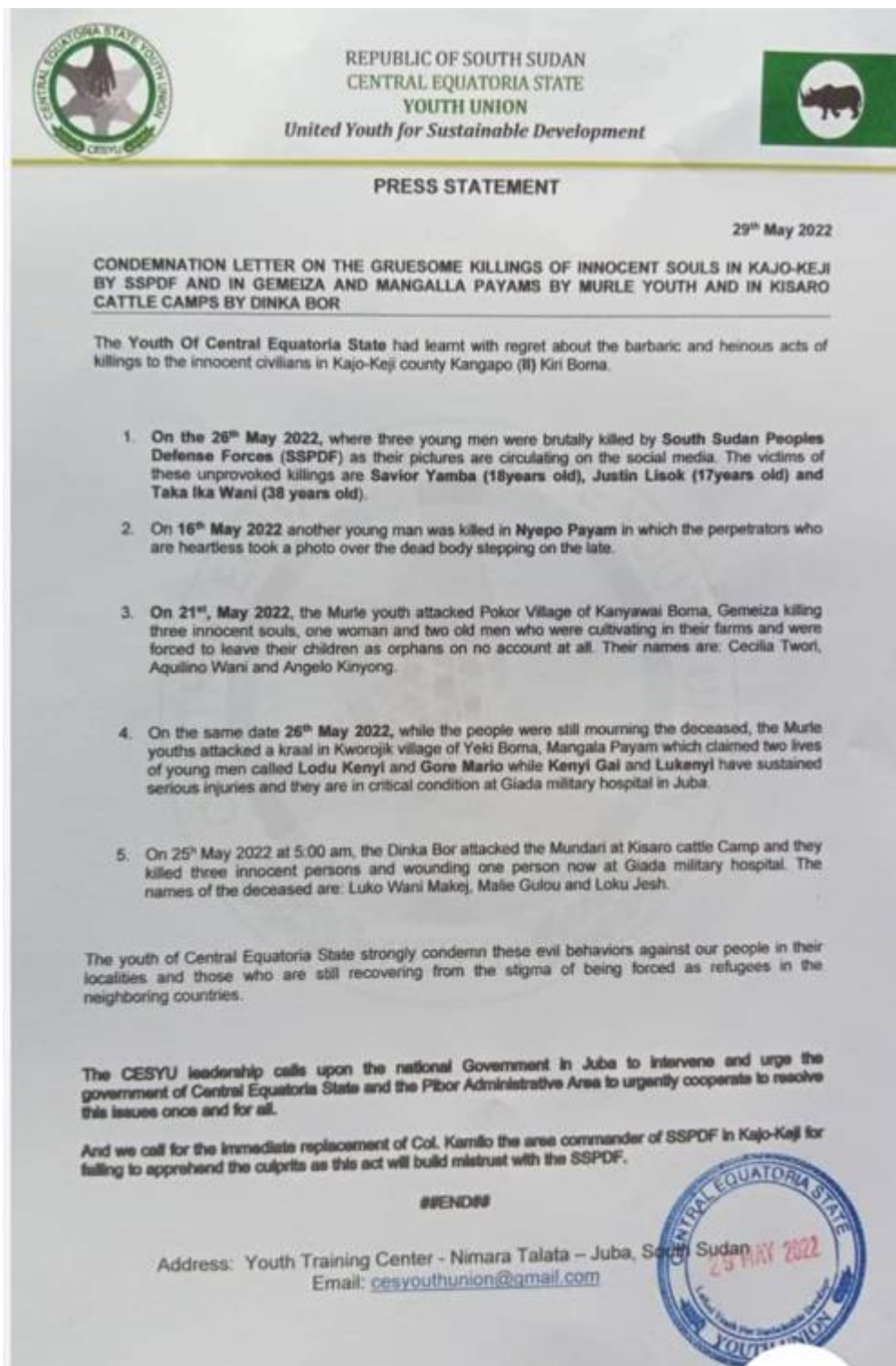


**Annex 22: SSBC Broadcast detailing food delivery to SSPDF forces on 23 September 2022**

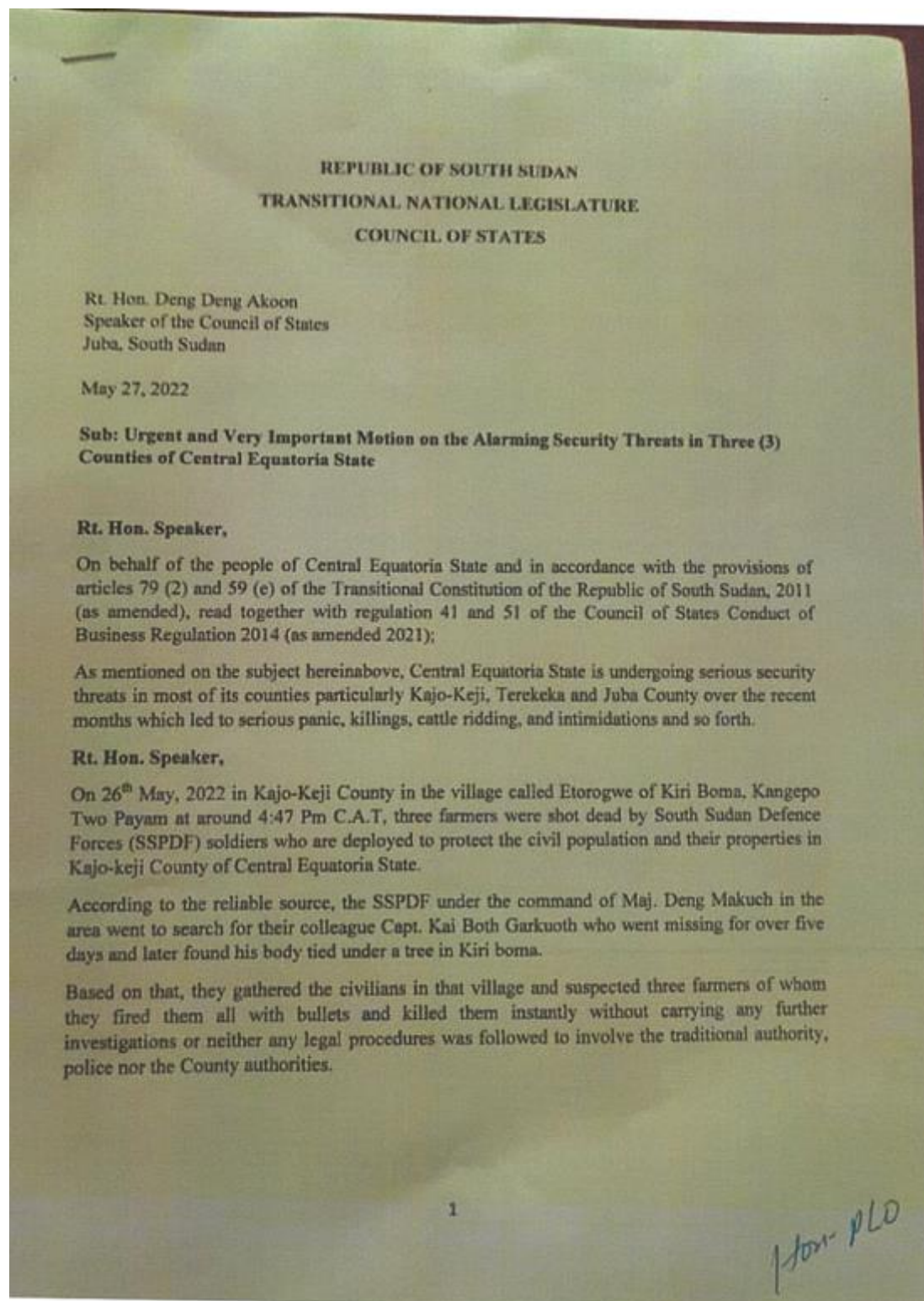


Front row centre are the SSPDF's Deputy Chief of General Staff for Logistics and Mr. Kur Ajing Ater

## Annex 23: Press statement by Central Equatoria State's Youth Union in response to killings in Kajo Keji, dated 29 May 2022



**Annex 24: Statement on killings in Kajo Keji by Central Equatorian Member of Parliament, dated 27 May 2022**



The three civilians shot dead by the SSPDF are:

S/No	Name	Age	Remark
1.	Mr. Sevious Yambe Lomuresuk	18 years	Killed
2.	Mr. Justin Lisok Lomuresuk	16 years	Killed
3.	Mr. Taha Yiga Wani	38 years	Killed

All the deceased are from itorgwe village of Kiri Boma, Kangapo Two payam.

**Rt. Hon. Speaker**

These gruesome intentional killing of my people has been happening without prevention to the next victim nor attempt of stopping it from reoccurrences.

As I write, justice for the deceased has not been served. With such, making the people very vulnerable and deterring, depriving and preventing all efforts for the return of the displaced and the refugees to their ancestral land in Central Equatoria State and negatively impacting the lives of kajo-keji people.

Find herein attached picture from the scene of the heinous crime



**Rt. Hon. Speaker**

On May 21, 2022 at 2:00 Pm, some Murle Armed Civilians attacked village called Pokoro of Kanyara Boma, Gqmeiza killing three people of whom one is a woman while the deceased were cultivating farmland.

S/No	Name	Age	Remark
1.	Akuilino Wani	62 years	Killed
2.	Yohana Kinyong	52	Killed
3.	Cicilia Twori	Unknown	killed

Again on May 25, 2022, some Dinka Bor armed cattle keepers attacked Kisaro Cattle Camp and they killed three people and wounded a person who is currently nursing serious wounds at Giada Military Hospital.

S/No	Name	Remark
1.	Malie Gulou	Killed
2.	Loku Jesh	Killed
3.	Luko Wani Makej	Killed

Also on May 26, 2022 some Murle Youth attacked a kraal in Kworojik village of Mangala Payam which two people were killed and one injured from Mundari and one person from Murle also got killed.

S/No	Name	Remark
1.	Lodu Kenyi	Killed
2.	Kenyi Gai	Killed
3.	Lukenyi	Seriously injured
4.	Unkown Murle Youth	Killed

