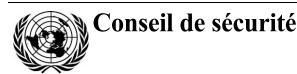
Nations Unies S/2022/884



Distr. générale 1<sup>er</sup> décembre 2022 Français

Original: anglais

Lettre datée du 28 novembre 2022, adressée à la Présidente du Conseil de sécurité par le Groupe d'experts sur le Soudan du Sud créé en application de la résolution 2206 (2022) du Conseil de sécurité

Les membres du Groupe d'experts, dont le mandat a été prorogé conformément à la résolution 2633 (2022) du Conseil de sécurité, ont l'honneur de transmettre ci-joint leur rapport d'activité, soumis en application du paragraphe 18 de la résolution.

Ce rapport a été adressé le 4 novembre 2022 au Comité du Conseil de sécurité créé par la résolution 2206 (2015) concernant le Soudan du Sud, qui l'a examiné le 18 novembre.

Le Groupe d'experts vous serait reconnaissant de bien vouloir porter le texte de la présente lettre et du rapport d'activité à l'attention des membres du Conseil de sécurité et de le faire publier comme document du Conseil.

Le Coordonnateur du Groupe d'experts sur le Soudan du Sud (Signé) Michael Gibb

> (Signé) Mayank **Bubna** Expert

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(Signé) Valerie **Yankey-Wayne** Experte



# Rapport d'activité du Groupe d'experts sur le Soudan du Sud présenté en application de la résolution 2633 (2022)

Résumé

En août 2022, le Gouvernement sud-soudanais a prorogé de deux ans la période de transition établie aux termes de l'accord de paix de 2018, reportant effectivement les élections au mois de décembre 2024.

Les réactions ont été contrastées. Les Sud-Soudanais sont naturellement soulagés de constater, malgré de vives tensions politiques et une profonde méfiance au sein du Gouvernement provisoire d'union nationale revitalisé, la survivance d'un processus politique qu'il convient de préserver et de prolonger. Ils sont consternés de constater, après quatre ans, que l'accord de paix ait si peu progressé. Et ils se méfient de ce que la prorogation ne vise qu'à renforcer les intérêts des classes politique et économique, qui en ont été les principales bénéficiaires à ce jour.

Le processus politique résultant de l'accord de paix de 2018, stimulé par la formation en février 2020 d'un Gouvernement provisoire d'union nationale revitalisé, a contourné plusieurs crises politiques redoutables. Une structure de commandement unifiée à la tête des services de sécurité du pays a été décidée, un boycottage par l'opposition du Parlement qui menaçait un pilier du Gouvernement a été réglé et le premier groupe des forces unifiées nécessaires a obtenu à compter du mois d'août 2022 son diplôme de fin de formation.

La subsistance de ce processus politique s'explique néanmoins principalement par l'absence d'options satisfaisantes pour les élites qui le composent et dont les intérêts politiques et économiques sont largement liés à sa survie.

Même dans le contexte de l'histoire tumultueuse du Soudan du Sud, la simple survivance d'un processus de paix n'est pas forcément synonyme de progrès. L'intérêt du processus politique tient à sa capacité de régler les nombreuses crises sur les plans économique, humanitaire et de la sécurité que connaît la grande majorité de la population sud-soudanaise. Et c'est à cet égard qu'il est défaillant. La vie politique se déroule à Djouba e sur fond de violences infranationales généralisées, d'atteintes très répandues aux droits humains, notamment de violences sexuelles endémiques et systémiques liées au conflit et d'une accumulation de crises humanitaires et économiques qui désarçonnent la majeure partie de la population à la suite des chocs successifs et aggravés subis. Des millions de personnes ont été déplacées et de nombreux indicateurs humanitaires clefs, notamment la sécurité alimentaire, sont au plus bas depuis l'accession à l'indépendance.

Le processus politique et la consolidation de la paix basés à Djouba ont principalement consisté à se maintenir en place, plutôt qu'à gouverner, pour atténuer ces crises. Par voie de conséquence, les violences infranationales politisées se sont propagées à l'intérieur du pays, notamment dans des secteurs qui étaient jusque-là fermement contrôlés par le Gouvernement. Entre-temps, des heurts ont continué d'opposer les forces gouvernementales aux forces de l'opposition, aux transfuges et aux groupes armés non signataires, alors même que le Gouvernement encourage la paix.

Bien qu'une partie des forces unifiées nécessaires ait achevé sa formation, il n'existe aucun plan clair relatif à leur déploiement et aucun accord n'a été conclu au sujet des rangs intermédiaires de la structure de commandement intégrée. Pour l'heure, ces forces apparaissent comme un complément marginalisé dans un contexte de sécurité déjà complexe, plutôt que comme une force de combat nationale unifiée et viable.

Malgré le Gouvernement provisoire d'union nationale revitalisé à Djouba, le tissu politique et social du pays continue donc de s'effilocher. La force dominante, au-delà de la capitale, est une nouvelle fragmentation et non une nouvelle unification.

22-25090 3/82

# **Table des matières**

			Page		
I.	Cor	ntexte	5		
	A.	Mandat et déplacements	5		
	B.	Coopération avec les organisations internationales et les autres parties prenantes	5		
	C.	Méthode de travail	6		
II.	Deux années supplémentaires de transition.		6		
	A.	Réactions contrastées à la prorogation de la période de transition	6		
	B.	Rejet de la prorogation par les groupes non signataires, qui restent fragmentés	7		
	C.	Les forces unifiées nécessaires achèvent leur formation mais ne sont toujours pas déployées	8		
III.	Violences infranationales généralisées		8		
	A.	Violences à Tonj-Nord	8		
	B.	Exécutions extrajudiciaires à Mayom	11		
	C.	Violence et instabilité dans le Haut-Nil	13		
IV.	Cris	ses humanitaires aggravantes	14		
	A.	Inondations et insécurité alimentaire	14		
	B.	Les violences infranationales compromettent la sécurité alimentaire	16		
	C.	Achat de vivres pour les militaires	16		
V.	Les auteurs d'atteintes graves ont rarement à rendre compte de leurs actes				
	A.	Meurtres à Kajo Kaji	17		
	B.	Tribunal militaire de Yei	18		
VI.	Participation régionale et internationale				
	A.	Coopération et formation à la sécurité régionale	19		
	B.	Participation internationale	20		
VII.	Fra	gmentation des finances publiques	21		
VIII.	Cor	Conclusion			
IX.	Recommandations				
Annexes	*		24		

<sup>\*</sup> Les annexes sont distribuées uniquement dans la langue de l'original et n'ont pas été revues par les services d'édition.

### I. Contexte

### A. Mandat et déplacements

- 1. Par sa résolution 2206 (2015), le Conseil de sécurité a imposé un régime de sanctions visant des personnes et des entités qui participent au conflit au Soudan du Sud et créé un comité des sanctions (Comité du Conseil de sécurité créé par la résolution 2206 (2015) concernant le Soudan du Sud). Le 1<sup>er</sup> juillet 2015, le Comité a désigné six personnes devant faire l'objet de sanctions ciblées. Par l'adoption de sa résolution 2428 (2018), le Conseil a imposé un embargo sur les armes sur le territoire sud-soudanais et ajouté deux personnes à la liste des personnes désignées. Le 28 mai 2022, il a adopté la résolution 2633 (2022), dans laquelle il a reconduit le régime de sanctions jusqu'au 31 mai 2023.
- 2. Par sa résolution 2633 (2022), le Conseil de sécurité a également prorogé jusqu'au 1<sup>er</sup> juillet 2023 le mandat du Groupe d'experts sur le Soudan du Sud chargé de fournir au Comité des informations et des analyses qui l'aideraient dans ses travaux, notamment pour ce qui est de désigner des personnes ou entités qui se livreraient aux activités décrites au paragraphe 11 de la résolution 2206 (2015).
- 3. Le 22 juin 2022, après avoir consulté le Comité, le Secrétaire général a nommé les cinq membres du Groupe d'experts (voir S/2022/508).
- 4. Durant la période considérée, le Groupe d'experts s'est rendu deux fois au Soudan du Sud, ainsi qu'aux Émirats arabes unis, au Kenya et en Ouganda.

# **B.** Coopération avec les organisations internationales et les autres parties prenantes

- 5. Bien qu'il mène ses travaux indépendamment des organismes et institutions des Nations Unies, le Groupe d'experts tient à remercier la Mission des Nations Unies au Soudan du Sud (MINUSS) ainsi que d'autres membres du personnel des Nations Unies, en particulier à New York.
- 6. Durant sa visite au Soudan du Sud, le Groupe d'experts a demandé à rencontrer des représentants de huit institutions et Ministères au sein de l'administration sud-soudanaise, mais n'a reçu qu'une seule réponse. Il a pu s'entretenir avec des représentants de la Mission permanente du Soudan du Sud auprès de l'Organisation des Nations Unies et du Ministère de la défense et des anciens combattants et, de manière officieuse, avec des personnalités de haut rang des Forces sud-soudanaises de défense du peuple, des membres de l'Assemblée législative nationale provisoire revitalisée et d'autres responsables du Gouvernement.
- 7. Au paragraphe 17 de sa résolution 2633 (2022), le Conseil de sécurité a souligné qu'il importait que le Groupe d'experts tienne des consultations régulières avec les États Membres concernés, les organisations internationales, régionales et sous-régionales et la MINUSS.
- 8. Le Groupe d'experts est parvenu à consulter de manière approfondie des représentants d'organes et organismes des Nations Unies au Soudan du Sud et ailleurs. Il a également consulté la majeure partie des mécanismes de sécurité créés par l'Accord revitalisé sur le règlement du conflit en République du Soudan du Sud.
- 9. Le Groupe d'experts a adressé de multiples demandes aux États Membres de la région et à d'autres États Membres concernant la tenue de réunions et a pu s'entretenir avec des représentants des Gouvernements émirien et ougandais dans leurs capitales respectives.

22-25090 5/82

10. Le Groupe d'experts a adressé également 27 lettres officielles au Gouvernement sud-soudanais, aux États Membres de la région et à d'autres personnes et entités, et a reçu 15 réponses concrètes avant l'établissement du présent rapport d'activité. Les réponses qu'il a reçues par la suite figurent dans les annexes au présent rapport.

### C. Méthode de travail

- 11. Le présent rapport a été établi sur la base des recherches et des enquêtes menées par le Groupe d'experts, qui a procédé à de nombreux entretiens pour collecter un ensemble d'informations crédibles, obtenues de sources très diverses. Il a examiné les documents mis à sa disposition par des personnes, des entités commerciales, des sources confidentielles et le Gouvernement. Il s'est également inspiré de travaux antérieurs, dont des rapports au Conseil de sécurité et au Comité, tant publics que confidentiels.
- 12. Le Groupe d'experts a respecté les normes recommandées par le Groupe de travail informel du Conseil de sécurité sur les questions générales relatives aux sanctions dans son rapport de décembre 2006 (S/2006/997). Il a corroboré les informations figurant dans le présent rapport au moyen de sources multiples et indépendantes afin de respecter le critère de preuve exigé.
- 13. Le Groupe d'experts a mené ses travaux dans la plus grande transparence et a été soucieux de respecter la confidentialité de ses sources si nécessaire.

### II. Deux années supplémentaires de transition

14. Les élections et la fin de la période de transition approchant à grands pas, la prorogation de deux ans a permis de maintenir le processus politique en cours, tout en soulevant des interrogations sur la capacité et la volonté du Gouvernement d'accélérer l'application de l'accord de paix.

### A. Réactions contrastées à la prorogation de la période de transition

- 15. Le 4 août 2022, le Président, Salva Kiir Mayardit, a annoncé une prorogation de deux ans de la période de transition, établie aux termes de l'accord de paix de 2018<sup>1</sup>, accompagnée d'une feuille de route énonçant un nouveau calendrier en vue de l'application des nombreuses dispositions qui demeuraient en suspens<sup>2</sup>.
- 16. La prorogation a été avalisée par toutes les parties à l'accord, malgré quelques voix dissonantes telles que le Mouvement démocratique national qui l'ont qualifiée de « cynique »<sup>3</sup>. D'autres groupes de l'opposition et des coalitions de la société civile se sont plaints de ce que les consultations aient été insuffisantes <sup>4</sup>, tandis qu'un sondage d'opinion mené dans trois États révélait des doutes quant à la capacité et à

<sup>&</sup>lt;sup>1</sup> L'Accord revitalisé sur le règlement du conflit en République du Soudan du Sud, signé en septembre 2018, comprenait à l'origine des dispositions relatives à une période de prétransition de huit mois, suivie d'une période de transition de 36 mois (chap. 1.1.2). La période de transition a commencé en février 2020, avec la formation du Gouvernement provisoire d'union nationale revitalisé.

<sup>&</sup>lt;sup>2</sup> Voir annexe 1.

<sup>&</sup>lt;sup>3</sup> Voir annexe 2.

<sup>&</sup>lt;sup>4</sup> Voir annexes 3 et 4. Voir également Eye Radio, « Peace parties implement 27% of R-ARCSS in 3 years, will 70% be in 2 years? », 12 août 2022, consultable à l'adresse suivante : www.eyeradio.org/peace-parties-implemented-27-of-r-arcss-in-3-years-will-70-be-in-2-years.

la volonté du Gouvernement d'accomplir de nouveaux progrès durant la période supplémentaire de deux ans<sup>5</sup>.

