



安全理事会

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2023 年 4 月 26 日南苏丹问题专家小组给安全理事会主席的信

依照安全理事会第 [2633\(2022\)](#) 号决议延长任期的专家小组成员谨随函转递根据该决议第 18 段提交的最后报告。

报告已于 2023 年 3 月 17 日提交给安全理事会关于南苏丹的第 [2206\(2015\)](#) 号决议所设委员会，委员会于 2023 年 3 月 31 日对报告进行了审议。

专家小组谨请将本信及最后报告提请安全理事会成员注意，并作为安理会文件分发为荷。

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南苏丹问题专家小组根据第 2633(2022)号决议提交的最后报告

摘要

在西加扎勒河州，南苏丹问题专家小组会见了等待部署消息的必要联合部队毕业生。他们做了和平进程要求他们做的事，但那时他们已被遗弃数月，没有工资，也没有足够的粮食供应。他们虽然对和平进程越来越感到沮丧和幻灭，但仍抱有希望。很少有人看到政治进程之外任何可行的替代出路，他们仍为自己能在政治进程中发挥小小的作用而自豪。因此，他们继续每周两次报到参加列队行进。

他们的经历可能对许多南苏丹人来说都很熟悉，自 2018 年签署《解决南苏丹共和国冲突重振协议》以来，他们的耐心、对这一进程的信任和幸存的能力都受到了同样的考验。

如果没有 2022 年 8 月在朱巴商定的两年延期，2023 年 2 月 22 日本应标志着过渡期结束。在这一象征性日期临近之际，政府向新闻界发表了一份长篇谈话，概述了政府取得的成就，同时强调，在整个延长期内，政府将一切“照旧”。

这一信息暗示着需要消除两个关切。第一，在执行和平协议中最具挑战性的规定，特别是在执行安全规定、宪法起草进程和选举筹备工作之前，延长期会被用来削弱本已脆弱的权力分享结构。第二，“一切照旧”会意味着进一步拖延，而不是取得和平条件下一度承诺的进展。

过渡期不应该持续如此之久。另一设想是通过重大改革来加强这一进程，这些改革将带来安全、经济稳定和发展，同时通过明确的选举时间框架来弥补目前安排中的民主赤字。

正如政府在 2 月 21 日的声明中强调的那样，目前已取得一些进展。朱巴的民族团结过渡政府得以幸存，而一系列法律已经开始为宪法起草进程和 2024 年 12 月的最终选举铺平道路。第一批约 55 000 名必要联合部队人员现已毕业，尽管尚未得到部署。

同时，目前流离失所人数已达和平协议签署以来最高，而粮食不安全状况仍为独立以来的最高程度。在南苏丹，妇女和人道主义者的处境一如既往地危险。到 2023 年，将有超过三分之二的人口需要人道主义援助。对大多数人而言，特别是在朱巴以外地区，过渡期没有带来切实可见的进展。

人道主义局势不断恶化，在一定程度上是暴力造成的后果。最近几年和几个月，该国大部分地区发生了全副武装部队之间的严重冲突，导致死亡、流离失所、严重践踏人权、与冲突有关的性暴力，并阻碍了提供人道主义援助。专家小组记录了上尼罗州、琼莱州和中赤道州发生的暴力和虐待事件，包括与冲突有关的严重性别暴力事件。这些暴力现象大部分是和平进程执行过程中迄今存在的多种弱点交相作用而产生的。

试图削弱反对派团体的势力、政治上持续依赖地方青年民兵以及迟迟不能组建统一的国家军队，这种种因素造成安全格局支离分化，而平民和军队之间的武器自由流动使问题更加复杂。人道主义和经济危机促使各社区为争夺日益稀少的资源而相互对立，水灾和人道主义救济受阻则无异于雪上加霜。这些困境又被地方和国家领导人政治化，他们自己的命运往往取决于他们激发暴力的能力。