**Rt. Hon. Speaker**

As you are aware about the plan launched by the Government of Central Equatoria through Juba County as published in so many media outlets during the launching of Juba County Modern Maternity (Modern hospital for women), the project is ongoing with exceptional cases and challenges.

But on May 19, 2022, to our surprise, the SSPDF fence the large portion of the land including the main road leading to the facility and the facility itself. This has negatively impact the ongoing project which situated on the northern Juba, South of Bilpam. This is second to that one of Garbu where both the Governor and his officials escaped death narrowly.

The mentioned facility is aimed to serve the biggest population of Juba if given chance to be completed by the State Government as health is wealth, calm and restrain has to be maintained through rule of law rather than intimidation and threats.

Hon- PLD

**Rt. Hon. Speaker**


In lieu of all the aforementioned citations I jotted, read together with the above mentioned provisions as cited herein, I am hereby humbly moving the motion to summon the undermentioned constitutional post holders to appear before the august house in shortest time possible to give accurate and comprehensive statements regarding their mandates in protecting the people and their properties.

1. The Hon. Minister of Defence should be summoned to answer some questions related to her Ministry.
2. The Hon. Governor of Central Equatoria should be summoned on the same issues raise hereinabove.
3. The Hon. Chief Administrator of Pibor Administrator Area should be summoned on the same.

In conclusion, I will appreciate on behalf of my people if the August house shall adopt my recommendations as mentioned hereunder:

1. Immediate investigation of the barbaric and heinous act in Kajo-keji County.
2. Immediate reconsideration and replacement of the army Commander in Kajo-keji by any other civilian friendly Commander.
3. The Council of States to initiate Commissioners Forum to enhance coordination and cooperation between Commissioners in all the 10 States and 3 Administrative Areas.
4. Central Equatoria State Government must disburse Security and Development Funds to all its Counties.
5. The Council of States must consider punitive measures over serious persistence administrative and security failures.