- 17. Quelques avancées de procédure ont néanmoins été obtenues au lendemain de la prorogation. Le 24 octobre 2022, par exemple, le Parlement a voté la loi relative à la rédaction d'une constitution, qui fournira un cadre juridique orientant l'élaboration d'une constitution permanente<sup>6</sup>.
- 18. Les responsables participant au processus politique ont, qui plus est, des incitations financières à proroger l'arrangement en cours. Les deniers publics sont consacrés de plus en plus à la gestion du Gouvernement plutôt qu'à la prestation de services. Au cours du premier semestre de l'exercice 2021/22, quelque 80 % des dépenses inscrites au budget ont été consacrées à l'administration publique et au secteur de la sécurité<sup>7</sup>. Chaque membre du Parlement reçoit des paiements qui sont environ trois cents fois supérieurs à ceux perçus par un soldat ordinaire<sup>8</sup>. Le coût total de l'indemnité annuelle supplémentaire pour soins de santé dont bénéficie un membre du Parlement, qui se chiffre à 15 000 dollars, représentait le double du montant alloué au Ministère de la santé au premier semestre de l'exercice 2021/22<sup>9</sup>.

# B. Rejet de la prorogation par les groupes non signataires, qui restent fragmentés

- 19. Les groupes armés non signataires ont rejeté à l'unanimité la prorogation de la période de transition. Le Front de salut national l'a qualifiée de tentative « illégale » de conserver le pouvoir et de maintenir le statu quo 10, tandis que les « Parties prenantes ayant une position commune sur une nouvelle distribution politique au Soudan du Sud », qui comprennent le général Paul Malong Awan Anei (SSi.008) de l'Armée/Front uni du Soudan du Sud, ont « catégoriquement et clairement » rejeté la prorogation 11.
- 20. Malgré les appels à la paix, les combats entre le Front de salut national et les forces gouvernementales se sont poursuivis dans la partie sud de l'Équatoria-Central, tandis que les forces gouvernementales ont arrêté des partisans supposés de Malong dans les États de Bahr el-Ghazal occidental et de Bahr el-Ghazal septentrional au cours de plusieurs opérations menées à compter du mois de juin 2022 et les ont placés en détention<sup>12</sup>.
- 21. Depuis l'annonce de la prorogation, les groupes armés non signataires ont également redoublé d'efforts pour nouer une alliance plus large et conserver toute leur pertinence, notamment en se réunissant avec d'autres figures de l'opposition, telles que le chef du Mouvement/Armée populaire du Soudan du Sud, Stephen Buay Rolnyang, et Simon Gatwech Dual (SSi.002), visé par des sanctions, membre du

22-25090 7/82

<sup>5</sup> Informations fournies par des observateurs internationaux dans les États de Ouarrap, des Lacs et de l'Équatoria-Oriental.

<sup>&</sup>lt;sup>6</sup> Entretiens avec des membres du Parlement, septembre et octobre 2022.

<sup>&</sup>lt;sup>7</sup> Rapports sur les dépenses, préparés par le Ministère des finances et de la planification, couvrant la période de juillet à décembre 2021, conservés dans les dossiers du Groupe d'experts. Les chiffres précités regroupent les dépenses pour la sécurité, l'état de droit (dont la police), les fonctions économiques et l'administration publique.

<sup>&</sup>lt;sup>8</sup> Budget approuvé pour l'exercice 2022/2023.

<sup>9</sup> Rapports sur les dépenses établis par le Ministre des finances et de la planification, conservés dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>10</sup> Voir annexe 5.

<sup>&</sup>lt;sup>11</sup> Voir annexe 6.

<sup>&</sup>lt;sup>12</sup> Rapports d'observateurs internationaux obtenus par le Groupe d'experts.

groupe Kit-Gwang<sup>13</sup>. De nouvelles tables rondes<sup>14</sup> ont été proposées au forum de consensus national, tandis que le Front de salut national rejetait une proposition de front militaire et de structure de commandement unifiés, suggérée par M. Buay<sup>15</sup>.

22. À la suite des pourparlers organisés par la Communauté de Sant'Egidio à Rome en octobre 2022, six groupes d'opposition se sont restructurés en tant que groupes d'opposition sud-soudanais non signataires 16 et ont tenu des consultations avec les envoyés de la troïka ainsi qu'avec des représentants de l'Union européenne et du Vatican et la direction de Sant'Egidio 17.

# C. Les forces unifiées nécessaires achèvent leur formation mais ne sont toujours pas déployées

- 23. Après plusieurs retards, un premier contingent des forces unifiées nécessaires a obtenu le 30 août 2022 son diplôme de fin de formation à Djouba. Des forces supplémentaires ont également reçu par la suite leur diplôme à Torit, Maridi, Wau et Bor<sup>18</sup>.
- 24. Même si très peu de chiffres officiels ont pu être confirmés, à compter de novembre 2022, quelque 37 000 des 40 000 des soldats des forces unifiées nécessaires avaient achevé leur formation dans 13 des 17 centres, principalement dans les régions de l'Équatoria et de Bahr el-Ghazal<sup>19</sup>. Les centres restants, qui sont principalement situés dans la région du Haut-Nil, doivent concourir à la formation de forces supplémentaires, mais ont été durement touchés par le conflit, les inondations et d'autres problèmes logistiques<sup>20</sup>.
- 25. Si quelques cadets ont défilé avec un bâton plutôt qu'une arme, plusieurs hauts responsables ont déclaré en privé au Groupe d'experts que ce geste visait à dénoncer l'embargo sur les armes, laissant entendre une incapacité d'armer les forces unifiées nécessaires, plutôt que le reflet d'une véritable pénurie d'armes <sup>21</sup>. L'intention pourrait être également de maintenir les forces intégrées dans un état de faiblesse, comparées à leurs homologues dans les Forces sud-soudanaises de défense du peuple et dans d'autres services de sécurité.
- 26. Dans bon nombre de cas, les enquêtes du Groupe d'experts indiquent que les forces nouvellement formées ont été rassemblées à la hâte, voire fraîchement recrutées. Elles ont été transférées d'un centre à l'autre, pour faciliter la fin de la

<sup>&</sup>lt;sup>13</sup> Déclarations conservées dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>14</sup> Sudans Post, « Gen. Cirilo, Gen. Malong and Gen. Pagan reunites under one umbrella », 26 octobre 2022, consultable ici www.sudanspost.com/gen-cirilo-gen-malong-gen-pagan-reunitesunder-one-umbrella.

<sup>&</sup>lt;sup>15</sup> Voir annexes 7, 8 et 9.

<sup>16</sup> Le Mouvement/Armée révolutionnaire démocratique unitaire, le Mouvement démocratique national-Front patriotique, le Front de salut national, l'Armée/Front uni du Soudan du Sud, le Mouvement national sud-soudanais pour le changement et le Vrai Mouvement populaire de libération du Soudan.

<sup>&</sup>lt;sup>17</sup> Entretiens avec de hauts représentants des groupes non signataires, octobre 2022 ; voir annexes 10 et 11. Paul Malong (SSi.008), visé par des sanctions, a demandé et obtenu une dérogation à l'interdiction de voyager, pour participer aux entretiens.

<sup>18</sup> Entretiens avec des responsables des mécanismes de sécurité et des dirigeants de haut rang, septembre et octobre 2022.

<sup>&</sup>lt;sup>19</sup> Ibid. Au 4 novembre 2022. Voir également annexe 12.

<sup>&</sup>lt;sup>20</sup> Ibid.

<sup>&</sup>lt;sup>21</sup> Entretiens avec des responsables gouvernementaux et militaires, septembre et octobre 2022.

formation, ce qui a entraîné une confusion sur le nombre et l'identité des recrues <sup>22</sup>. Le Ministre de l'information de l'État d'Équatoria-Oriental a noté par exemple que « des personnes ayant suivi une formation au centre étaient prêtes à recevoir leur diplôme, mais que d'autres arrivaient et devaient en obtenir un, alors qu'elles n'étaient même pas au centre de formation »<sup>23</sup>.

- 27. Les groupes d'opposition comptent sur le succès des forces unifiées nécessaires, considérant la création d'une seule armée nationale unifiée comme essentielle pour protéger leurs intérêts et leur influence. Ils ont souligné au Groupe d'experts que tous les soldats des Forces avaient « d'un point de vue technique » reçu leur diplôme par décret présidentiel le 30 août 2022<sup>24</sup>.
- 28. Il n'est pas certain que le Gouvernement partage cette vision au sujet des forces unifiées nécessaires. Il n'existe pas de plan de déploiement d'envergure des forces nouvellement formées. Beaucoup de soldats ont simplement reçu l'ordre de réintégrer leur communité après avoir reçu leur diplôme <sup>25</sup>. Un ancien officier de l'Armée populaire de libération du Soudan dans l'opposition a déclaré au Groupe d'experts : « la remise d'un diplôme n'a pas vraiment influé sur ma vie. J'ai repris mes activités habituelles pour survivre, préparant du charbon destiné à la vente »<sup>26</sup>. En octobre 2022, quelque 2 000 soldats des forces unifiées nécessaires qui venaient d'être formés avaient été déployés dans l'État de Ouarrap, sans que cela fasse partie d'un plan de déploiement officiel<sup>27</sup>.
- 29. En effet, les forces unifiées nécessaires n'existent qu'en tant que force parallèle mal équipée et mal entraînée. Les Forces sud-soudanaises de défense du peuple et le Service national de sécurité continuent de procéder à leur propre recrutement <sup>28</sup>, notamment d'enfants<sup>29</sup>, tandis que quelques-uns des éléments les plus puissants des Forces sud-soudanaises de défense du peuple, notamment le Bataillon des tigres, se tiennent totalement à l'écart du processus<sup>30</sup>.
- 30. Les problèmes associés à la réforme du secteur de la sécurité sont également manifestes dans les états de paie. Selon les données du Gouvernement, quelque 420 000 personnes sont sur les états de paie du secteur de la sécurité <sup>31</sup>. Loin de chercher à réduire ces chiffres, le Ministre des finances et de la planification a

Entretiens avec de hauts responsables du Gouvernement, octobre 2022. Voir également Radio Tamazuj, « Torit: Graduation of unified forces postponed again », 13 septembre 2022, consultable ici https://radiotamazuj.org/en/news/article/torit-graduation-of-unified-forces-postponed-again.

22-25090 **9/82** 

<sup>&</sup>lt;sup>23</sup> Sudans Post, « Watchdog "disappointed" as Eastern Equatoria postpones graduation of peace forces for third time », septembre 2022, consultable ici www.sudanspost.com/watchdog-disappointed-as-eastern-equatoria-postpones-graduation-of-peace-forces-for-third-time.

<sup>&</sup>lt;sup>24</sup> Entretiens avec de hauts responsables de l'opposition, octobre 2022.

<sup>25</sup> Entretiens avec des agents du secteur de la sécurité, des responsables du gouvernement et des observateurs internationaux, septembre et octobre 2022.

<sup>&</sup>lt;sup>26</sup> Entretiens téléphoniques avec des recrues ayant achevé leur formation à Torit, octobre 2022.

Entretiens avec des agents de la sécurité, des responsables du Gouvernement et des observateurs internationaux, septembre et octobre 2022.

Voir, par exemple, les rapports du Mécanisme de vérification et de surveillance du cessez-le-feu et du suivi de l'application des dispositions transitoires de sécurité intitulés « Illegal recruitment and training by National Security Service in Tambura County, Western Equatoria State, 26 July 2022 » et « Violations of the R-ARCSS and ACoH in Nasir County, Upper Nile State by party signatories, 26 July 2022 », consultable ici https://ctsamvm.org/ctsamvm-violation-reports.

<sup>&</sup>lt;sup>29</sup> Le recrutement d'enfants au Soudan du Sud a été largement étayé et rapporté par les organisations internationales, ainsi que par la société civile nationale et internationale. Voir également le rapport annuel du Secrétaire général sur les enfants et les conflits armés (A/76/871-S/2022/493).

<sup>&</sup>lt;sup>30</sup> Entretiens avec des responsables gouvernementaux et militaires, octobre 2022.

Ministère des finances et de la planification, « Preliminary Narrative Report on Utilization of RCF Funds », 12 mars 2021, consultable ici www.mofep-grss.org/wp-content/uploads/2021/03/LD.-Report-on-Use-of-RCF-Funds-Revised-version-March-27-2.pdf.

souligné dans son exposé budgétaire que l'unification des forces armées augmenterait de deux tiers la masse salariale du secteur de la sécurité<sup>32</sup>.

### III. Violences infranationales généralisées

31. Les violences infranationales ont persisté entre les forces gouvernementales et celles de l'opposition, notamment dans les États de l'Unité et du Haut-Nil. Ces récents mois, plusieurs incidents notables ont montré à quel point le Gouvernement avait du mal à maintenir la sécurité dans des zones qui étaient traditionnellement sous son contrôle.