然而，对朱巴政治进程的日益不满也引发了暴力。各种拖延以及人道主义状况的恶化考验着该国内地许多政治和军事领导人的耐心和信任，他们日益寻求在过渡期开辟自己的道路，而过渡期在许多人的感觉中已不再是暂时性的。他们各某其利，动员部队争夺地方领地和资源，例如河流检查站和牲畜，而国家领导人相对缺乏控制和指引暴力的能力。

石油收入分散在各种不同账户中，很容易被挪用和误用，基本上没有到达那些可能通过定期付薪、人道主义救济和发展来稳定局势的机构。

这些调查结果中很多是无可争辩的。大部分争辩集中在语义上。领导人急于免除自己的指挥责任，试图给暴力现象贴上“部族间”标签，同时又试图将这些暴力与最近的几次内战区分，强调这些暴力的“国家以下层面”特点。政府谈判人员调解下的反对派各团体分崩离析，因而有理由声称各签署方避免了直接冲突，尽管他们的盟友民兵与不久前的战友发生了冲突。

试图控制言论，包括在即将选举之际控制言论，也对公民空间继续造成限制，包括导致南苏丹境内外记者和网上活动人士遭到骚扰和拘留的现象增多。

随着延长的过渡期开始，“一切照旧”无疑将在南苏丹各地产生各种期待。这一时期的稳定很可能取决于政府是否有能力回报那些坚持致力于和平的人的耐心，而不是回报那些试图通过暴力重塑和平的人。

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一. 背景

A. 任务规定和差旅情况

1. 安全理事会第 [2206\(2015\)](#) 号决议对助长南苏丹冲突的个人和实体实施制裁制度,并设立了制裁委员会(安全理事会关于南苏丹的第 [2206\(2015\)](#) 号决议所设委员会)。2015 年 7 月 1 日,委员会指认了 6 名个人,将对他们实施定向制裁。随着第 [2428\(2018\)](#) 号决议的通过,安理会对南苏丹领土实施军火禁运,并在被指认人员名单上增加了两人。2022 年 5 月 26 日,安理会通过第 [2633\(2022\)](#) 号决议,将制裁制度延长至 2023 年 5 月 31 日。
2. 安全理事会第 [2633\(2022\)](#) 号决议又将南苏丹问题专家小组的任务期限延长至 2023 年 7 月 1 日,使其能够提供信息和分析,支持委员会的工作,包括与指认可能从事第 [2206\(2015\)](#) 号决议第 7 段(经第 [2521\(2020\)](#) 号决议第 15 段更新、最近经第 [2633\(2022\)](#) 号决议延续)所述活动的个人和实体有关的工作。
3. 2022 年 6 月 22 日,秘书长经与委员会协商,任命了专家小组的 5 名成员。¹
4. 在本任务期内,专家小组数次前往南苏丹,包括首都朱巴、上尼罗州和西加扎勒河州,还前往肯尼亚、乌干达和阿拉伯联合酋长国。

B. 与国际组织和其他利益攸关方的合作

5. 虽然专家小组独立开展工作,但要感谢联合国南苏丹特派团(南苏丹特派团)和联合国其他工作人员、包括纽约的工作人员提供的支持。
6. 专家小组在各次访问南苏丹期间,请求与南苏丹政府的多个机构和部委以及州政府举行会议。专家小组感谢有机会在朱巴会见内阁事务部长马丁·洛穆罗、前国防与退伍军人事务部长以及西加扎勒河州州长和上尼罗州代理州长。专家小组还会见了多位县长以及国家安全署、军事情报部门和南苏丹国家警察局的代表,并会见了南苏丹人民国防军和苏丹人民解放运动/解放军反对派(苏人解运动/解放军反对派)内部高级官员、重振后的过渡期国民议会的成员以及其他政府官员和安全部门官员。专家小组还会见了一些在南苏丹开展活动的私营公司以及民间社会组织、活动人士、人道主义行为体和组织、记者以及宗教领袖。
7. 安全理事会第 [2633\(2022\)](#) 号决议第 17 段强调,专家小组必须定期与有关会员国、国际、区域和次区域组织以及南苏丹特派团磋商。
8. 专家小组在南苏丹和其他地方广泛咨询了联合国机关和机构。专家小组还与根据《解决南苏丹冲突重振协议》设立的安全机制进行了磋商。
9. 专家小组向该区域和其他会员国发出了多次会见请求,并得以在各国首都会见了乌干达和阿拉伯联合酋长国政府的代表,以及非洲联盟驻南苏丹的代表和一些驻朱巴的外交代表。