Signed



Hon. Paulino Lukudu Obede  
Central Equatoria State  
Member, Decentralized Governance and States Affairs Committee

*Hon - PLO*

## Annex 25: Statement by the Pojulu community on killings in Kajo Keji



### Pojulu Information Desk (PID)

[pojuluinfordisk@gmail.com](mailto:pojuluinfordisk@gmail.com)

*No. # 20220530-34*

**Subject:** Condemnation

**Reference:** SSPDF-Massacre

On behalf of Pojulu Communities worldwide, we condemn in the strongest possible terms the recent egregious and uncouth killing of three youth in Kari Boma, Kajo Keji County of Central Equatoria State by some ill-disciplined members of the SSPDF.

The arbitrary killing of these unarmed youth is a flagrant violation of humanitarian principles enshrined in the International Human Rights Law, International Humanitarian Law, and International Jurisprudence whereof, conflict parties must protect children (youth) from being killed, maimed, or injured.

No justification whatsoever would warrant the killing and display of the victims as if they were some animal trophies. Whichever reasons may have prompted the members of the SSPDF to carry out such a barbaric act, South Sudan is a country governed by the rule of law and the victims would have to be brought to a court of justice.

We, therefore, demand from the Government of Central Equatoria State, the Chief of Staff of Defense Forces of the SSPDF, the immediate arrest of the SSPDF members and their subsequent trial in a court of law.

We also want to extend our heartfelt condolences to the bereaving family, friends, and relatives of the victims and pray that God rests their souls in peace.

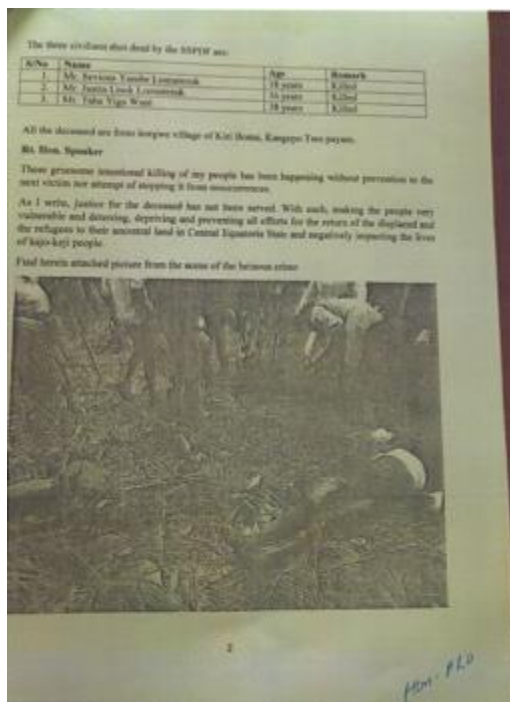
Sincerely,

Pojulu Information Desk (PID), Admin

Signature:

## Annex 26: Photograph of civilians killed in Kajo Keji

Several photographs of the victims of the killings in Kajo Keji were widely shared on social media in South Sudan. Several were also obtained and verified independently by the Panel. One of the photographs, depicting the same scene at a slightly different time, was also included in the Statement on killings in Kajo Keji by Central Equatorial Member of Parliament, dated 27 May 2022, included as annex 23, lending further corroboration to the images.



## Annex 27: Overview of South Sudan's outstanding disclosed debts as of June 2022

Republic of South Sudan external Debt												
Debt by creditor	Creditor Name	Currency	Principal	Disbursed Amount	Undisbursed Amount	Interest Rate	Interest Charged repaid	Principal repayment	Outstanding Debt	Start Date	Grace Period	Maturity & Payment Dates
Loan codes	WORLD BANK LOANS	USD	181,000,000	104,148,871	96,851,129	-	940,481	137,436	396,714,343			
IDAHP20	Technical Capacity Building Project	USD	9,000,000	8,782,598.64	717,401.36	1% 0%	33,811.87	132,630.18	9,141,849	15 Jan 2021	0Yrs	15 Jan 2021 15 Jan 11 June
IDA 54610	Health Rapid Results project	USD	10,000,000	9,047,213.71	952,786.29	1% 0%	42,599.87	-	9,047,213.71	15 April 2024	0 yrs	15 April 2021 15 April 11 Oct
IDAHP210	Health rapid results	USD	21,000,000	21,000,000.00	3,000,000.00	1% 0%	539,840.00	-	22,000,000.00	11 April 2024	0 yrs	15 April 2021 15 April 11 Oct
IDA 51240	Salvage Net	USD	21,000,000	18,715,263.91	2,284,736.09	1% 0%	144,521.58	-	18,715,263.91	01 Dec 2021	0Yrs	01 Dec 2021 01 June 01 Dec
IDA 51650	EA Regional Council	USD	80,000,000	1,770,207.89	78,229,792.11	1% 0%	13,723.38	-	1,770,207.89	01 June 2021	0Yrs	01 June 2021 01 June 01 Dec
IDA 51130	Local Government Service Delivery	USD	50,000,000	44,493,048.68	5,506,951.32	1% 0%	203,866.50	-	44,493,048.68	15 April 2021	0Yrs	15 April 2021 15 Oct 2022
IMF Loans												
	IMF CRF 1	USD	226,904,179	226,904,179	-	-	-	-	226,904,179			
	IMF CRF 2	USD	52,300,000	52,300,000.00	-	-	-	-	52,300,000.00			
	IMF CRF 2	USD	274,604,179	174,604,179.00	-	-	-	-	100,000,000.00			
African Development Bank												
		USD	77,518,800	19,345,177	58,173,623	0	122,510	-	58,173,623			
Financial Institutions Development Bank Loans												
		Currency	11,170,000	7,600,000	3,570,000.00	0.00%	43,618.59	0	7,600,000.00	22 May 2017	10 Yrs	22 May 2017 1 February 3 July
	NORMA-SS	USD	1,725,000	816,628	908,372.29	0.00%	33,321.07	0	816,627.71	22 May 2017	10 Yrs	22 May 2017 1 February 3 July
	John power distribution and expansion	USD	14,641,800	10,178,544	4,463,255.72	0.00%	47,130.37	0	10,178,544.00	22 May 2017	10 Yrs	22 May 2017 1 February 3 July
Other creditors												
		USD	6,817,000,000	6,071,000,000	-	0	167,571,810	6,572,438,190	1,791,672,360			
	Sudana Energy	USD	600,000,000	600,000,000	-	-	28,874,156.16	471,747,799.42	378,717,211.11	Apr-17		Dec-19
	Transit Energy	USD	540,000,000	540,000,000	-	-	0	540,000,000	-			
	Adrianum	USD	400,000,000	400,000,000	-	-	-	211,254,737.42	188,745,262.58	May 2018	1YR	March 2021 (4YRS)
	Adrianum	USD	250,000,000	250,000,000	-	-	-	250,000,000	-	Oct 2020	1YR	April 2023 (3 YRS)
	China Export-Import Bank	USD	150,000,000	150,000,000	-	2.00%	2,990,374.93	19,999,967.67	277,000,617.17	January 2018	5Yrs	21 Jan 2023 21 January and 21 July
	Qatar National Bank	USD	700,000,000	700,000,000	-	0	-	114,190,661.00	185,809,338.99			June 17 2018-June 17 2027
	TFA	USD	3,028,000,000	3,028,000,000	-	0	0	3,028,000,000	-			
	NASDEC	USD	539,000,000	539,000,000	-	-	110,655,719.11	117,608,161.20	421,391,831.11			
Grand Total in USD			8,476,440,979	8,576,796,216	89,644,713	0	161,691,433	6,572,438,190	2,811,315,961			