### A. Violences à Tonj-Nord

- 32. Le 25 juin 2022, des heurts ont opposé des jeunes Dinka armés aux forces de sécurité gouvernementales à Rualbet à Tonj-Nord (État de Ouarrap), au cours desquels des dizaines de soldats ont été tués, dont au moins 18 officiers militaires supérieurs <sup>33</sup>. Plus de 8 000 personnes ont été déplacées <sup>34</sup>. Ces événements sont d'autant plus significatifs que Tonj est la région d'où sont originaires les personnalités politiques et de la sécurité sud-soudanaises les plus éminentes et qu'elle était demeurée constamment sous le contrôle du Gouvernement.
- 33. Un observateur local a décrit une « réaction négative croissante à la présence de l'État » dans le secteur, ces dernières années, reflétant la montée des tensions parmi les populations qui soutiennent principalement le Gouvernement hors de Djouba 35. À une conférence de paix tenue sur place en avril 2022, des représentants locaux ont dit craindre que les tensions intercommunautaires à Tonj ne soient « incontrôlables à la suite de la signature » de [l'Accord revitalisé sur le règlement du conflit en République du Soudan du Sud] » et qui soit impossible de parvenir par la suite à un « consensus sur ... la nomination de candidats aux divers postes à pourvoir dans l'administration »36. Ils ont constaté avec préoccupation que « quelques responsables politiques et de la sécurité avaient contribué à alimenter les conflits intercommunautaires par l'incitation et la fourniture d'armes létales »37.
- 34. Un exercice de désarmement lancé en mai 2022 a vite été compromis par les tensions et la méfiance<sup>38</sup>. Les forces de désarmement, notamment le Service national de sécurité, ont été accusées de partialité à l'égard de certaines populations <sup>39</sup> et

Ministre des finances et de la planification, discours sur le budget concernant l'exercice 2022/23, juillet 2023, consultable ici https://3309b9.n3cdn1.secureserver.net/wp-content/uploads/2022/08/Budget-Speech-Latest-02-08-2022-1.pdf.

<sup>&</sup>lt;sup>33</sup> Voir annexe 13. Voir également Eye Radio, « Armed civilians kill dozens of soldiers in Warrap State », 27 juin 2022, consultable ici www.eyeradio.org/armed-armed-civilians-kill-dozens-of-soldiers-in-warrap-statecivilians-kill-eighteen-soldiers-in-warrap-state.

<sup>&</sup>lt;sup>34</sup> Number One Citizen, « Over 8,000 people displaced in Tonj », 29 juillet 2022, consultable ici https://onecitizendaily.com/index.php/2022/07/29/over-8000-people-displaced-in-tonj.

<sup>&</sup>lt;sup>35</sup> Entretien téléphonique avec un observateur local connu de Ouarrap, octobre 2022.

<sup>&</sup>lt;sup>36</sup> Résumé officiel de la conférence, conservé dans les dossiers du Groupe d'experts.

<sup>37</sup> Ibid.

Radio Tamazuj, « Tonj East community surrenders over 900 illegal guns in disarmament exercise », 27 mai 2022, consultable ici https://radiotamazuj.org/en/news/article/tonj-east-county-community-surrender-over-900-illegal-guns-in-disarmament-exercise.

<sup>&</sup>lt;sup>39</sup> Entretiens téléphoniques avec des observateurs nationaux et internationaux, juin à octobre 2022.

d'avoir visé notamment les Awan Parek, tandis que des informations faisaient état de tactiques coercitives et de l'arrestation de chefs locaux<sup>40</sup>.

- 35. Alors que les tensions montaient, de violentes razzias de bétail ont fini par entraîner une attaque contre les forces gouvernementales et, le 25 juin 2022, le Président, M. Kiir, a ordonné une opération militaire majeure à Rualbet <sup>41</sup>. Des centaines de militaires ont été déployés des divisions 3, 5 et 11, ainsi que de l'Équatoria-Central <sup>42</sup>. Un hélicoptère armé a également été observé dans le secteur <sup>43</sup>.
- 36. Malgré les assurances données par le Gouvernement de ne pas infliger de « châtiments collectifs »<sup>44</sup>, le déploiement aurait entraîné bon nombre d'arrestations arbitraires, des tueries et des viols, notamment des viols collectifs de femmes et de mineures Awan Parek. Les centres de soins de santé locaux ont été réquisitionnés par les forces de sécurité et l'accès humanitaire a été refusé le long de toutes les voies menant à Rualbet<sup>45</sup>. Les cultures n'ont donc pas été récoltées, ce qui fait redouter une insécurité alimentaire à Tonj-Nord en 2023.
- 37. M. Kiir a annoncé la création de deux commissions d'enquête à la suite du conflit à Rualbet. La première, en août 2022, n'a pas pu respecter l'échéance de trois semaines qui lui avait été imposée pour rendre compte des faits<sup>46</sup>. La deuxième, comprenant une équipe de sécurité de haut niveau de Djouba, a été dépêchée pour « gérer la situation » et a établi un rapport qui n'a pas été rendu public<sup>47</sup>.

### B. Exécutions extrajudiciaires à Mayom

- 38. Le 8 août 2022, quatre hommes alliés au commandant de l'opposition, Stephen Buay Rolnyang, ont été exécutés à Kaikang, près de Mayom (État de l'Unité). Les exécutions, menées par des membres des forces de sécurité gouvernementales travaillant avec de hauts responsables nationaux et du Gouvernement de l'État, ont été enregistrées, photographiées et largement diffusées<sup>48</sup>.
- 39. Mayom est une enclave principalement nuer dans l'État de l'Unité, traditionnellement sous le contrôle du Gouvernement. Comme Stephen Buay Rolnyang, les hommes exécutés étaient tous de Mayom et avaient déserté les forces

22-25090 11/82

<sup>40</sup> Ibid.; corroboré par des rapports obtenus par le Groupe d'experts. Voir également annexes 14, 15 et 16.

Sudans Post, « Kiir to "punish" killers of high-ranking military officers, civilians in Tonj », juin 2022, consultable ici www.sudanspost.com/kiir-to-punish-killers-of-high-ranking-military-officers-civilians-in-tonj.

<sup>&</sup>lt;sup>42</sup> Entretiens téléphoniques avec des observateurs nationaux et internationaux, juin à octobre 2022; corroboré par des rapports obtenus par le Groupe d'experts. Voir également Eye Radio, « Top security chiefs vow to restore security in Tonj North », 3 juillet 2022, consultable ici www.eyeradio.org/top-security-chiefs-vow-to-restore-security-in-tonj-north.

<sup>&</sup>lt;sup>43</sup> Entretiens avec des observateurs nationaux et internationaux, septembre et octobre 2022.

<sup>&</sup>lt;sup>44</sup> Discours prononcé par le Président, Salva Kiir Mayardit, le jour de l'indépendance du Soudan du Sud, 9 juillet 2022.

<sup>&</sup>lt;sup>45</sup> Entretiens téléphoniques avec des observateurs nationaux et internationaux, juin à octobre 2022, corroborés par des rapports obtenus par le Groupe d'experts.

<sup>46</sup> City Review, « President Kiir forms committee to probe Warrap conflicts », 4 août 2022, consultable ici https://cityreviewss.com/president-kiir-forms-committee-to-probe-warrap-conflicts.

<sup>&</sup>lt;sup>47</sup> Au mois d'octobre. Entretien avec un officier de haut rang des Forces sud-soudanaises de défense du peuple, octobre 2022. Déclarations du Gouvernement conservées dans les archives du Groupe d'experts.

<sup>&</sup>lt;sup>48</sup> Vidéos et photographies conservées dans les dossiers du Groupe d'experts.

gouvernementales pour constituer le Mouvement/Armée populaire du Soudan du Sud<sup>49</sup>.

- 40. Le 22 juillet 2022, en représailles aux opérations des Forces sud-soudanaises de défense du peuple visant le Mouvement/Armée populaire du Soudan du Sud, les forces se trouvant sous le commandement de M. Buay ont attaqué et incendié le bureau de la présidence du comté de Mayom, tuant le Président du comté, James Chuol Gatluak Manime, et une dizaine de membres des forces gouvernementales <sup>50</sup>. Il a été largement rapporté que le Président du comté était le frère du Conseiller à la sécurité nationale du Président, Tut Kew Gatluak Manime <sup>51</sup>.
- 41. Dans les jours qui ont suivi, des responsables soudanais de haut rang se sont entretenus avec des proches des victimes à Khartoum et, selon des témoins, ont promis de capturer les meurtriers. Une délégation soudanaise s'est également rendue au Soudan du Sud pour s'entretenir des événements avec MM. Kiir et Gatluak<sup>52</sup>.
- 42. Entre-temps, le Gouverneur de l'État de l'Unité, Joseph Nguen Monytuil, et plusieurs membres du Gouvernement de son État se sont rendus à Mayom<sup>53</sup> et ont harangué une foule nombreuse, promettant de « punir rapidement et sévèrement » quiconque avait des liens avec le Mouvement/Armée populaire du Soudan du Sud<sup>54</sup>. Dans une déclaration datée du 29 juillet 2022, un porte-parole des Forces sud-soudanaises de défense du peuple à Djouba a décrit la participation de l'infanterie mobile de ces Forces à diverses opérations contre le Mouvement/Armée populaire du Soudan du Sud à Mayom<sup>55</sup>. Le lendemain, des combattants du Mouvement/Armée populaire du Soudan du Sud ont tendu une embuscade à un convoi militaire qui transportait du matériel militaire à Mayom et l'ont détruit, tuant plusieurs soldats gouvernementaux<sup>56</sup>.
- 43. Dans le même temps, des officiers des Forces d'appui rapide du Soudan ont repéré 11 soldats du Mouvement/Armée populaire du Soudan du Sud qui s'étaient dissimulés au Soudan<sup>57</sup>. Sept personnes ont été tuées<sup>58</sup> et les quatre autres officiers restants, Gatluok Majiok, Nyuon Garang Kuol, Pur Ruop Kuol et Dhoal Barpuoh Tap, ont été remis aux autorités sud-soudanaises à la frontière<sup>59</sup>.
- 44. Trois des quatre hommes ont été exécutés par la suite par un peloton d'exécution en présence d'officiers des Forces sud-soudanaises de défense du peuple et de

<sup>51</sup> Eye Radio, « "There will be no revenge," says grieving Tut Gatluak », 15 juillet 2022, consultable ici www.eyeradio.org/there-will-be-no-revenge-says-grieving-tut-gatluak.

Entretiens téléphoniques avec des membres de haut rang du Mouvement/Armée populaire du Soudan du Sud, des membres de la communauté et des responsables du Gouvernement, mai à août 2022. Des documents supplémentaires, relatifs à l'affaire, sont conservés dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>50</sup> Voir annexes 17 et 18.

<sup>&</sup>lt;sup>52</sup> Déclarations de la Présidence sud-soudanaise, 27 juillet 2022.

<sup>53</sup> Déclaration de l'office de presse du bureau du Gouverneur de l'État de l'Unité.

<sup>&</sup>lt;sup>54</sup> Vidéos et déclarations diffusées par l'office de presse du Bureau du Gouverneur de l'État de l'Unité.

<sup>55</sup> Voir annexes 18 et 19.

Vidéos et rapports conservés dans les dossiers du Groupe d'experts. Voir également Sudans Post, « Fighting erupts as gunmen attack army convoy heading to Maiom », 26 juillet 2022, consultable ici www.sudanspost.com/fighting-erupts-as-gunmen-attack-army-convoy-heading-to-mayom.

Entretiens menés avec des observateurs, notamment des droits humains, et articles et vidéos obtenus par le Groupe d'experts. Voir annexe 20.

<sup>58</sup> Ibid.

Voir annexe 20. Voir également Sudan Tribune, « Sudan arrests key rebel officers, hands them to South Sudan », 8 août 2022, consultable ici https://sudantribune.com/article262493.

responsables gouvernementaux à Kaikang, près de Mayom, le 8 août  $2022^{60}$ . M. Majiok a été brûlé vif à l'intérieur d'une hutte en chaume.

- 45. À la suite des exécutions, le Gouvernement sud-soudanais a ouvert une enquête<sup>61</sup>. Le 25 août, la recommandation faite par le Conseil des États de démettre M. Monytuil de ses fonctions de Gouverneur a néanmoins été rejetée par le Président<sup>62</sup>. M. Monytuil a déclaré au Groupe d'experts que la recommandation du Conseil n'était pas liée aux exécutions à Mayom<sup>63</sup>.
- 46. Les proches des soldats exécutés ont, depuis, fait l'objet de harcèlement et d'intimidation, tant au Soudan du Sud qu'au Soudan<sup>64</sup>. Le Groupe d'experts a reçu et corroboré des preuves selon lesquelles des agents de l'administration et de la sécurité de l'État de l'Unité avaient maltraité et détenu des dizaines d'individus, dont au moins deux agents humanitaires et un activiste sud-soudanais, qui auraient émis des critiques à l'encontre de M. Monytuil<sup>65</sup>. Au moins un activiste local a été contraint de quitter le pays à la suite de menaces de mort et d'intimidation<sup>66</sup>. M. Monytuil a nié toute implication dans ces incidents<sup>67</sup>.