¹ 见 [S/2022/508](#)。

10. 专家小组向南苏丹政府、该区域的会员国以及其他个人和实体发出了 44 封公函，在起草本最后报告之前收到了 21 份实质性答复。

C. 方法

11. 本报告是根据专家小组的大量研究和调查编写的。专家小组进行了多次访谈，获得了各种来源提供的大量可靠信息。专家小组审查了个人、商业实体、保密信息来源和政府提供的文件。专家小组还借鉴了其先前的工作，包括以往提交安全理事会和委员会的公开报告和保密报告。

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

13. 专家小组以尽可能透明的方式开展研究，同时在必要时优先考虑保密。很少有信息来源人士愿意在报告中被指明，因为许多人担心因与专家小组接触而遭到报复或骚扰。其他一些情况下，所讨论的问题涉及信息来源人士不希望自己或家人遭受的社会污名化。在这种情况下，专家小组大致描述了与他们的证词最相关的特征。在少数不指明信息来源就无法描述特征的情况下，则将信息来源称为“保密信息来源”。

14. 南苏丹政府以及报告中的严重指控所涉的个人和实体有机会对调查结果摘要作出答复，在报告发布之前收到的任何答复都作为附件列入了报告。

二. 和平协议的执行情况

A. 执行路线图的进展情况

15. 2023 年 2 月 21 日，代表和平协议各方的高级别常设委员会概述了 2022 年 8 月商定的两年延长过渡期正式开始后取得的若干成就。² 10 项重要法案已经签署成为法律，其中包括对宪法起草进程和未来选举至关重要的几项法案。³ 除国家安全法案外，其他主要安全法案已获通过。国家安全法案草案中赋予国家安全署广泛逮捕权的条款存在争议，这些条款已经删除，这表明现在的立法程序中能够进行真正的审查。⁴ 还有几项法案有待通过，同时一些国际公约也已签署成为法律。⁵ 已承诺就真相、和解和消除创伤委员会以及补偿和赔偿局事宜与利益攸关方进行进一步协商，⁶ 但在设立混合法庭方面进展甚微，南苏丹政府和非洲联盟都没有采取设立该法庭的举措。

² 见附件 1。

³ 同上。

⁴ 无证逮捕权随后移交给南苏丹国家警察署。见 Elvince Joshua, “Police get back the power to arrest”, *The City Review South Sudan*, 25 February 2023.

⁵ 与立法者的访谈，2023 年 2 月和 3 月。

⁶ 司法和宪法事务部提供的资料。

16. 政府在与专家小组会见时强调了这些成就，同时也强调政府面临的资源限制、水灾以及南苏丹作为一个相对年轻的国家所处的地位。⁷ 因此，政府日益寻求确定自己的优先事项，并重新制定 2018 年和平协议中的一些时限和排序框架。例如，内阁事务部长在与专家小组会见时强调，路线图是“一个进程，而不是一次活动”，敦促小组不要纠结于日期，要认识到并非必须完成一个阶段才能启动其他阶段。⁸

17. 这意味着路线图的执行落后于时间表。

18. 在第一批必要联合部队人员的毕业以及武装部队中低级指挥结构内的职位分配方面出现了一系列延误。这进而又推迟了第一批人员的部署以及第二批人员的培训和毕业，而根据路线图，第二批人员本应在 2022 年 11 月 30 日前完成培训并毕业。