Source: Ministry of Finance and Planning

**Annex 28: Response from Dr Joseph Monytil Wejang, Governor of Unity State, dated 17 November 2022**



Your letter makes one broad factual claim, namely, **that I commanded and controlled the armed and civilian forces that sought, captured and executed the four men and that I was, more damningly, physically present at the killing of the four at Kaikang in Unity State on the 8<sup>th</sup> of August 2022.**

The evidence offered in support of this claim is a series of photographs, some video clips of unknown provenance and witness testimony referred to but not attributed to any particular person. The rest of the 'evidence' is largely inferential.

First, it is inferred that I must have been involved in the killings because I was summoned by H.E. the President of the Republic to explain to him the situation in Unity State. The implication seems to be that H.E. would not have issued such summons if he thought that I was not involved.

Second, my complicity is also inferred from a letter written by the South Sudan Council of State to H.E. the President asking that I be fired.

Third, the other inferences make no links to the extra-judicial killings. Instead, they accuse me or my allies of a host of other violations: they have been intimidating civilians in IDP camps and, in one specific instance, they threatened an individual, a youth leader, who has since fled Unity State in fear for his life.

My response to the claims in your letter is in two parts. In the first part, following immediately below, I have summarised my rebuttal to the Panel's four principal claims. In the second part, I furnish the Panel with more detail, providing factual background to each of my responses and- where necessary- adding an analysis of the South Sudan legal context to buttress the facts.

### **Part 1: Summary Rebuttal of the Panel's Claims**

I wish to make five statements in rebuttal to the Panel's four principal claims.

- a) The most damaging claim – which also seems to serve as the prop of the case against me - is that I had 'command' and 'control' of the forces and civilians who perpetrated the killings. This claim is given credence, the letter implies, by the further claim that I was physically present at the execution of the men on the 8<sup>th</sup> of August 2022.

This claim is **patently false**. It can only be one of two things: **a cruel case of mistaken identity or an egregious fabrication made by people who are recklessly indifferent to the damage their lies have the potential to cause.** I spent the 8<sup>th</sup> of August with chiefs

NM

and administrators in Mankien Payam, more than 60 kilometres away. There is a press release issued by my press unit reporting the proceedings in Mankien (See the attached press statement) and a video-recording of the proceedings made by an official videographer showing me physically present. (An official recording is herewith attached)

- b) The second claim is that H.E. the President summoned me to explain to him the situation in Mayom. The inference seems to be that H.E.'s summons to me were accusatory, implying that somehow I was involved in the killings.

**If this is the meaning of the claim in your letter, it is both erroneous and unfortunate.** Both constitutionally and politically, State Governors are the eyes of President in the States. When threats to peace and security sprout in a State, the President's first call is to his most important security apparatus in the State. The apex security co-ordinating institution in each State in the Republic is the State Security Committee. That Committee is chaired by the Governor. Who would you and the Panel have the President call first when there are serious lapses of security if not the Governor?

- c) A third claim is that the Council of State had written to H.E. the President requesting him to fire me. The inference seems to suggest that the Council of State made this request arising from its concern over my personal involvement in the killings.

Again, **if that was your inference, it is deeply mistaken.** In fact, the Council of State had first summoned me to discuss the general state of security in both Mayom and Leer Counties of Unity State. Arising from that discussion and the Council's broader concerns about rising insecurity in the two counties, the Council had asked me to fire the County Commissioners for the two counties of Koch and Mayendit. I had then pointed out to the members that whereas before the Revitalised Peace Agreement Governors could – and often did fire county commissioners, that power had since been removed from them and vested in the President of the Republic. My refusal to act outside the scope of the powers of the Governor was the trigger for the Council's request to H.E. to fire me. As it is, the response from the Presidency to the Council of State rejected the request to fire me and confirmed that my reading of the law was correct. (Attached please find the response from the Office of the President)

- d) **The evidence adduced by the Panel to support the various allegations against me is thin and fragmentary** and much of what is laid out to anchor points a), b) & c above is heavily drawn from press accounts and video clips taken by amateurs or participants

*Handwritten signature/initials*

in the events surrounding the killings. Of particular concern to me is the fact that though your letter and the Panel's Monthly Update to the Security Council for August 2022 indicates that there are also documents and interviews that buttress these press accounts and video-clips, I am unable to find a single fact or claim in the letter or the Monthly Update that is footnoted to an interview or a document.