#### C. Violence et instabilité dans le Haut-Nil

- 47. Le Haut-Nil a continué d'être le théâtre des combats les plus intenses qui soient. La violence illustre la façon dont les progrès en vue de l'unification à Djouba masquent souvent une fragmentation plus profonde des groupements et des communautés à l'intérieur du pays.
- 48. Le Gouvernement a exploité efficacement la faction Kit-Gwang, constituée à la suite des désertions de Johnson Olony et de Simon Gatwech (SSi.002), pour affaiblir le Premier Vice-Président, Riek Machar, et l'Armée populaire de libération du Soudan dans l'opposition dans le Haut-Nil<sup>68</sup>. Peu après, la faction Kit-Gwang elle-même s'est néanmoins fissurée, tandis que MM. Olony et Gatwech se séparaient, le Gouvernement revenant effectivement sur sa promesse d'intégrer leurs forces <sup>69</sup>.
- 49. La violence a évolué depuis pour revêtir la forme de conflits superposés et multiples, impliquant l'Armée populaire de libération du Soudan dans l'opposition, les forces Shilluk Agwelek alignées sur M. Olony, les forces favorables à Gatwech, l'Armée blanche et d'autres groupes nuer armés, notamment des États de l'Unité et de Jongleï<sup>70</sup>. Cette fragmentation et cet affaiblissement mutuels servent probablement

22-25090 13/82

<sup>&</sup>lt;sup>60</sup> Vidéos et photographies conservées dans les dossiers du Groupe d'experts. Voir annexe 21.

<sup>&</sup>lt;sup>61</sup> Entretien avec le porte-parole des Forces sud-soudanaises de défense du peuple diffusé sur South Sudan Broadcasting Corporation, 10 août 2022. Vidéo conservée dans les dossiers du Groupe d'experts.

<sup>62</sup> Lettre du Ministère des affaires présidentielles, datée du 25 août 2022, conservée dans les dossiers du Groupe d'experts.

<sup>63</sup> Voir annexe 28 pour la réponse intégrale de M. Monytuil aux questions du Groupe d'experts.

<sup>&</sup>lt;sup>64</sup> Entretiens téléphoniques avec des sources confidentielles dans l'État de l'Unité, août 2022.

<sup>65</sup> Entretiens téléphoniques avec des victimes et des observateurs des droits humains, ainsi qu'avec des responsables de l'État, août et septembre 2022, corroborés par des déclarations et des documents obtenus par le Groupe d'experts.

<sup>&</sup>lt;sup>66</sup> Entretiens avec un militant des droits humains, septembre et octobre 2022.

<sup>&</sup>lt;sup>67</sup> Voir annexe 28.

<sup>&</sup>lt;sup>68</sup> Voir le rapport final du Groupe d'experts pour 2022 (S/2022/359).

<sup>&</sup>lt;sup>69</sup> Entretiens avec des représentants du Gouvernement, de l'opposition et des observateurs internationaux, août à octobre 2022.

<sup>&</sup>lt;sup>70</sup> Entretiens téléphoniques avec des agents de sécurité, des notables, des chefs de l'opposition et des sources confidentielles, septembre 2022.

les intérêts à long terme du Gouvernement qui cherche à renforcer son contrôle de la région.

- 50. Les attaques indiscriminées contre les civils se sont poursuivies, dont celle menée en septembre 2022 au cours de laquelle l'île d'Adidhiang sur le Nil, hébergeant une large population de personnes déplacées, a été incendiée, ce qui a occasionné des décès et la destruction de structures humanitaires<sup>71</sup>. Des milices rivales se sont rejeté la responsabilité de l'attaque, tandis que Gatwech niait toute responsabilité au Groupe d'experts<sup>72</sup>.
- 51. Les violences se sont également propagées dans le comté de Fachoda en octobre 2022, et l'imprévisibilité des combats et des changements au niveau du contrôle des ports et des postes de sécurité a suscité une grande instabilité dans le corridor le long du Nil<sup>73</sup>. Entre-temps, la sécurité a été renforcée dans les villages shilluk le long du corridor Atar-Malakal-Kodok, ce qui a menacé davantage les liens entre les populations shilluk et nuer<sup>74</sup>.
- 52. Depuis le déclenchement du conflit dans le Haut-Nil et dans la partie nord de Jongleï, des dizaines de milliers de personnes ont été déplacées <sup>75</sup>. La situation humanitaire dans le site de protection des civils à Malakal s'est considérablement dégradée, à la suite de l'arrivée de milliers de personnes déplacées à compter du début du mois d'août 2022<sup>76</sup>.

### IV. Crises humanitaires aggravantes

#### A. Inondations et insécurité alimentaire

53. Le Soudan du Sud connaît actuellement l'une des pires crises humanitaires depuis son indépendance. En août 2022, le Programme alimentaire mondial a établi que 9 millions de personnes environ avaient besoin d'une assistance humanitaire et que 8,3 millions, soit environ 72 % de la population, étaient en « situation d'insécurité alimentaire grave », les pires chiffres enregistrés à ce jour depuis l'indépendance <sup>77</sup>. On s'attend que 1,4 million d'enfants soient en situation de malnutrition aigüe, tandis que les admissions dans les hôpitaux d'enfants atteints de malnutrition aigüe ont également augmenté depuis 2021 <sup>78</sup>.

<sup>71</sup> Entretiens téléphoniques avec des agents de sécurité, des observateurs des droits humains et des représentants de groupes locaux dans l'État du Haut-Nil, septembre 2022.

<sup>&</sup>lt;sup>72</sup> Entretien téléphonique avec Simon Gatwech, octobre 2022.

Entretiens téléphoniques avec des agents de sécurité, des observateurs des droits humains et des représentants de groupes locaux dans l'État du Haut-Nil, septembre 2022.

<sup>&</sup>lt;sup>74</sup> Ibid.

Voir, par exemple, Bureau de la coordination des affaires humanitaires, « South Sudan: Flash update on developments in Kodok, Upper Nile », 11 octobre 2022, consultable ici www.humanitarianresponse.info/en/operations/south-sudan/document/south-sudan-flash-update-developments-kodok-upper-nile-11-october.

<sup>76</sup> Entretiens téléphoniques avec des agents de sécurité, des observateurs des droits humains et des représentants de groupes locaux dans l'État du Haut-Nil, septembre 2022.

PAM, « Soudan du Sud : l'aide alimentaire suspendue alors que les financements se tarissent et que le pays fait face à sa plus grave année de faim depuis l'indépendance », consultable ici https://fr.wfp.org/histoires/soudan-du-sud-laide-alimentaire-suspendue-alors-que-les-financements-se-tarissent-et-que; et Eye Radio, « UN data: South Sudan's population falters around 11 million », 13 juillet 2022, consultable ici www.eyeradio.org/un-data-south-sudans-population-falters-around-11-million.

<sup>&</sup>lt;sup>78</sup> Ibid. Voir également Bureau de la coordination des affaires humanitaires, « South Sudan Humanitarian Snapshot – September 2022 », 11 octobre 2022, consultable ici

- 54. Les humanitaires avec lesquels le Groupe d'experts s'est entretenu ont souligné que l'urgence était causée par bon nombre de facteurs aggravants, qui avaient concouru à la dégradation de la situation humanitaire au fil des ans<sup>79</sup>. Les mêmes populations ont généralement été touchées à maintes occasions par des crises multiples. Les agents d'organisations humanitaires ont évoqué de profonds traumatismes et des sites de déplacés bondés « où l'on n'entend pratiquement aucun son humain »<sup>80</sup>.
- 55. Les inondations ont fait des ravages dans tout le pays, plus de 900 000 personnes ayant été touchées dans 9 des 10 États du Soudan du Sud <sup>81</sup>. Elles ont également entraîné des déplacements généralisés, submergé des terres agricoles et des pâturages et aggravé les problèmes logistiques déjà considérables à la livraison de l'aide.
- 56. Les violences infranationales ont également réduit l'accès humanitaire et visé des travailleurs humanitaires. Le Soudan du Sud continue d'être le pays le plus dangereux au monde concernant l'action humanitaire, huit agents ayant déjà été tués de janvier à septembre 2022 dans l'exercice de leurs fonctions, dépassant le nombre total d'humanitaires tués en 2021, qui était de cinq<sup>82</sup>. Dans un cas, des éléments armés associés au Front de salut national ont enlevé 12 agents sanitaires locaux dans la région de Yei en Équatoria-Central<sup>83</sup>. Ils ont été accusés par le Front de mener un recensement de population pour le compte du Gouvernement<sup>84</sup>.
- 57. La livre sud-soudanaise s'est également dépréciée de plus de 50 % depuis mai 2022, ce qui a sérieusement entaché le pouvoir d'achat de la population 85, tout en poussant le coût des importations à la hausse. Depuis mai 2022, les prix des denrées alimentaires ont augmenté à un rythme relativement élevé dans la majeure partie du pays 86. Le non-versement des salaires des agents de l'État et des soldats a contribué à la prolifération des points de contrôle et d'autres obstacles à l'accès humanitaire, ce qui a entravé davantage l'acheminement de l'aide 87.

www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-snapshot-september-2022.

Bureau de la coordination des affaires humanitaires, South Sudan Flooding Snapshot No. 2, 11 octobre 2022, consultable ici www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-flooding-snapshot-2-october-11-2022. Voir également International Crisis Group, « Floods, Displacement, and Violence in South Sudan », octobre 2022, consultable ici https://southsudan.crisisgroup.org.

82 Bureau de la coordination des affaires humanitaires, « Amidst deteriorating humanitarian situation in South Sudan, violence against civilians and humanitarian workers rises », communiqué de presse, 30 septembre 2022. Consultable ici www.humanitarianresponse.info/en/operations/south-sudan/document/press-release-hc-statement-ingo-whh-staff-killed-2022-september-30.

22-25090 **15/82** 

<sup>&</sup>lt;sup>79</sup> Entretiens avec des humanitaires, octobre 2022.

<sup>80</sup> Ibid.

<sup>83</sup> Entretiens avec des observateurs internationaux, des activistes des droits humains et des représentants de la société civile, et rapports obtenus par le Groupe d'experts, septembre et octobre 2022.

<sup>&</sup>lt;sup>84</sup> Rapports obtenus par le Groupe d'experts.

<sup>85</sup> Comparaison des taux officiels de mai à octobre 2022.

Entretiens avec des acteurs humanitaires, juin 2022. Voir également Bureau de la coordination des affaires humanitaires, South Sudan Humanitarian Snapshot May 2022, consultable ici www.humanitarianresponse.info/en/operations/south-sudan/infographic/south-sudan-humanitarian-access-snapshot-may-2022; et Cash Working Group, Joint Market Monitoring Initiative findings, 9-15 May 2022, 22 juin 2022, consultable ici www.impact-repository.org/document/reach/117f6c2f/SSD-JMMI\_Factsheet-May-2022-final2.pdf.

<sup>87</sup> Entretiens avec des acteurs humanitaires, juin à octobre 2022.

# B. Les violences infranationales compromettent la sécurité alimentaire

- 58. Les violences infranationales ont continué d'entraîner le déplacement de dizaines de milliers de civils, ce qui a porté certains à insinuer que les attaques contre les populations civiles avaient été délibérément programmées pour avoir le plus d'effet possible sur la sécurité alimentaire, notamment en déplaçant les populations pendant les saisons critiques de plantation ou de récolte <sup>88</sup>.
- 59. En avril 2022, le Gouvernement a par exemple lancé une campagne militaire contre des civils dans des zones contrôlées par l'Armée populaire de libération du Soudan dans l'opposition dans le comté de Leer (État de l'Unité) dont est originaire le Premier Vice-Président, Riek Machar. Les présidents des comtés locaux et leurs adjoints ont recouru extensivement à des milices de jeunes Nuer des comtés de Koch et de Mayendit, appuyés par les Forces sud-soudanaises de défense du peuple, pour attaquer et déplacer des civils<sup>89</sup>.
- 60. Du fait que ces violences et ces déplacements se sont produits au début de la saison des semailles, les populations locales ont manqué un cycle entier de culture. Cela, venant s'ajouter aux inondations qui ont suivi, a créé des conditions dans certaines poches de Leer de la phase 5 (famine), qui devraient durer au moins jusqu'à la-mi 2023<sup>90</sup>.

### C. Achat de vivres pour les militaires

- 61. Le Gouvernement a acheté cependant des quantités importantes de vivres pour l'armée.
- 62. En septembre 2022, les Forces sud-soudanaises de défense du peuple ont reçu une vaste cargaison de vivres d'Amo Investment Company Limited<sup>91</sup>. Le Président de la société, Kur Ajing Ater, était présent à la cérémonie de livraison<sup>92</sup>. Dans son rapport final de 2022 (S/2022/359), le Groupe d'experts avait évoqué les efforts faits par le Gouvernement pour financer un contrat d'achat de produits alimentaires militaires hors budget avec la société Amuk for Trading and Investment Company Limited de M. Ater au moyen d'un prêt de 650 millions de dollars adossé au pétrole, qui dépassait largement les 39 millions de dollars qui avaient été alloués aux biens et services destinés au secteur de la sécurité dans le budget de l'exercice tout entier. Des

<sup>88</sup> Ibid.

Comptes rendus, photographies et bandes sonores obtenus par le Groupe d'experts. Entretiens avec des dirigeants politiques locaux et nationaux, des observateurs nationaux et internationaux, des humanitaires et des membres d'organisations de la société civile, avril à août 2022. Déclaration du Président du Mécanisme de vérification et de surveillance du cessez-le-feu et du suivi de l'application des dispositions transitoires de sécurité au cours d'une réunion du comité technique, 25 avril 2022.