19. 宪法起草进程和正式筹备选举所需的机构仍有待组建，因为各方尚未提出国家宪法审查委员会、宪法起草委员会和筹备小组委员会的提名人选，⁹ 议会也尚未颁布全国选举法案。¹⁰ 2023 年 3 月 7 日，国家宪法修正委员会暂停工作，理由是缺乏资源，并称已无偿工作近三年。¹¹

B. 薪金困境

20. 政府薪金支付不定期，已成为对过渡政府不满的明显迹象，也令人怀疑这种情况主要是在使领导这一进程的少数精英人士受益。¹²

21. 自独立前以来，在历次和平谈判时期，把个人加进政府薪金单一直是争取这些个人支持的屡试不爽的办法。然而，除了高级政治职位之外，薪金从未进行过有意义的调整，尽管随着南苏丹镑贬值和通货膨胀飙升，薪金的实际价值暴跌。¹³ 大多数政府薪金现在都不足以维持生存。一名警察队长告诉专家小组，她每月 7 000 南苏丹镑(9 美元)的薪金“不值一提”。¹⁴ 此外，尽管政府薪金费用下降，政府却常常无法定期支付薪金，经常拖欠长达 7 个月。¹⁵

⁷ 与政府官员的会见，2023 年 1 月和 2 月，朱巴。

⁸ 与内阁事务部长的会见，2023 年 2 月 1 日，朱巴。

⁹ 与立法者的访谈，2023 年 2 月和 3 月。

¹⁰ 同上。

¹¹ 见附件 2。

¹² 见 [S/2022/884](#)。

¹³ 2015 年以前，南苏丹镑稳定在 2.96 镑兑 1 美元；而 2023 年 3 月，1 美元约兑 800 南苏丹镑。

¹⁴ 与一名警察队长的访谈，2023 年 2 月，西加扎勒河州。

¹⁵ 尽管雇用了相对较多的人员，但按当前汇率计算，2022/23 年度核准预算中的政府薪金总额仅为 2.48 亿美元左右。

22. 因此，该国安全部队成员通常一边履行军事职责，一边在社区工作，或从事伐木、木炭生产或设置路障等活动。同样，公务员和政府官员也越来越多地利用其政治地位谋取私利。

23. 政府认识到这一挑战，结清了数月的拖欠薪金。¹⁶ 然而，由于薪金贬值，提高薪金已成为当务之急。但鉴于目前的支出做法，提高薪金几乎是不可能的。

24. 2022/23 年度预算为 1.4 万亿南苏丹镑，但有 5 600 亿镑的赤字没有供资。¹⁷ 经修订的薪金结构已获得核准，按照这一结构，政府雇员的薪金将增加，覆盖范围也可能会扩大，例如包括最近的必要联合部队毕业生；但是，如果实施经修订的薪金结构，将使现有预算增加 5 260 亿镑，增幅几近 40%，同时使赤字增加一倍。¹⁸ 事实证明，这种加薪所要求的大幅削减开支不可能实现，而是引起政府机构之间相互指责，导致承诺的加薪推迟。¹⁹

C. 选举

25. 过渡期经延长后，现定于 2024 年 12 月举行选举。包括安全安排在内的其他短期优先事项在政治议程中仍占主导地位，但日益临近的选举前景已开始影响政治格局。随着苏丹人民解放运动反对派(苏人解运动反对派)在军事和政治上被分化和削弱，政府试图通过重组国家和州一级关键机构来巩固政府的优势。在许多最具争议的选举筹备活动开始之前，机构重组就已经引发了和平协议各签署方之间的重大对抗。

26. 2022 年 10 月，苏丹人民解放运动(苏人解运动)政治局终止了苏人解运动反对派领导人、第一副总统里克·马沙尔和该党前秘书长、现任真正苏丹人民解放运动领导人帕甘·阿穆姆的党籍。²⁰ 不久后，苏人解运动临时秘书长 Peter Lam Both 下令解散苏人解运动反对派和真正苏丹人民解放运动。²¹