- e) In addition to these claims, **your letter has conflated state and national responsibilities**. The result is that the Panel would have me perform functions that are vested by the laws in the national government and South Sudan people Defence Forces (SSPDF) whilst at the same time implying that I should not perform duties that the law obliges me to. Thus, the letter charges that I had command and control of the SSPDF—which would be a bold usurpation of the mandate of the national government's functions. The same letter then condemns me for turning up on the 22<sup>nd</sup> of July at the site where Commissioner Gatluak and the accompanying 12 others were murdered even though my appearance there was consistent with my role as Governor and Chair of the State Security Committee. In those two capacities, it was my job to co-ordinate, but not command responses to the breakdowns of security.

My answer to the Panel's principal claims can then be summarised as follows: **The allegation that I was complicit in the extra-judicial killing of the four men at Kaikang is meritless and wholly lacking a factual and legal basis.**

## **PART 2: DETAILED RESPONSE TO THE PANEL'S VARIOUS CLAIMS.**

In this part I wish to organise my responses in nine (9) sub-headings as follows:

- 1. The Core Allegations Against me**
- 2. The Sources of the Panel's Evidence against me**
- 3. The Political and Military Context of the Violence in Unity State**
- 4. The Allegations about My role in the Extra-judicial Killings**
  - a. Rallying Soldiers and Civilians**
  - b. The Governor's Role in the Security of the State**
  - c. Presence at the Executions in Kaikang**
- 5. The Law on Command and Control of Military Operations**
- 6. The Council of State's Request to H.E. the President to Fire Me**
- 7. The Youth who fled on Account of Threats**
- 8. Intimidation of civilians in IDP camps**
- 9. Conclusion**

### **1. The Core Allegations Against me**

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Your letter's central claim is that "forces and civilian authorities" under my command "participated in the extrajudicial execution of four individuals affiliated with the SSPM/A opposition armed group in the Mayom region of Unity State in July 2022." The letter says that my culpability is founded on five discrete claims, namely, 1) that I was personally present at the execution of three of those men at Kaikang; 2) that I was summoned by H.E. the President to explain the killings; 3) that an unnamed youth leader—whose party affiliation is not identified—has fled Unity State after asking me to resign in the wake of the killings; 4) that the Council of State has written to H.E. asking him to fire me and 5) that some people—allegedly associated with me or my office—have threatened civilians in IDP camps if they criticise the Unity State government. According to the letter, these killings were either reprisals or revenge killings carried out following SSPM/A operations that had targetted government forces and killed the Mayom County Commissioner by burning him and twelve other people alive in his house.

This letter is a detailed response to each of these claims. However, before I make a substantive response to each discrete allegation, I would like to begin with two general comments, that is to say, 1) a comment on the sources of the Panel's evidence against me and 2) a discussion of the political context of these killings which is critical to the matter but has been ignored by the Panel.

## **2. The Sources of the Panel's Evidence against Me**

According to your letter, the Panel of Experts relied on evidence drawn from documents unidentified and interviews with unnamed persons conducted by the Panel. However, these are the documents footnoted in your letter: a report from Eye Radio for the 24 August 2022, titled "Council of States writes to President Kiir to fire Monytull"<sup>1</sup>; a report from Number One Citizen Daily dated the 19 August 2022, titled "Unity governor clarifies suspected killing to President Kiir"; a report in Sudan's Post, titled "Kiir summons Governor Monytull over Mayom extrajudicial killings"<sup>2</sup>, a report in Sudan's Post titled, "Youth leader flees into hiding in Unity State after asking Governor Manytull to resign" dated the 11 of September 2022; a report in the Sudan Tribune, titled "Sudan arrests key rebel officers, hands them to South Sudan" dated the 8 of August 2022; and a report from Eye Radio, Bentiu protestor: "I can't walk or urinate" dated the 8 of September 2022.<sup>3</sup>

<sup>1</sup> <https://www.eyeradio.org/council-of-states-writes-to-president-kiir-to-fire-monytull/>

<sup>2</sup> <https://www.sudanpost.com/kiir-summons-governor-manytull-over-mayom-extrajudicial-killings/>

<sup>3</sup> <https://www.eyeradio.org/bentiuprotector-i-cant-walk-or-urinate>

The rest of the footnoted evidence is basically a collection of still photos and videos downloaded by or given to the Panel by those that they met.

I am deeply concerned about the Panel's heavy reliance on media accounts and amateur videos to ground the serious and injurious allegations against me. As the UN Security Council itself noted in one of the recitals in the 2015 Resolution, the Media in South Sudan has not always played a positive role or acted in the best tradition of independent media. The Resolution itself noted the inherent biases that are, unfortunately rife in South Sudan Media, lamenting that South Sudan media had been used to broadcast hate speech and transmit messages instigating sexual and ethnic violence. Most critical for this letter, the Resolution had even called on the Government of the Republic of South Sudan "to take appropriate measures to address such activity." With the greatest respect, then, I submit that the Panel's uncritical reliance on media stories and self-promoting videos by private militias to buttress the serious allegations in the letter does not—even on a lenient and most sympathetic reading—constitute a full, fair and impartial investigation. I will return to this point later in this response.

### **3. The Political and Military Context of the Violence in Unity State**

I am also puzzled by the lack of any discussion of the political context of the events in the letter. I offer that context not as an excuse for the violence but to point out that by treating as straight-forward what is complex and deeply political, the Panel's approach may end up complicating rather than resolving the wider problems of South Sudan in general and of Unity State in particular. The broad-brush analysis in the Panel's Monthly Updates to the Security Council, the sources of and the nature of the evidence adduced, the rush to judgment whilst various local processes are still underway ([see discussion elsewhere in this letter](#)) has resulted in an unfortunate, extremely misleading and heavily one-sided characterisation of the unfortunate events of July 2022 in Mayom County in Unity State

Let me draw your attention to the extremely polarised and inflamed context in which these events happened. Unity State, like other parts of South Sudan is going through a difficult and fraught transition. We must frame all the issues in this larger political context.