<sup>90</sup> Entretiens téléphoniques avec des agents humanitaires, août à octobre 2022.

<sup>91</sup> Voir annexe 22.

<sup>&</sup>lt;sup>92</sup> South Sudan Broadcasting Corporation, bulletin télévisé conservé dans les dossiers du Groupe d'experts. La société a les noms suivants: Amo, Amou, Amok et Amuk Trading and Investment Company. Les documents obtenus par le Groupe d'experts laissent entendre que la société a été incorporée en novembre 2019, peu après que Kur Ajing Ater et Lou for Trading and Investment Company Limited ont fait l'objet de sanctions de la part du Département du Trésor des États-Unis, pour corruption, dans le cadre de versement de pots-de-vin et d'achats. Des entretiens avec South Sudan Broadcasting Corporation et le Groupe d'experts confirment également que Kur Ajing Ater est le principal représentant d'Amo, Amou, Amok et Amuk Trading. Voir également The Sentry, « Sanctioned South Sudanese Businessmen Are Skirting US Sanctions », octobre 2021, consultable ici https://thesentry.org/reports/south-sudanese-skirting-sanctions.

membres des Forces sud-soudanaises de défense du peuple ont confirmé au Groupe d'experts que ces fournitures alimentaires étaient destinées à leurs propres forces, plutôt qu'aux forces unifiées nécessaires<sup>93</sup>.

63. Les pratiques d'achat de l'armée font l'objet d'un contrôle limité. Bien que les achats relèvent ostensiblement du Ministère de la défense et des anciens combattants, M. Kiir a créé unilatéralement un poste de Directeur des achats militaires au sein des Forces sud-soudanaises de défense du peuple durant l'unification du sommet de la structure de commandement, permettant aux Forces de poursuivre leur propre procédure indépendante d'achat<sup>94</sup>.

# V. Les auteurs d'atteintes graves ont rarement à rendre compte de leurs actes

- 64. Le 5 avril 2022, M. Kiir a annoncé la création d'une Commission vérité, réconciliation et apaisement, conformément à la section 5.2 de l'accord de paix 95. Dans les mois qui ont suivi, le Gouvernement a également annoncé la formation de commissions d'enquête, à la suite d'événements très médiatisés à Mayom 96, Rualbet 97, Kajo Kaji 98, Leer 99 et dans l'État de l'Équatoria-Oriental 100.
- 65. Au mois de novembre 2022, les résultats de ces enquêtes n'avaient pas été rendus publics et peu de progrès avaient été accomplis sur le plan de la création du Tribunal mixte pour le Soudan du Sud, conformément au chapitre 5 de l'accord de paix. Plusieurs dirigeants et observateurs ont souligné que ces initiatives visant à demander des comptes avaient pour principal objectif de redorer le blason des Forces sud-soudanaises de défense du peuple <sup>101</sup>. Plusieurs militaires soupçonnés d'avoir commis des actes de violence ont été mis en congé de maladie ou réaffectés dans d'autres lieux <sup>102</sup>.

### A. Meurtres à Kajo Kaji

66. Le 26 mai 2022, les Forces sud-soudanaises de défense du peuple ont rassemblé trois civils du village de Kiri, près de Kajo Kaji (Équatoria-Central) et, après les avoir contraints à parcourir une courte distance, les ont exécutés, sans qu'ils aient été jugés

The Radio Community, « Committee formed to investigate killing of three civilians in Kajo-Keji », 30 mai 2022, consultable ici https://theradiocommunity.org/committee-forms-to-investigate-killing-of-three-civilians-in-kajo-keji et Eye Radio, « Gov. Adil forms committee to investigate Kajo-Keji incident », 2 juin 2022, consultable ici www.eyeradio.org/gov-adil-forms-committee-to-investigate-kajo-keji-incident.

22-25090 17/82

<sup>&</sup>lt;sup>93</sup> Entretien avec un responsable militaire, octobre 2022.

<sup>94</sup> Document conservé par le Groupe d'experts.

<sup>95</sup> Déclaration du Président, prononcée le 5 avril 2022, conservée dans les dossiers du Groupe d'experts.

<sup>96</sup> Déclaration de la Présidence, datée du 12 septembre 2022.

<sup>97</sup> Ibid.

<sup>&</sup>lt;sup>99</sup> Déclaration de la Présidence, datée du 15 septembre 2022. Une commission d'enquête supplémentaire a été constituée par le Conseil des États le 14 octobre 2022.

Eye Radio, « Kiir to form committee to probe Magwi violence, summons Lobong and others », 14 mai 2022, consultable ici www.eyeradio.org/kiir-to-form-committee-to-probe-magwi-violence-summons-lobong-and-others.

<sup>101</sup> Entretiens avec un haut responsable des Forces sud-soudanaises de défense du peuple, un dirigeant du Gouvernement et des observateurs internationaux, octobre 2022.

<sup>102</sup> Entretiens avec de hauts responsables gouvernementaux et militaires et des membres de la société civile, octobre 2022.

ou interrogés<sup>103</sup>. Les exécutions ont été menées probablement en représailles à la mort d'un soldat dans le secteur<sup>104</sup>. Dans les heures qui ont suivi, les soldats sont retournés dans le village, ont battu des habitants, confisqué des téléphones portables et détenu un nombre supplémentaire de civils<sup>105</sup>.

- 67. Les Forces sud-soudanaises de défense du peuple ont nié au départ avoir eu connaissance de l'affaire<sup>106</sup>. Lorsque des preuves photographiques se sont fait jour, le Gouvernement a annoncé la création d'une commission d'enquête constituée de membres de divers organes de sécurité, ayant tous d'étroits liens avec les autorités <sup>107</sup>.
- 68. Des civils qui avaient fait part de leurs témoignages oculaires à des journalistes ont été harcelés par des soldats, et certains ont dû fuir leurs habitations <sup>108</sup>. Au moins un témoin et sa famille ont été pourchassés par des agents de la sécurité sud-soudanais en Ouganda, après l'annonce faite par le Gouvernement au sujet de la création d'une commission d'enquête <sup>109</sup>. Dans au moins un cas, le témoin a été emmené de chez lui de force par des agents sud-soudanais à Kampala et menacé d'exécution <sup>110</sup>.
- 69. En septembre 2022, un commandant local impliqué dans les meurtres a été muté hors de Kajo Kaji<sup>111</sup>.

#### B. Tribunal militaire de Yei

70. En mars 2022, deux soldats des Forces sud-soudanaises de défense du peuple ont été tués près d'Abegi, à l'ouest de la ville de Yei (Équatoria-Central), lors de heurts entre les forces gouvernementales et le Front de salut national. Peu après, des soldats ont commis en représailles des meurtres, des pillages, des viols et des actes de torture contre des habitants de villages avoisinants, ce qui a entraîné des déplacements importants de population<sup>112</sup>. En réponse, le Gouvernement a rappelé plus d'une dizaine de soldats dans les casernes militaires de la ville de Yei et annoncé la mise en détention de 16 soldats, qui passeront devant la cour martiale de Yei <sup>113</sup>.

Entretiens avec des civils locaux et des observateurs nationaux et internationaux, juin 2022. Voir également Human Rights Watch, « Execution-Style Killings Emblematic of Impunity by South Sudan Army », 1er juin 2022, consultable ici www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army. Voir annexes 23 à 26.

Sudans Post, « South Sudan army soldiers murder 3 civilians in gruesome killing in Kajo-Keji », 27 mai 2022, consultable ici www.sudanspost.com/south-sudan-army-soldiers-murder-3-civilians-in-gruesome-killing-in-kajo-keji.

The City Review, « SSPDF yet to receive reports on Kajo Keji killings », 29 mai 2022, consultable ici https://cityreviewss.com/sspdf-yet-to-receive-reports-on-kajo-keji-killings.

<sup>111</sup> Rapports obtenus par le Groupe d'experts. Voir également Western Equatoria News, « Government installs new garrison commander for Kajo Keji County », 29 septembre 2022.

Entretiens avec des civils se trouvant sur place et des observateurs nationaux et internationaux, juin 2022. Voir également Human Rights Watch, « Execution-Style Killings Emblematic of Impunity by South Sudan Army », consultable ici www.hrw.org/news/2022/06/01/execution-style-killings-emblematic-impunity-south-sudan-army.

<sup>107</sup> Eye Radio, « SSPDF chief seeks probe over Kajo-Keji killings », 1er juin 2022, consultable ici www.eyeradio.org/sspdf-chief-seeks-probe-over-kajo-keji-killings.

<sup>108</sup> Ibid., « We are hunted for speaking to media' Kajo-Keji residents », 4 juin 2022, consultable ici www.eyeradio.org/we-are-hunted-for-speaking-to-media-kejo-keji-residents.

Entretien avec des personnes touchées et d'autres observateurs en Ouganda, septembre et octobre 2022. Rapport officiel d'enquête des autorités ougandaises, conservé dans les dossiers du Groupe d'experts.

<sup>110</sup> Ibid.

<sup>112</sup> Entretiens avec des membres de la société civile et comptes rendus d'observateurs internationaux, mars à juin 2022.

<sup>&</sup>lt;sup>113</sup> Ibid. Voir également The City Review, « 16 SSPDF officials detained over lootings, killings », 30 mars 2022, consultable ici https://cityreviewss.com/16-sspdf-officers-detained-over-looting-

- 71. En avril 2022, les Forces sud-soudanaises de défense du peuple ont annoncé des retards dans les procès en cour martiale et proposé d'élargir le processus pour y inclure un long arriéré d'affaires en souffrance à Yei<sup>114</sup>. Entre-temps, une action de réconciliation a été convoquée à la hâte entre la population et les Forces sud-soudanaises de défense du peuple, au cours de laquelle une certaine coercition aurait été exercée contre des civils, selon des observateurs<sup>115</sup>.
- 72. En mai 2022, le Gouvernement a annoncé que 45 affaires remontant à 2016, impliquant 55 personnes responsables, dont des civils, seraient jugées dans des tribunaux militaires<sup>116</sup>. Les procès ont commencé en juin 2022 et se sont achevés le même mois, alors que bon nombre de problèmes avaient été signalés, tels que le jugement de civils par des tribunaux militaires, l'absence de représentation légale ou de services de traduction et le non-respect de la protection de la vie privée et de la protection des civils<sup>117</sup>.
- 73. Rares sont les soldats qui ont été condamnés pour violence à Abegi, et aucune enquête n'a été diligentée sur la responsabilité du supérieur hiérarchique <sup>118</sup>. Tous les soldats reconnus coupables étaient de rang subalterne et plusieurs ont été transférés hors de Yei<sup>119</sup>.

### VI. Participation régionale et internationale

### A. Coopération et formation à la sécurité régionale

- 74. Par une série d'accords de coopération sur la sécurité régionale, le pays a resserré ses liens avec les États voisins. Le Groupe d'experts a confirmé l'organisation de plusieurs programmes régionaux de formation, ainsi que la fourniture de matériel militaire non létal aux forces de sécurité sud-soudanaises. Dans la plupart des cas, la formation semble avoir été bénéfique pour les Forces sud-soudanaises de défense du peuple, le Service national de sécurité et les forces de police qui n'avaient pas été intégrées aux forces unifiées nécessaires.
- 75. La police nationale rwandaise a annoncé qu'un cours de 12 mois était dispensé depuis le mois de mars 2022 à l'intention du haut commandement et du personnel de la police, auquel participaient des agents de la police sud-soudanaise 120.
- 76. D'après le Ministère kényan de la défense, plusieurs membres des services de sécurité sud-soudanais ont achevé une formation destinée à des officiers des services

22-25090 **19/82** 

killings; et Radio Tamazuj, « About 16 SSPDF officers to face trial over atrocities in Yei », 11 avril 2022, consultable ici www.radiotamazuj.org/en/news/article/about-16-sspdf-officers-to-face-trial-over-atrocities-in-yei.

Number One Citizen, « Yei locals urged to report offences committed by soldiers », 26 avril 2022, consultable ici https://onecitizendaily.com/index.php/2022/04/26/yei-locals-urged-to-report-offences-committed-by-soldiers; ibid., « Military court adjourned amidst Iftar festival, official », 30 avril 2022, consultable ici https://onecitizendaily.com/index.php/2022/04/30/military-court-adjourned-amidst-iftar-festival-official.

<sup>115</sup> Entretiens avec des observateurs de la société civile, avril 2022.

Number One Citizen, « Over 40 to appear before military court martial », 11 mai 2022, consultable ici https://onecitizendaily.com/index.php/2022/05/11/over-40-to-appear-before-military-court-martial.

<sup>117</sup> Entretiens avec des observateurs nationaux et internationaux, juin à octobre 2022 ; corroborés par des documents obtenus par le Groupe d'experts.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

Site Web de la police nationale rwandaise, « Police senior command and staff course students start study tour », 14 mars 2022, consultable ici www.police.gov.rw/media-archives/news-detail/news/police-senior-command-and-staff-course-students-start-study-tour.

généraux, organisée à l'académie militaire du Kenya dans le comté de Nakuru en mars  $2022^{121}$ .