27. 苏人解运动的品牌在南苏丹仍然是一个有效的政治符号。苏人解运动反对派不愿在选举前放弃这一政治资产，因此提出，苏人解运动由三个派别组成，任何一派都不可被单方面解散。²²

¹⁶ 见国际货币基金组织(基金组织)，《南苏丹共和国：2022 年第四条磋商和工作人员监测方案的第二次审查》，基金组织国别报告，第 22/266(2022)号。

¹⁷ 2022/23 财政年度核定预算。

¹⁸ 与立法者的访谈，2022 年 10 月，朱巴。另见 Keji Janefer, “Economic cluster approves half a trillion budget for civil servants’ pay”, *The City Review South Sudan*, 8 November 2022。

¹⁹ 例如见 Keji Janefer, “Delayed ratification of pay increase for organized forces not deliberate, Kumba says”, *The City Review South Sudan*, 8 March 2023。

²⁰ 见附件 3。

²¹ 与苏人解运动官员的电话访谈，2022 年 11 月。另见附件 4。

²² 与苏丹人民解放运动执政派(苏人解运动执政派)和苏人解运动反对派代表的电话访谈，2022 年 11 月。见附件 3。

28. 然而，马沙尔先生和阿穆姆先生被解除党籍后，苏人解运动的两个最高机关——民族解放委员会和政治局的成员迅速重振旗鼓，成员范围扩大到包括与总统萨尔瓦·基尔·马亚尔迪特关系密切的有影响力的政治和军事人物。这两个机构负责在选举前制定该党的政策和条例。两机关的成员现在包括国家安全顾问 Tut Gatluak、总统事务部长巴纳巴·马利亚尔·本杰明、湖泊州州长 Rin Tueny Mabor 和商人、总统特使 Benjamin Bol Mel。²³

29. 总统的权力还被用来改组州一级的行政和立法机构。例如，2022 年 6 月，上尼罗和琼莱两州的副州长以及团结州北部鲁翁行政区的行政长官均被总统令撤换。²⁴ 其继任者得到明确指示，要把其他政党的成员“带回”苏人解运动，并被告知“[他们]有责任确保[各自]州或行政区的人民团结起来，成为苏人解运动的追随者和成员”。²⁵

30. 在琼莱州，州议会议长、苏人解运动反对派在该州的最高代表 Amer Ateny Alier 也被总统令解职，²⁶ 导致反对派各团体抵制州议会的重开。²⁷ 2023 年 1 月，苏人解运动反对派任命的特威克县县长 Deng Tong 也同样被总统令解职，²⁸ 而在湖泊州²⁹ 和东赤道州，³⁰ 强势的州长也利用手中的权力排挤政治对手。

31. 苏人解运动还设法大力加强基层动员，同时努力阻断反对党的政治活动。根据最近修正的《政党法》，一个政党必须在 10 个州和行政区中的三分之二拥有至少 500 名注册党员，才能登记参加选举。³¹

32. 在团结州，2022 年 9 月，州长、苏人解运动州主席 Joseph Monytil 宣布“特别动员和招募新成员加入苏人解运动”。³² 此后，科奇县的几名苏人解运动反对

²³ 与政府官员和政治人士的访谈，2022 年 12 月。另见附件 5；Radio Tamazuj, “Kiir unveils SPLM leadership structure”, 7 December 2022。

²⁴ South Sudan News Broadcast 播出，2022 年 6 月，专家小组存档。另见 Sudans Post, “基尔撤销对上尼罗州副州长、鲁翁行政长官的任命”，2022 年 6 月 4 日。