Unity State has been, historically, one of the major sticking points between the Government and Sudan People's Liberation Movement-IO headed by Dr. Riek Machar. Dr. Machar hail from the Unity State and have long fought and resented the fact that I am Governor of Unity State. Particularly worthy of note but mentioned neither in your letter nor in any of Panel's Monthly Updates is that the person whose actions triggered these unfortunate events, the SSPM/A army Commander, Gen. Stephen Buay Rolnyang, a

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defector from the South Sudan People's Defence Forces, wanted to be Governor of Unity State.

General Stephen Buay organised and directed the forces that murdered County Commissioner of Mayom, James Chuol Gatluak Manime. Your Monthly Report mentions—rather casually and in passing—that this murder, in which the Commissioner was incinerated alive in his house, also included “nearly a dozen government security forces.” General Buay has uploaded unapologetic audio-clips gloating over both the murder and Commissioner Gatluak and these additional murders. (Attached for your listening is an audio of General Buay talking about those killings)

By failing to name these actions for what they are, namely, **wanton and unprovoked acts of mass murder**, the Panel thereby fails to recognise the weight and effect that these events had on the immediate political and military realities in Unity State. General Buay's reckless actions served to inflame the raw emotions that the revitalised peace process has been trying to mend.

In the aftermath of the murders my immediate task was to arrest the rapidly escalating situation. I was in Bentiu, the state capital, on the day of the killings. As soon as I learnt of the attacks, I immediately called and briefed H.E. the President Salva Kiir. I informed H.E. that I would immediately make my way to the site of the killings—both to get a full picture of what had happened and to calm down what I already knew—and had been told—would be an extremely volatile situation.

On arrival, I found that Juba had already despatched the Deputy Chief of Defence in Charge of Operations, to take charge of the military side of the operations. My focus therefore shifted to recovery of the remains of Commissioner Gatluak and the twelve others who were immolated with him. My team and I recovered what remains we could, conducted prayers and then buried them.

The day after the prayers, and completely oblivious to the highly curdled public mood he had fomented, General Stephen Buay's men ambushed a convoy of three vehicles and burnt another 18 people to ashes. (The extremely troubling photos of the mayhem at the scene of that ambush are attached). This is important because it underlines what the Panel's Report and letter both ignored: The hunt for the four men who were executed at Kalkang nearly a fortnight later took place in a fraught environment ruled by public rage, emotionalism and anger over the murder and burning of at least 30 people.

#### 4. The Allegations about My role in the Extra-judicial Killings

My own role also evolved in that highly charged context where I faced the draining task of maintaining law and order in the face of imminent disorder, even anarchy. Your letter accuses me of "rallying soldiers and inciting military action against civilians" adding that on the 26<sup>th</sup> of July I was "seen in military attire directing a counter insurgency force" during which I also promised "swift and tough punishment" against anyone linked with the SSPM/A.

My response to this is short: My primary duty was to hold fort against the incipient forces of breakdown and anarchy. I have neither the military nor the political mandate to direct counter-insurgency measures. I did not issue and could not issue directions to the military. The soldiers of the South Sudan People Defence Forces have neither a moral nor a command responsibility to comply with anything that I might direct them to do.

I want to begin by responding to these claims before answering the question of military attire.

#### **a) Rallying Soldiers and Civilians**

The evidence adduced for this claim is a still photo showing me standing amongst soldiers of the SSPDF. Quite apart from showing me dressed in military fatigues (a matter addressed below) there is nothing to say what is happening in the photo. It is not clear whether I am speaking at all let alone whether the speech is a rallying call or something else.

Unfortunately, no factual claim of evidential value can be derived from the fact that I was dressed in military fatigues. And the reason for my kitting out in jungle camouflage is straight-forward. I was a civilian in an area of active military operations. If I had turned out in civilian clothes I would have stood out like a sore thumb, easy target for a shooter. I had already been threatened by SSPM/A in the wake of the murder of Commissioner Gatluak. The threat was specific to me and unambiguous: my funeral would be next. I am a former soldier and I have learnt to take such threats seriously. That is why I turned up appropriately camouflaged, to blend in with the soldiers on site.

#### **b) The Governor's Role in the Security of the State**

I am puzzled by statements in your letter seemingly implying that it was illegitimate for me to go to the killing site and meet with the soldiers of the SSPDF. That totally ignores my mandate as Governor and my co-ordinating role and political responsibility for the security and welfare of Unity State as the Chair of the State Security Committee. As the Transitional Constitution of Unity State makes clear, the Governor<sup>4</sup> is

<sup>4</sup> The Governor's office is established under Chapter 1 of Part Six of the Transitional Constitution of the Unity State (The State Executive)

the head of the government of the state<sup>5</sup>. In that capacity the Governor represents "the will of the people."<sup>6</sup> One specific function under that broad grant of power is the duty to "preserve the security of the state." The legal machinery for security at the state level includes the State Police Service<sup>7</sup> and the State Security Committee.<sup>8</sup>

The composition and mandate of the State Security Committee is set out in the South Sudan National Security Service Act of 2014. Under section 25 of the Act, the State Security Committee is a committee of nine (9) members consisting of the Governor and Deputy Governor as Chair and Deputy Chair respectively; the Security Advisor (if any) as a member; the State Ministers for Local Government and Finance as members; the Head of Legal Administration as a member; the Commander of the SPLA Forces in the State as a member; the State Commissioner of Police as member; and the Director of Internal Security Bureau as Secretary.