- 77. Les forces sud-soudanaises ont également été prises en compte dans la formation d'une force en attente de la Communauté d'Afrique de l'Est, accueillie par l'Ouganda à Jinja, du 27 mai au 16 juin 2022. Le programme avait pour objectif la formation des forces à l'appui des opérations, à la gestion des catastrophes et à la lutte contre le terrorisme et les actes de piraterie <sup>122</sup>. Le Soudan du Sud dépêchera également un bataillon des Forces sud-soudanaises de défense du peuple dans le cadre du déploiement de la force régionale de la Communauté, dans l'est de la République démocratique du Congo <sup>123</sup>.
- 78. En août 2022, une délégation de responsables de haut rang de la sécurité sud-soudanais se sont rendus à Addis-Abeba et ont signé un accord de coopération sur la sécurité avec leurs homologues éthiopiens <sup>124</sup>. Le 12 août, James Koang Chuol (SSi.003), visé par des sanctions, s'est entretenu avec de hauts représentants des Forces éthiopiennes de défense nationale à Djouba et, dans un entretien avec les médias après la réunion, a confirmé que « des centaines d'officiers et de responsables sud-soudanais » seraient formés par l'armée éthiopienne <sup>125</sup>.
- 79. Les entretiens du Groupe d'experts et des bulletins télévisés sud-soudanais ont également confirmé la livraison en août 2022 de deux cargaisons de matériel militaire en provenance du Soudan<sup>126</sup>. Elles comprenaient des tenues militaires et du matériel non létal, visant à aider les forces unifiées nécessaires à achever leur formation <sup>127</sup>.

### **B.** Participation internationale

80. Le Gouvernement sud-soudanais a également intensifié ses concertations avec l'Arabie saoudite, les Émirats arabes unis et d'autres États du Golfe. Les entreprises présentes dans le Golfe figurent parmi les acheteurs les plus importants du pétrole brut sud-soudanais et les prêteurs au Gouvernement<sup>128</sup>. À ce jour en 2022, M. Kiir a visité les Émirats arabes unis à cinq occasions au moins, tandis que d'autres délégations commerciales et gouvernementales se sont rendues à Djouba <sup>129</sup>. Cinq réunions de haut niveau se sont également déroulées entre les Gouvernements sud-soudanais et saoudien en 2022, à Djouba et à Riyad <sup>130</sup>.

<sup>&</sup>lt;sup>121</sup> Kenya Broadcasting Corporation, « President Kenyatta lauds modernization of Kenya's military training », 31 mars 2022, consultable ici www.kbc.co.ke/president-kenyatta-lauds-modernization-of-kenyas-military-training. Site Web du Ministère kényan de la défense, « President Uhuru commissions first batch of graduate general service officers », 1er avril 2022, consultable ici https://mod.go.ke/news/president-uhuru-commissions-first-batch-of-graduate-general-service-officers.

<sup>122</sup> Bulletin télévisé d'Urban TV Uganda, conservé dans les dossiers du Groupe d'experts.

<sup>123</sup> Entretiens du Groupe d'experts avec des responsables du Gouvernement, octobre 2022; corroborés par divers programmes conservés dans les dossiers du Groupe d'experts.

<sup>124</sup> Bulletins télévisés de South Sudan Broadcasting Corporation, 14 août et 16 août 2022.

<sup>&</sup>lt;sup>125</sup> Ibid., 12 août 2022. Voir également S/2022/359.

<sup>126</sup> Entretiens du Groupe d'experts, août 2022. Voir également Eye Radio, « Unified peace forces receive combat wears », 26 août 2022, consultable ici www.eyeradio.org/unified-peace-forces-receive-combat-wears.

<sup>127</sup> Ibid. et entretien avec South Sudan Broadcasting Corporation conservé dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>128</sup> Voir S/2022/359.

<sup>&</sup>lt;sup>129</sup> Diverses déclarations de la Présidence, conservées dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>130</sup> Ibid.

# VII. Fragmentation des finances publiques

- 81. L'accumulation et le maintien du pouvoir aux niveaux tant national qu'infranational exigent la capacité d'engendrer et de distribuer des recettes <sup>131</sup>. Cela a créé une rivalité autour de l'accès à des postes d'influence, aux niveaux national et local, comme l'indiquent les tensions à Tonj précitées.
- 82. Cela encourage également la fragmentation des finances du Soudan du Sud en budgets et en comptes sur lesquels des individus peuvent exercer un contrôle, ce qui compromet les efforts parallèles visant à centraliser les recettes du pays et à les soumettre à un contrôle effectif.
- 83. Cela est illustré par le détournement constant de fonds publics et de recettes pétrolières, en particulier, vers des comptes et des projets gérés hors du processus budgétaire. Ces détournements risquent de compromettre l'effet des réformes relatives à la gestion des finances publiques au Soudan du Sud, dont beaucoup sont axées sur le processus budgétaire.
- 84. Le premier semestre de l'exercice 2021/22 en fournit une illustration frappante. Alors que le Gouvernement avait perçu des recettes pétrolières d'un montant supérieur à 535 millions de dollars au cours de cette période <sup>132</sup>, aucune de ces recettes n'est parvenue aux comptes du Trésor à partir desquels les salaires et les budgets ministériels sont versés <sup>133</sup>.
- 85. Plus de 50 % des recettes pétrolières, soit 268 millions de dollars, ont été alloués au programme « pétrole contre routes » détaillé dans les précédents rapports du Groupe d'experts<sup>134</sup>. Des allocations supplémentaires vont directement au Ministère du pétrole (3 %) et à la Nile Petroleum Corporation<sup>135</sup>, qui demeure sous le contrôle de la Présidence, malgré les appels lancés par le Parlement et le Ministère du pétrole pour qu'elle soit placée sous le contrôle du Ministère <sup>136</sup>.
- 86. Les chiffres révèlent également à quel point le Soudan du Sud continue d'être tributaire de prêts commerciaux pour combler les lacunes dans ses finances<sup>137</sup>. Durant le premier semestre de l'exercice 2021/22, quelque 200 millions de dollars ont été alloués au remboursement d'emprunts précédemment non déclarés à la National Investment and Development Bank sud-soudanaise, qui avait fourni des crédits à court terme au Gouvernement à compter d'octobre 2020<sup>138</sup>. Ces prêts, qui ont été remboursés au fur et à mesure, représentent une valeur totale de plus de 675 millions

131 Entretiens avec des responsables du Gouvernement et des observateurs internationaux, juillet à octobre 2022; corroborés par des documents établis par le Ministère des finances et de la planification, conservés dans les dossiers du Groupe d'experts.

22-25090 **21/82** 

La période va de juillet à décembre 2021. Entretiens et correspondance avec des acheteurs de pétrole brut en provenance du Soudan du Sud et documents officiels conservés dans les dossiers du Groupe d'experts.

<sup>133</sup> Documents préparés par le Ministère des finances et de la planification conservés dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>134</sup> Voir S/2021/365 et S/2020/1141.

<sup>135</sup> Documents conservés dans les dossiers du Groupe d'experts. Entretiens avec des responsables du Gouvernement, août à octobre 2022.

<sup>136</sup> Troisième lecture du budget pour 2022/23 par l'Assemblée législative nationale provisoire, document conservé dans les dossiers du Groupe d'experts.

<sup>137</sup> Dans son rapport final pour 2022 (S/2022/359), le Groupe d'experts avait cité en détail un prêt d'un montant de 539 millions de dollars, qui n'avait pas été signalé en 2019. Voir également annexe 27.

Documents confidentiels conservés dans les dossiers du Groupe d'experts, corroborés également par des documents établis par le Ministre sud-soudanais des finances et de la planification et des entretiens avec des sources confidentielles, septembre à novembre 2022.

de dollars, dont 540 millions empruntés au cours de l'exercice 2021/22 139. Un montant supplémentaire de 150 millions de dollars a été obtenu du Fonds monétaire international 140.

- 87. L'on ne sait avec certitude, d'après les rapports disponibles sur les dépenses, à quoi ont servi ces emprunts, ni pourquoi des crédits à court terme ont été sollicités à compter d'octobre 2020. Les documents préparés par le Ministère des finances et de la planification ne rendent compte que de 107 milliards de livres sud-soudanaises (quelque 237 millions de dollars) concernant les dépenses inscrites au budget durant cette période<sup>141</sup>.
- 88. Outre le programme « pétrole contre routes », cette lacune permet d'expliquer comment des dépenses ponctuelles extrabudgétaires, telles que l'achat de véhicules et de vivres pour les militaires, restent possibles, malgré les pressions financières exercées sur le budget national.
- 89. Le budget pour 2022/23 présente un déficit de quelque 560 milliards de livres sud-soudanaises, d'où la pression d'emprunter des fonds supplémentaires ou de réduire les dépenses concernant les salaires et d'autres rubriques budgétaires. Un montant supplémentaire de 135 millions de dollars a déjà été emprunté à la National Investment and Development Bank, et les chiffres consultés par le Groupe d'experts révèlent également des emprunts importants auprès de la Banque centrale du Soudan du Sud, qui a imprimé plus de 270 milliards de livres sud-soudanaises (423 millions de dollars) de mars à août 2022<sup>142</sup>, à un moment de forte dépréciation de la valeur de la livre sud-soudanaise.
- 90. De plus, les témoignages obtenus par le Groupe d'experts indiquent également que le Soudan du Sud a continué de maintenir les transferts de pétrole au Soudan à 19 000 à 25 000 barils par jour, alors que l'arrangement financier transitoire avait été remboursé vers février 2022<sup>143</sup>. Alors que le Soudan du Sud continue de verser au Soudan des redevances en vue du transport du pétrole par ses oléoducs, le montant dû au Soudan est désormais considérablement inférieur et le Soudan a donc très probablement accumulé des dettes de plus de 300 millions de dollars envers le Soudan du Sud<sup>144</sup>. Le fait que très peu de personnes aient à rendre compte de ces transferts ouvre la porte à des détournements et à des malversations.

Fonds monétaire international, rapport de pays n° 22/266, « 2022 Article IV Consultation And Second Review of the Staff Monitored Program », juillet 2022. Consultable ici www.imf.org/-/media/Files/Publications/CR/2022/English/1SSDEA2022001.ashx.

<sup>139</sup> Ibid.

Documents établis par le Ministère des finances et de la planification conservés dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>142</sup> Un document conservé dans les dossiers du Groupe d'experts et préparé par la Banque centrale du Soudan du Sud cite un montant de 271 813 538 906,32 livres sud-soudanaises concernant les emprunts contractés par le Gouvernement du 9 mars 2022 au 12 août 2022. Le bulletin statistique de la Banque pour août 2022 fait état d'emprunts d'un montant estimé à 305 milliards de livres sud-soudanaises de mars à août 2022. Selon la Banque du Soudan du Sud, 1 dollar des États-Unis s'échangeait contre environ 634 livres sud-soudanaises à la fin du mois d'août 2022.

Entretiens avec des responsables gouvernementaux et des observateurs internationaux, juillet à octobre 2022 ; corroborés par des documents conservés dans les dossiers du Groupe d'experts.

<sup>&</sup>lt;sup>144</sup> Fonds monétaire international, rapport de pays n° 22/266.

### VIII. Conclusion

91. En octobre 2022, l'évêque Santo Loku Pio Doggale, évêque auxiliaire de Djouba, a déclaré : « aucun individu ne connaîtra la paix tant que la paix n'aurait pas été instaurée dans l'ensemble du Soudan du Sud »<sup>145</sup>. Pour la majeure partie de la population sud-soudanaise, ces paroles sonnent justes. Il faudra beaucoup de volonté de la part du Gouvernement, ainsi que des ressources et une aide internationale ciblée avec soin, pour veiller à ce que les deux prochaines années de transition puissent accomplir ce que les quatre années précédentes n'avaient pas réussi à faire.

### IX. Recommandations

- 92. Le Groupe d'experts recommande que le Gouvernement sud-soudanais :
- a) publie les constatations des rapports officiels des commissions d'enquête sur les incidents majeurs de violences infranationales qui se sont produits notamment à Mayom, Rualbet, Kajo Kaji et Leer ;
- b) gère le programme « pétrole contre routes », au moyen du budget ordinaire, afin de garantir une plus grande transparence et un plus grand contrôle sur la façon dont les fonds publics associés sont alloués et dépensés.
- 93. Le Groupe d'experts recommande que le Comité du Conseil de sécurité créé par la résolution 2206 (2015) concernant le Soudan du Sud :
- a) rappelle au Gouvernement sud-soudanais les obligations en matière de dérogation et de notification, énoncées aux paragraphes 4 et 5 de la résolution 2428 (2018) et révisées au paragraphe 2 de la résolution 2633 (2022);
- b) réaffirme aux États Membres et à la Communauté d'Afrique de l'Est et à tous les États membres limitrophes du Soudan du Sud que la fourniture d'une aide technique, d'une formation financière ou autre assistance, liée à des activités militaires, relève de l'embargo sur les armes, tel qu'imposé aux paragraphes 4 et 5 de la résolution 2428 (2018);
- c) envisage d'élaborer un modèle de demande de dérogation concernant la formation, qui précise si la formation est fournie aux forces unifiées nécessaires du Soudan du Sud ou à d'autres segments du secteur de la sécurité ;
- d) réaffirme aux États Membres que, conformément à la section 12 d) des directives régissant la conduite des travaux du Comité, toutes les notifications ou demandes de dérogation, conformément aux paragraphes 5 de la résolution 2428 (2018) et 2 de la résolution 2633 (2022), comprendront notamment le nom de l'utilisateur final, que celui-ci fasse partie ou non des forces unifiées nécessaires.