²⁵ South Sudan News Broadcast, 2022 年 6 月，专家小组存档。

²⁶ Sudans Post, “Activist decries ‘blatant violation’ of peace deal after Kiir removed top SPLM-IO lawmaker”, 6 January 2022. 苏人解运动反对派州级代表于 2023 年 1 月 5 日举行的视频新闻发布会，专家小组存档。

²⁷ 见附件 6。

²⁸ South Sudan News Broadcast 播出的总统令，专家小组存档。另见 Charles Wote, “Kiir fires 14 officials in Jonglei and Unity States”, Eye Radio, 4 January 2023。

²⁹ 湖泊州国际和本国观察员的报告，2023 年 1 月。与一名政府官员的访谈，2023 年 1 月。

³⁰ Radio Tamazuj, “Governor Lobong indefinitely suspends Kapoeta South County commissioner”, 15 February 2023。

³¹ 见南苏丹，《政党法(2012 年)修正法(2022 年)》，第 7 节。

³² 团结州州长新闻秘书在社交媒体上的帖子。

派成员叛逃到苏人解运动。³³ 专家小组进行的访谈表明,几起叛逃举动是恐吓和威胁、包括以没收牛群进行恐吓和威胁的结果。³⁴

33. 几个月来,北加扎勒河州的安全部队阻断了苏人解运动反对派的政治活动,并拘留了知名的反对派成员和活动人士,指控他们与南苏丹联合阵线/军队保罗·马隆(SSi.008)有关联,³⁵ 而在北通季县,苏人解运动反对派的州议会议员被南苏丹人民国防军暂时拘留,据报是因为他们分发了该党的用具。³⁶ 在西加扎勒河州拉贾县,由苏人解运动反对派提名的县长指责苏人解运动的当地主席为了增加政党登记人数,试图将苏丹商人登记为南苏丹国民。³⁷

D. 与非签署方武装团体的会谈

34. 2023 年 1 月,政府同意与非签署方武装团体恢复罗马和平会谈。³⁸ 自 2022 年 11 月政府退出以来,会谈一直暂停。关于恢复会谈的宣布恰逢教皇、坎特伯雷大主教和其他宗教领袖于 2023 年 2 月 3 日至 5 日访问南苏丹。主办会谈的圣艾智德团体计划于 2023 年 3 月在罗马恢复举行会议。³⁹ 安全理事会关于南苏丹的第 2206(2015)号决议所设委员会已给予马隆先生(SSi.008)旅行禁令豁免,为他参加会议提供便利。

35. 反对派团体欢迎恢复会谈,但质疑政府的意图是真诚的,还是为了拖延时间,同时试图对反对派团体进行分化和军事追击,并为选举获胜奠定基础。⁴⁰

36. 其他人提出的问题是,恢复的会谈现在是否应该扩大,以更好地反映反对派格局的变化。真正苏丹人民解放运动的 Amum 先生和最近分裂的南苏丹联合阵线/军队⁴¹ 的马隆先生(SSi.008)告诉专家小组,“会谈应包括所有反对派”。⁴²

³³ 见附件 7。2022 年 12 月,科奇县的更多苏人解运动反对派代表声称已叛逃到苏人解运动。见 Juba Echo, “55 opposition members cross over to Kiir’s SPLM in Unity State”, 17 January 2023。

³⁴ 在科奇县与记者和青年代表的访谈,2023 年 1 月。经团结州国际观察员的报告印证,2023 年 1 月。

³⁵ 与一名当地政治人士、多名平民观察员和当地活动人士的访谈,2022 年 11 月至 12 月。经国际观察员的报告、社交媒体帖子和专家小组存档的照片印证。

³⁶ 与受害者的访谈,2023 年 2 月。经国际观察员和政府官员的报告以及一位族群长老在社交媒体上的帖子印证。关于瓦拉卜州政治骚扰的更多指控见附件 8。

³⁷ 与县官员和民间社会组织的访谈,2023 年 1 月。经人道主义行动者和国际监测员的报告印证。

³⁸ 总统办公室的声明,2023 年 1 月 28 日,专家小组存档。

³⁹ 与圣艾智德团体的访谈,2023 年 2 月。

⁴⁰ 与非签署方武装团体领导人的电话访谈,2023 年 2 月。另见 Alhadi Hawari “Malong, Cirillo groups voice reservations over Rome talks resumption”, Eye Radio, 30 January 2023。