The functions of the State Security Committee are to (a) maintain and keep security in the State; (b) co-ordinate among security agencies at State level; (c) receive reports from security committees in counties; (d) submit periodical reports to the Council; and (e) carry out any assignment delegated by the Council or Technical Committee.<sup>9</sup>

As the Constitution, read together with the National Security Services Act, clearly shows, the Governor and the Deputy Governor- who in this case happens to be from the SPLM- IO have very important co-ordinating - but not commanding - responsibilities for security at the state level. It is in this context - as the Chair of the State Security Committee - that I called for and addressed an urgent gathering of the various forces, emphasizing, in firm terms, that the fragile peace in Unity State could not hold unless the culprits - clearly identified and known, by the recorded admission of General Stephen Buay to be members of the SSPM/A - were brought to book. (in audio-clip attached above) I mentioned the SSPM/A as culprits by name. They, too, have named themselves as such. Given this, I am not clear **why my identifying SSPM/A as the culprits by name** should ineluctably lead your Panel to infer that I thereby condoned or was complicit in the extra-judicial killing of the four.

<sup>5</sup> See article 99(1) of the Transitional Constitution of Unity State

<sup>6</sup> See *id.*

<sup>7</sup> Established under part eight, chapter 1 from article 129 of the Transitional Constitution of Unity State.

<sup>8</sup> Established under part eight, chapter 1 under article 133(1) of the Transitional Constitution of Unity State.

<sup>9</sup> See section 26 of the South Sudan National Security Service Act of 2014

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I admit that I addressed the security forces: it was part of my job. Not to have done so after such wicked destructiveness in an environment of charged emotions would have been a serious dereliction of my duties as laid down in both national and state constitutions and the laws of South Sudan. Indeed, that is the constitutional and legal context in which H.E. the President summoned me to brief him on the events in Mayom County and to outline to him the steps my government had taken to restore normalcy and deal with threats to peace. I find the notion—implicit in your letter—that the presidential summon was somehow political or moral censure as wholly unwarranted and, frankly, risible. Governors are the eyes of the President on the ground. Who, if not the Governor, should the President call on for explanations when threats to law and order sprout and spread within a state?

That said, and as I explain below, in matters of restoring security in which military operations are involved, the Office of Governor—my office—may lead but it does not rule: the Governor has no constitutional, legal, political or moral mandate, or capacity, to command and execute military operations.

### **c) Presence at the Executions in Kaikang**

The claim that I was present at executions at Kaikang is, supposedly, the *coup de grace* of the Panel's case against me. It is unfortunately the proof—if such were needed of the dangers of relying on media's 'pictorial' evidence.

Let me start with a brief background: Those responsible for the murder of Commissioner Gatluak and the 12 people immolated along with him were sought, found and arrested on the 6<sup>th</sup> of August, 2022. On the 8<sup>th</sup> of August they were executed at Kaikang. Your letter claims that I was present during their execution and a still photo, supposedly showing me mingling with the soldiers, is attached to your 'bundle of evidence.' That claim is patently false and the person in the picture that you attached is certainly not me.

As it happens, on the day of the executions, Tuesday, August the 8<sup>th</sup> 2022, I was more than 60 kilometres away in Mankien Payam where I chaired a one-day conference of traditional chiefs and administrators from the eleven payams of Mayom county. There is both an official account of this event and a video-recording of the proceedings made by an official videographer (See attached press statement and accompanying video above).

Though—as the evidence shows—I was not at the scene of the execution, I was subsequently briefed about the situation in Kaikang. Once again, I think that it is important that the Panel understand the

context. According to my information, Kaikang was a scene of utter chaos on the day of the killings. The crowd was emotionally charged and acted disorderly and the mood was generally foul and tempestuous. As narrated to me, the officers on site lost control in the ensuing disorder. The relatives of the assassinated Commissioner and of the men murdered with him were on the scene and grief and anger were expressed equally and loudly. The combined mix of soldiers, armed local youth and an angry public wrought an atmosphere of 'nobody-in-charge' which left it unclear who was making orders, including—crucially—who made the order to execute the culprits. In my view, context calls for a judicious investigation and a measured response. Peace and justice should be achieved together.

I believe that this would be a complete answer to the allegation that I was—in effect—an accomplice in extra-judicial killings. Even so, I would like to highlight a number of legal issues and actions regarding the command and control of the operation that led to the executions that have been overlooked in your letter. Let me begin with the legal framework for command and force accountability during operations.

#### **5. The Legal Framework for the Command and Control of Military Operations**

The assassination of Commissioner Gatluak and the 12 others killed with him was a military operation by SSPM/A. Consequently, the operation to search for and apprehend the killers involved was also a military rather than a police operation. Had it been a state police operation, it would have been under my command. However, as a military operation, it was fully under the SSPDF chain of command. All the operations undertaken to apprehend the culprits were managed under the framework established by Sudan People's Liberation Army Act 2009 (as amended). That act is comprehensive: it sets out the parameters of command; defines the chain of command and accountability and provides for the punishment of military and civil offences committed during operations.

The claim that forces and civilians under my command conducted both the operations and carried out the execution is speculative and fallacious. The Sudan People's Liberation Army Act 2009 defines what both "command" and "commanding officer" mean in the context of operations.<sup>10</sup> Provisions on command and control of military operations are then detailed in chapter 3. Section 13 of the act vests overall command in the President, who is also the Commander-in-Chief.

<sup>10</sup> See section 5 Interpretation, "Command means authority exercised by Sudan People's Liberation Army commander over his or her subp-ordinates by virtue of rank and, or assignment." A commanding officer on the other hand "means an officer in charge of Sudan People's Liberation Army combat and service support units."

In that capacity, the President sets the political and military objectives of the SPLA. He issues directives for the deployment of the forces. He frames and issues military orders to the Chief of Defence Forces. In performing some of his functions, the President is aided by the Command Council established under section 15. From the Commander-in-Chief, the chain of command flows down to the Deputy Commander-in-Chief and from him or her to the Chief of the Defence Forces and the Deputies of the Chief of Defence Forces.

As I have said elsewhere in this letter, on the 22<sup>nd</sup> of July 2022 when I arrived at the site of where Commissioner Gatluak and the 12 others were burnt alive, I found that a Deputy Chief of the Defence Forces in Charge of Operations already had arrived from Juba and taken charge of the military side of the affairs. This underlined to me that the national government understood how dangerous these killings were to South Sudan's delicately poised peace process. At no point from that day, did command ever shift from the South Sudan Defences Forces to me.