22-25090 **23/82** 

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Eye Radio, « They lie to you, peace only benefits politicians', says Bishop Santo », 11 octobre 2022; consultable ici http://www.eyeradio.org/they-lie-to-you-peace-only-benefits-politicians-says-bishop-santo.

# **Annexes**

# Contents

	rug
Annex 1: Speech by President Salva Kiir on the extension of transitional period	25
Annex 2: Statement National Democratic Movement on the extension of the transitional period	28
Annex 3:Statement by South Sudan Women on the extension of the transitional period	31
Annex 4: Statement by The Voluntary Civil Society Taskforce on Implementation of the Peace Agreement on the extension of the transitional period	32
Annex 5: Statement by the National Salvation Front (NAS) on the extension of the transitional period	33
Annex 6: Statement by the Like-minded stakeholders for a New Political Dispensation in South Sudan on the extension of the transitional period	35
Annex 8: SSUF/A Response to proposal for Unified Military Front	38
Annex 9: NAS Response to Gen. Stephen Buay Rolnyang's Proposals for Joint Military Command	39
Annex 10: Call for stakeholders consultative meeting that launched the National Consensus Forum	4(
Annex 11: Press Statement on Non-Signatories South Sudan Opposition Groups consultations with Troika, the European Union, the Vatican Secretariat and Sant'Egidio	42
Annex 12: General overview of reported NUF graduation ceremonies as of November 2022	43
Annex 13: List of SSPDF officers killed in Rualbet, Tonj North	44
Annex 14: Letter from the Awan Parek community to the Governor of Warrap State	45
Annex 15: Letter from the Awan Parek community to the Governor of Warrap State	47
Annex 16: Statement by the Majak Youth Association	50
Annex 17: Statement by SSPM/A, dated 22 July 2022, concerning operations in Mayom	51
Annex 18: Statement by the SSPDF on attack on Mayom town	54
Annex 19: List of casualties from SSPM/A attacks on Mayom	56
Annex 20: Involvement of Sudanese Rapid Support Forces in arrest of SSPM/A members in Sudan	57
Annex 21: Still from a video showing execution of three SSPM/A officers near Mayom	58
Annex 22: SSBC Broadcast detailing food delivery to SSPDF forces on 23 September 2022	59
Annex 23: Press statement by Central Equatoria State's Youth Union in response to killings in Kajo Keji	60
Annex 24: Statement on killings in Kajo Keji by Central Equatorian Member of Parliament	61
Annex 25: Statement by the Pojulu community on killings in Kajo Keji	65
Annex 26: Photograph of civilians killed in Kajo Keji	66
Annex 27: Overview of South Sudan's outstanding disclosed debts as of June 2022	67
Annex 28: Response from Dr Joseph Monytuil Wejang, Governor of Unity State, dated 17 November 2022	68

# 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 RARCSS

### August 4, 2022

- 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

22-25090 **25/82** 

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 deffered, we need them to join us now to set history on a correct course.

Thank you

22-25090 **27/82** 

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



### 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.

2

22-25090 **29/82** 

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.

DEMOCRATIC MO

CHAIRMA

Dr Lam Akol, Chairman of NDM

3

# 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 5th, 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.

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22-25090 31/82

# 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

#### 4th 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

8th August 2022.

#### STATEMENT ON THE EXTENSION OF THE INTERIM PERIOND

On 4th 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 clites 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:

- 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.

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22-25090 33/82

- 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.
- NAS reiterates its strong convection 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.
- 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** 

D 8 AUG 2022

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 NSSSOG 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-ARCRSS), 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-ARCRSS 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 ARCRSS 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 broadbased 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





**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:



Mr. Wol Deng Atak: UPDP



Mr. Abraham Lado Lolik: SSPR Obraham lolik

Ms Suzanne Jambo: STEPS



Ms Angela Tuna SAA



Drittnry Lejukole, Academic Professionals

22-25090 35/82

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



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



### 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. 1st Front Equatoria region to be commanded by a General officer from the NAS
- 2nd Front- Upper Nile region to be commanded by a General officer from the IO Kitgwang.
- 3rd Front- Bhar El Ghazal region to be commanded by a General officer from the SSUF/A.

#### 3. Formation of Infantry Divisions

#### 1st Front infantry Divisions (Equatoria Region)

- 1. 1st Infantry Division- Central Equatoria
- 2. 2nd Infantry Division- Eastern Equatoria
- 3. 3rd Infantry Division-Western Equatoria

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

- 1. 4th Infantry Division- Unity state
- 2. 5th Infantry Division- Upper Nile state
- 3. 6th Infantry Division Jonglei state

#### 3rd Front infantry Divisions (Bhar El Ghazal Region)

- 1. 7th Infantry Division-Northern Bhar El Ghazal, Wau and Raja
- 2. 8th Infantry Division-Warrap
- 3. 9th 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
2

22-25090 37/82

## 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

(السمر

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



Restoring Unity & Dignity of the People

National Salvation Front/ Army
OFFICE OF THE SPOKESPERSON

General Headquarters

Ref: NAS/OSM/22

25th 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:

- 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.
- 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.
- 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

22-25090 **39/82** 

## 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

23rd July 2022

For Immediate Release

#### The Call for Stakeholders Consultative Meeting

The People's Coalition for Civil Action (PCGA) 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

1

- 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.
- Consolidating unity among South Sudan stakeholders, including agreeing on a model and structure of future engagements.
- 5. Issue a joint communique.

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

- 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.
- 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.
- 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 the civil actions sd@gmail.com.

The People Shall Prevail!

...The End...

2

# 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 10th -14th 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.

Trai	ning centre	Graduation ceremony	Graduation date
Gre	eater Equatoria	region	
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
Gra	ter Upper Nile	region	
10	Alel		
11	Twofogia		
12	Panyier	Bor	27 September 2022
13	Muom		
14	Kaljak		
Gre	eater Bahr el Gl	nazel region	
15	Mapel	Wau	4 November 2022
16	Pantit	Wau	4 November 2022

17 Masanabira

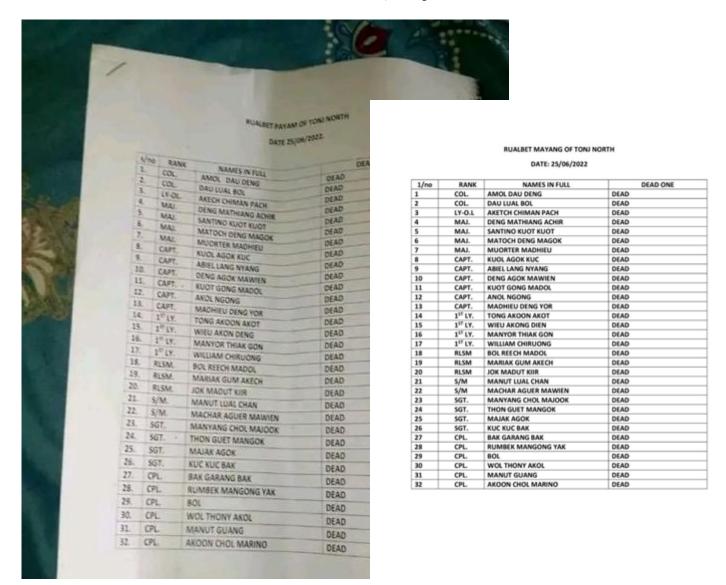
Wau

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.

4 November 2022

22-25090 43/82

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



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

Hon. Alen Ayieny Aleu Governor, Warrap State Kuajnk, South Sudan

June 1", 2022

REF: Appeal for Urgent Intervention to address the growing insecurity in Toni 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 12th 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 Akee Wol Mayen, a male of 27 years and seven wounded people are: -Wut Manyual Akee, 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, Akee Mangong Madut, 50 years, Ayol Mayom Mawien a young girl of 12 years.
- On 3<sup>rd</sup> May, 2022, another group of armed youth from Gongoor launched an attack at Ngapdengnoon 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 4th 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 13th 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 30th 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.

22-25090 **45/82** 

On 16th March, 2022, a group of armed youth from Gongoor subsequently raided Machuet Village that resulted to the Jooting of 130 of goats and sheep of Manut Mabok Angong.

- 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
- On 4th 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.
- On 15th May, 2022, a group of armed youth came and driven away 12 cows of Lual Maduot Kuot in Agoor Village.
- 10. On 25th 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 whereabout up to date
- 12. On 4th 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.
- On 3<sup>rd</sup> May, 2022, a road ambushed occurred at Akol Awet to which a public transport car was looted.
- 14. On 17th May, 2022, a group of armed youth from Awul Payam went and raided a village in Awan Parek and driven away50 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 emitted 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 stallenges of insecurate in Warrap State.

Sincerely,

Signed:

Thairman, Awan Parek Community Association in Juba

03 JUN 2022

c: Chiefs of Awan Parek

e: 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 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.

22-25090 **47/82** 

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.

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
- Bol Aweng Machar
- 4. Bol Maluach Kuot
- 5. Kuot Parek Machar
- 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 <a href="mailto:awanparekdiasporacommunity@gmail.com">awanparekdiasporacommunity@gmail.com</a>
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.

22-25090 **49/82** 

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



## MAJAK YOUTH ASSOCIATION FOR DEVELOPMENT

"United in Diversity

5th 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 Chof, Hon. Mawien Dher, 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 Ading 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 ratio is 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

22nd 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 reorganized 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.

Chairman and Commander-in-Chief

22-25090 51/82

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.

Chairman and Commander-in-Chief

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

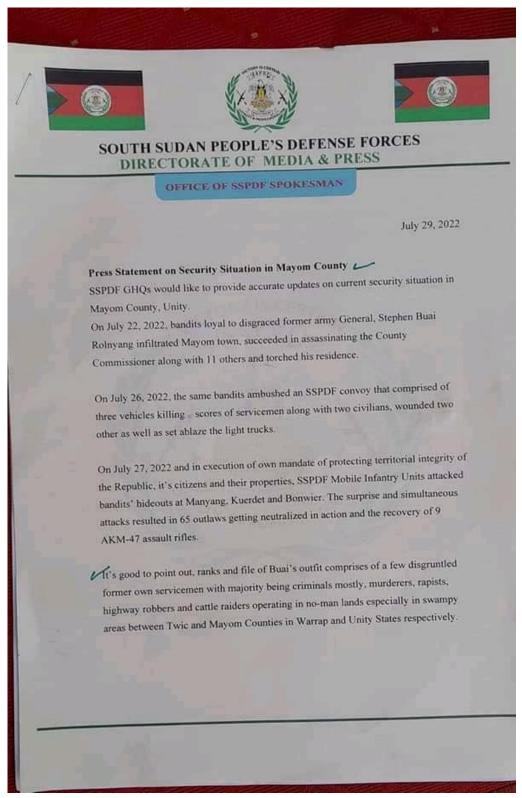
Chairman and Commander-in-Chief

SSPM/SSPA

Chairman and Commander-in-Chief

22-25090 53/82

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 29 JUL 2022 Maj. Gen. Lul Ruai Koang "psc"(ET) Director for Media & Press and SSPDF Spokesman, SSPDF GHQs-Bilpam

22-25090 55/82

#### 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"d Lt.	Joklena Bakuony	Wildlife Service	Police
5.	R/SM	Reyhok Wicyiey 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	Gatziay Tetleh Leak	Police Service	Policeman
12.	PVT	Gatdet Malieth	Police Service	Policeman

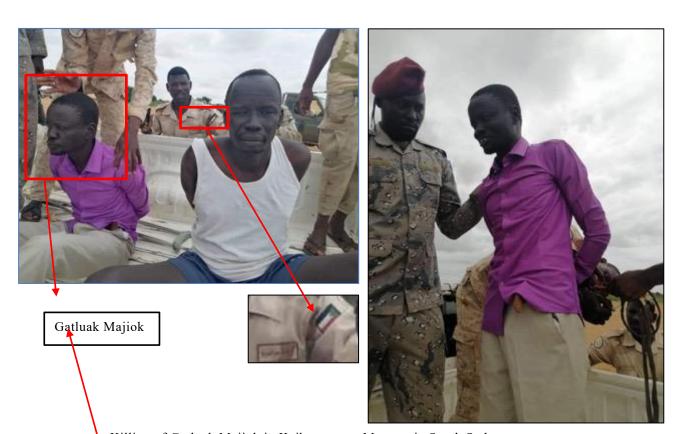
#### Names of Wounded People

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>rd</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 C	ounty

Tel: +211917728800 A211915688199

Annex 20: Images showing involvement of Sudanese Rapid Support Forces in arrest of SSPM/A members in Sudan  $\,$ 



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





22-25090 57/82

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

22-25090 59/82

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



#### REPUBLIC OF SOUTH SUDAN CENTRAL EQUATORIA STATE YOUTH UNION

United Youth for Sustainable Development



#### PRESS STATEMENT

29th May 2022

CONDEMNATION LETTER ON THE GRUESOME KILLINGS OF INNOCENT SOULS IN KAJO-KEJI BY SSPDF AND IN GEMEIZA AND MANGALLA PAYAMS BY MURLE YOUTH AND IN KISARO CATTLE CAMPS BY DINKA BOR

The Youth Of Central Equatoria State had learnt with regret about the barbaric and heinous acts of killings to the innocent civilians in Kajo-Keji county Kangapo (II) Kiri Borna.