Whilst I am distraught by the claims your letter alleges about me, I am anxious that the truth about who ordered the executions on the 8<sup>th</sup> and why be established. As you probably know, South Sudan has a comprehensive legal framework for dealing with wrongdoing—including wrongful killings—by members of the South Sudan People's Defence Forces. The main legal provisions are to be found in both the Sudan People's Liberation Army Act of 2009 and the South Sudan Penal Code Act of 2008—especially Chapters XVI (covering offences related to death) and XVII (covering offences related to bodily injury and Intimidation).

In my view, the fact that the Mayom killings are cognisable offences under the laws of South Sudan means that there are local mechanisms for investigating and punishing such conduct. I am convinced that this is in fact the reason why H.E. the President Salva Kiir took action, on the 8<sup>th</sup> of September 2022, to establish a high-level Investigation Committee with ample powers to investigate the killings and the factors that may have led to them. The Committee has a four-fold mandate, namely: 1) to investigate cases of insecurity including reported cases of extra-judicial killings, rape and destruction of property; 2) to summon and interrogate any suspect(s) implicated in the incident, including those in custody; 3) to apprehend and interrogate any suspects at large where appropriate and 4) to identify, summon and interview any witness or witnesses. The Investigation Committee was initially given a very tight deadline but this has been subsequently extended to enable them conduct a fair, full and impartial investigation. That process is now actively underway.

Given the on-going national processes, my immediate concern is that the Panel has prejudged matters. Your letter draws definitive conclusions about

my alleged culpability without referencing the efforts of the South Sudan Government to get to the bottom of the matter. It looks to any disinterested by-stander that in this matter, the UN is acting in parallel to—and preempting rather than supporting and reinforcing—the efforts of Government of South Sudan.

It is my firm belief that an incomplete or partial investigation that isolates and condemns some actors but not others before all facts are publicly established is inimical to the peace efforts in South Sudan. In truth, any investigation that is not legally and politically even-handed would only inflame the combustible realities on the ground in Unity State and in the Republic of South Sudan more generally.

#### **6. The Council of State Request to H.E. the President to Fire Me**

I have to say that I don't quite understand how this relates to the extra-judicial killings. I assume that the Panel presupposes that the immediate reason for the Council of State's letter to the President requesting that I be fired—(See attached letter)—is my alleged culpability in the extra judicial killings. If that is the claim, then it is another patently skewed misreading of the facts. It is also an extremely partial interpretation of the political context. That context is defined by two summons that the Council of State had issued to me.

In its summons, the Council had asked me to explain two violent incidents, one in the Mayom County—covered in your letter—and another in Leer County—not mentioned in your letter. The incident in Leer involved a violent confrontation between SPLM-IO and community youth militia. The immediate trigger were grievances by the local youth that SPLM-IO cadres were rustling and selling cattle in order to fund conflict. The notoriety of cattle rustling is a matter of public record and has been noted by the UN itself.

This, then, was the background against which the Council of State asked me to fire two County Commissioners whom the SPLM-IO had accused—in a series of social media uploads and postings—of being complicit in the violence in both Leer and Mayom Counties. The gravamen of the Council of State's complaint to the President was that I had failed to sack the two Commissioners, which they saw as a dereliction of duty on my part. I explained to them that since the Revitalised Peace Agreement in 2018, Governors could no longer fire County Commissioners. That power now vested in the President.

In rejecting the request from the Council of State, the Office of the President correctly pointed out that if a Governor fired a County Commissioner such a Governor would be acting *ultra vires* the relevant laws.

## **7. The Claim that Some Unnamed Youth was forced to flee on Account of Threats**

I am unsure how to respond to this claim since the youth leader was neither named nor his political affiliation identified. I do not even know when and where he called for my resignation. The truth is that in the fluid political environment in South Sudan and in Unity State, in particular, the society is suspicious and polarised both in terms of identity and politics. There is a multitude of armed people. Chaos can arise spontaneously or it can arise because it has been planned by those who don't want peace. That means that at, any time, both the reality and perception of threat are widespread. I have myself received an explicit threat to my life. I know many more people who have received such threats and quite a few who have been killed. I am also aware that in a charged political environment, people will make reckless comments to score political points.

Given all this, I do not know what to make of the claim around this youth leader: Who threatened him? Where? How was the threat framed? How is that linked to me or my administration? Was the threat ever reported to the authorities? Where is the record or log of that report?

## **8. Intimidation of civilians in IDP camps**

I am unaware of any people associated with me or my government walking around IDP camps intimidating civilians. Most importantly, these IDP camps are ran by the UN. I have not received any reports from the UN Camp Administrators that members of my government are threatening the civilians in these camps. I have not seen any complaints sent to the national government in Juba. I, therefore, have no basis for official action as State Governor.

Even though both the national government and state governments are aware that IDP camps have been used—in South Sudan and elsewhere in Africa—as recruiting grounds for rebels and insurgents, the government has left these camps well alone.

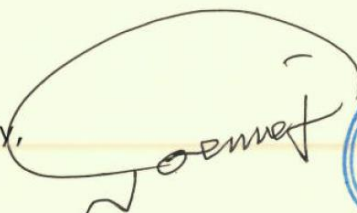
## **9. Conclusion**

In concluding my response to your letter, I wish to reiterate my commitment to peace and reconciliation in South Sudan, a country I love and have served and sacrificed for over the years.

My plea is that all well-wishers—including the UN and the Panel of Experts—do everything they can to stabilise and strengthen the political order in South Sudan in general and in Unity State in particular. Only when such order is restored and stabilised can we avoid the deadly actions that are at the heart of your letter and my response to it.

I wish you well in your work.

Yours Sincerely,



**DR JOSEPH MONYTUIL WEJANG**  
**GOVERNOR OF UNITY STATE,**  
**THE REPUBLIC OF SOUTH SUDAN**