- On the 26<sup>th</sup> May 2022, where three young men were brutally killed by South Sudan Peoples Defense Forces (SSPDF) as their pictures are circulating on the social media. The victims of these unprovoked killings are Savior Yamba (18years old), Justin Lisok (17years old) and Taka Ika Wani (38 years old).
- On 16th May 2022 another young man was killed in Nyepo Payam in which the perpetrators who
  are heartless took a photo over the dead body stepping on the late.
- On 21<sup>st</sup>, May 2022, the Murle youth attacked Pokor Village of Kanyawai Borna, Gemeiza killing three innocent souls, one woman and two old men who were cultivating in their farms and were forced to leave their children as orphans on no account at all. Their names are: Cecilia Twori, Aquilino Wani and Angelo Kinyong.
- 4. On the same date 26th May 2022, while the people were still mourning the deceased, the Murteyouths attacked a kraal in Kworojik village of Yeki Borna, Mangala Payam which claimed two lives of young men called Lodu Kenyl and Gore Mario while Kenyl Gal and Lukenyl have sustained serious injuries and they are in critical condition at Glada military hospital in Juba.
- On 25<sup>th</sup> May 2022 at 5:00 am, the Dinka Bor attacked the Mundari at Kisaro cattle Camp and they killed three innocent persons and wounding one person now at Giada military hospital. The names of the deceased are: Luko Wani Makej, Male Gulou and Loku Jesh.

The youth of Central Equatoria State strongly condemn these evil behaviors against our people in their localities and those who are still recovering from the stigma of being forced as refugees in the neighboring countries.

The CESYU leadership calls upon the national Government in Juba to intervene and urge the government of Central Equatoria State and the Pibor Administrative Area to urgently cooperate to resolve this issues once and for all.

And we call for the immediate replacement of Col. Kamillo the area commander of SSPDF in Kajo-Keiji for falling to apprehend the culprits as this act will build mistrust with the SSPDF.

##END##

Address: Youth Training Center - Nimara Talata - Juba, Section |
Email: cesyouthunion@gmail.com

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

## REPUBLIC OF SOUTH SUDAN TRANSITIONAL NATIONAL LEGISLATURE COUNCIL OF STATES Rt. Hon. Deng Deng Akoon Speaker of the Council of States Juba, South Sudan May 27, 2022 Sub: Urgent and Very Important Motion on the Alarming Security Threats in Three (3) Counties of Central Equatoria State Rt. Hon. Speaker, On behalf of the people of Central Equatoria State and in accordance with the provisions of articles 79 (2) and 59 (e) of the Transitional Constitution of the Republic of South Sudan, 2011 (as amended), read together with regulation 41 and 51 of the Council of States Conduct of Business Regulation 2014 (as amended 2021); As mentioned on the subject hereinabove, Central Equatoria State is undergoing serious security threats in most of its counties particularly Kajo-Keji, Terekeka and Juba County over the recent months which led to serious panic, killings, cattle ridding, and intimidations and so forth. Rt. Hon. Speaker, On 26th May, 2022 in Kajo-Keji County in the village called Etorogwe of Kiri Boma, Kangepo Two Payam at around 4:47 Pm C.A.T, three farmers were shot dead by South Sudan Defence Forces (SSPDF) soldiers who are deployed to protect the civil population and their properties in Kajo-keji County of Central Equatoria State. According to the reliable source, the SSPDF under the command of Maj. Deng Makuch in the area went to search for their colleague Capt. Kai Both Garkuoth who went missing for over five days and later found his body tied under a tree in Kiri boma. Based on that, they gathered the civilians in that village and suspected three farmers of whom they fired them all with bullets and killed them instantly without carrying any further investigations or neither any legal procedures was followed to involve the traditional authority, police nor the County authorities. you plo

22-25090 61/82

The three civilians shot dead by the SSPDF are:

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

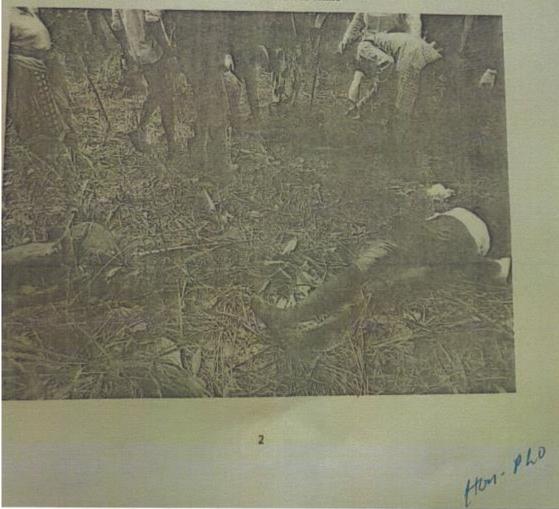
All the deceased are from itorgwe village of Kiri Boma, Kangepo Two payam.

#### 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 where 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
	Lodu Kenyi	Killed
	Kenyi Gai	Killed
_	Lukenyi	Seriously injured
	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 lunching 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.

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Hon- pla

22-25090 63/82

#### Rt. Hon. Speaker

In lieu of all the aforementioned citations 1 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.

- The Hon. Minister of Defence should be summoned to answer some questions related to her Ministry.
- The Hon. Governor of Central Equatoria should be summoned on the same issues raise hereinabove.
- 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.
- Immediate reconsideration and replacement of the army Commander in Kajo-keji by any other civilian friendly Commander.
- The Council of States to initiate Commissioners Forum to enhance coordination and cooperation between Commissioners in all the 10 States and 3 Administrative Areas.
- Central Equatoria State Government must disburse Security and Development Funds to all its Counties.
- 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

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



No.# 20220530-3A

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.

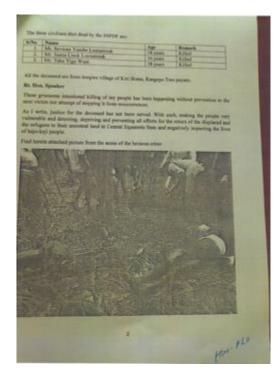
Sincerely,

Pojulu Information Desk (PID), Admin

22-25090 **65/82** 

#### 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 Equatorian 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

Debt by conditor			Republic of South State	so estimated Debi	12/24/2017								
Jam codes	Circlini Name	Currency	Procepul	Distance Assess	Undertured Amount	Salesest Maio	States Charged repaid	Prompsi organization	Outstanding Date	Start Date	Grace Person	Manasty P	Payments Dates
	WORLD BANK LOANS	USD	195,000,000	104,346,871	99,613,125	-	960,001	133,450	004,714,343				
DAN97220	Satisfical Capacity Building Project	UND	W.000,000	8,282,598,94	717,401.06	1% (2%	32,015.87	132,630,18	9.140,060	\$5,3m 2021	550m	\$5,3au 201	15.lim.11 page
DA 54000	Health Rapid Results project	USD	10,000,000	9.047,731.71	952,248.29	156/256	43,599.87		9.047,752	15.April 2024	Lyn	E5.April 2	15. April 15 oct
DA299710	Health rapid results	USD	25,000,000	22,000,000.00	3,800,000.00	1%-2%	539,860.00		27,000,000	15.april/924	200	15.April 2	15.April 15 net
DA 52840	Safety Net	USD	21,000,000	18,753,267.91	2,246,732.00	3%/2%	144,525.26		18,751,266	91 dec 2021	600m	01 Dec 30	01.hmr .01.Dec
DA 51630	E.A. Regional Const.	USD	80,000,000	1,770,207.69	78,229,792.34		13,723.28		1,770,308	01.Neer,2025	RHI.		01,3ase ,01,Dec
DIA NEURO	Local Government Service Delivery	UND	50,000,000	44,491,048.68	5.586.051.12	1% (2%	207,966,10	-	44,693,049	11.April 2023	Win.	15 April 2	023-15-Out 2052
	Dell' Lenni	USD	226,994,139	236,904,179	114	-		-	226,904,179			1100	
	DAP CR0 1	UND	52,300,000	12,390,000,00					12,300,000				
	DMF CRF 2	UID	174,604,179	174,604,179,00					174,004,120				
Management	Africas Development Bank		27,516,800	18.545,177	8,991,628	Lings-&	109,510	0.00	18,545,172	0.0000000000000000000000000000000000000	No.	1600000	and the second
com codes	Fanoncial Institution Development Bohl.com	Curvery	11,179,000	7,600,006	3,570,000.00	0.08%	45.658.59		7,500,000,00	22.May 2017	10 Yes	22 May 20	1.February 1.July
2007/2004	NORMA-SS	USD	1,725,000	816.628	908.372.29	0.08%	33.321.67			22.May 2017	10 Yes	32 May 20	1.5 obraery .1 July
	July power distribution and expansion	USD	14,641,800	30.128.544	4.515.255.73	0.09%	42,130.37		10.129.544.56	22.May 2017	10 Yes	32.May 26	1.February .1 July
	Other conditions		4,077,000,000	6.037.000.000	-	- 0	147,125,610	4,322,394,329	1.701.679.361			10000	
	Sabara Energy	USD	800,000,000	600,000,000			28.874.150.16	471,262,789.07	128,717,111	Apr-17		Dec-19	
	Trindy Energy	USD	360,000,000	340,000,000			- 4	160,000,000	-	No.	10000	200000	0.000
	Africain	UND	400,000,000	400,000,000	-		100	211.254.737.42	388,743,267	May 2019	IYK.	March, 20	23 (45/93)
	Attinum	USD	250,000,000	210,000,000		100000	Anna Control	SALES CONTRACTOR	250,000,000	Oct.2029	1778.	April 2023	(5 YRS)
	China Export-Import Bank	USD	150,000,000	150,900,000		2.00%	2.001.174.93	19,999,967.67	227,008,857	21.Jamesry2019	5Yrs		21 January and 21 Jul
	Qutar Notional Bank	USD	700,000,000	790.000.000		- 0		114,190,661.00	183,898,333		555		018-June 12,3027
	TFA	UND	1,028,000,000	3,028,000,000		0		1,078,000,000					
	NASDEC	USD	139,000,000	519,000,000			130,655,739,11	117,608,161.30	421,391,875				
Donad Total in U	50	-	0.476.040.079	0.576,796,036	101644,755		103.690.433		2.001,335-901			1	0

Source: Ministry of Finance and Planning

22-25090 67/82

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



#### REPUBLIC OF SOUTHSUDAN GOVERNMENT OF UNITY STATE - BENTIU SECRETARIAT GENERAL



Office of the Governor

The Governor

#### **VERY URGENT**

17th of November 2022,

MICHAEL GIBB
Co-ordinator
Panel of Experts on South Sudan
(Extended pursuant to Security Council Resolution 2633 (2022))
United Nations N.Y. 10017
(212) 963-5598
biggs@un.org
New York
THE UNITED STATES OF AMERICA

Dear Mr. Gibb,

RE: ALLEGATIONS THAT I WAS INVOLVED IN EXTRA-JUDICIAL KILLINGS IN KAIKANG IN UNITY STATE, SOUTH SUDAN

Dear Mr. Gibb,

I have received your letter of November 4, 2022 in which the UN Panel of Experts for South Sudan makes the dreadful claim that I was not only complicit but actually participated in the killing of four members of the South Sudan People's Movement/Army who had earlier murdered the County Commissioner of Mayom County and 12 other people in Unity State where I currently serve as Governor.

Under different circumstances, I would have ignored these claims but to do so now, in the fraught circumstances of a South Sudan still in a difficult transition, would give the allegations a credibility they don't deserve with the danger that these baseless claims could then be used by others to draw adverse conclusions against me.

1

Email: unitystate-bentiu@gmail.com

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 8th 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 8th of August with chiefs

Chr.

22-25090 69/82

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

(m)

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

**71/82** 

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Your letter's central claim is that "forces and civillan 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 <u>unidentified</u> and interviews with <u>unnamed persons</u> 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 Monytuil"; 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 Monytuil over Mayom extrajudicial killings", a report in Sudan's Post titled, "Youth leader flees into hiding in Unity State after asking Governor Manytuil 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.

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

https://www.sudanspost.com/klir-summons-governor-manytuil-over-mayornextrajudicial-killings/

https://www.eyeradio.org/bentiuprotestor-i-capt-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 hall 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

22-25090 73/82

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 Kaikang 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

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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 26th 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 coordinating 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>6</sup> is

22-25090 **75/82** 

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<sup>&</sup>lt;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." 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.

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 coordinating - 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.

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

<sup>6</sup> See id.

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

See section 26 of the South Sudan National Security Service Act of 2014

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 6th of August, 2022. On the 8th 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 8th 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-recoding 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

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22-25090 77/82

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. 10 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.

**78/82** 22-25090

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<sup>&</sup>lt;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 Lideration 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 8th 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

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22-25090 **79/82** 

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 extrajudicial 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.

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22-25090 **81/82** 

I wish you well in your work.

Yours Sincerely,

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