⁴¹ Sudan Post, “Dickson Gatluak officially installs himself SSUF/A leader, unveils interim leadership”, 6 February 2023。

⁴² 与非签署方武装团体领导人的电话访谈,2023 年 2 月。

37. 议员们呼吁将西蒙·加特韦克(SSi.002)和约翰逊·奥洛尼纳入罗马和平会谈，因为他们对上尼罗州的暴力和不稳定有影响。⁴³ 不过，奥洛尼先生领导的阿圭莱克部队的代表表示，他们愿意继续推动苏人解运动执政派和苏人解运动/解放军反对派基特旺派系就部队地位问题与政府达成单独协议。⁴⁴

38. 南苏丹人民运动/军队主席 Stephen Buay 在团结州部分地区，特别是在马约姆周围保留了影响力和一些军事能力。Buay 先生告诉专家小组，他“不介意他们是否将我们包括在内”，但表示目前不大有兴趣与总统的政府进行停火谈判。⁴⁵

E. 与民族拯救阵线的冲突

39. 在暂停和恢复罗马和平会谈的同时，政府与民族拯救阵线的冲突在中赤道州南部此起彼伏，常常集中在耶伊地区及其周围。

40. 冲突仍然不对称，民族拯救阵线的许多部队在补给有限的情况下半自主地开展行动。因此，民族拯救阵线的部队与南苏丹人民国防军之间很少发生直接对抗。相反的是，双方主要把攻击目标对准那些被认为支持另一方的平民。

41. 政府部队的目标是赤道地区少数民族、传统酋长、民间社会活动人士、人道主义者、律师和其他被认为同情民族拯救阵线的人。⁴⁶ 政府部队士兵烧毁房屋，抢劫财产，任意拘留或杀害平民，包括老年人。⁴⁷ 据报告，在南苏丹人民国防军营房、检查站和境内流离失所者居住点附近还发生了性暴力，包括强奸和轮奸妇女和未成年人。⁴⁸

42. 同样，民族拯救阵线的反攻也包括殴打和绑架平民(其中包括在政府控制地区工作的当地酋长和人道主义者)，以及伏击和袭击伐木和筑路作业。⁴⁹

⁴³ 与立法者的访谈，朱巴，2023 年 1 月和 2 月。另见 Chol Makol, “Lawmaker wants Olony and Gatwech included in Rome peace talks”, *The City Review South Sudan*, 9 February 2023.

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

⁴⁵ 与 Stephen Buay 的电话访谈，2023 年 2 月。

⁴⁶ 通过电话以及在朱巴与城市社会代表、人道主义者和律师进行的访谈，2022 年 7 月-12 月。经国际观察员和民间社会代表的报告印证。

⁴⁷ 国际观察员、人道主义监测员、民间社会团体和一名记者的报告，2022 年 2 月至 2023 年 2 月。

⁴⁸ 与一个人道主义组织的访谈，2022 年 12 月。经国际观察员、人权监测员和民间社会组织的报告印证。另见停火和过渡期安全安排监测和核查机制，“CTSAMVM report 2023/02: SGBV incident in Central Equatoria State”, 16 January 2023.

⁴⁹ 国际观察员、民间社会代表和人权监测员的报告，2022 年 2 月至 2023 年 1 月。另见 Keji Janefer, “Adil links holdout groups to chiefs’ abduction in Yei”, *The City Review South Sudan*, 2 December 2022; Radio Tamazuj, “Yei River County: 14 abducted health workers released after more than 2 weeks”, 15 September 2022; Sudans Post, “ARC resumes construction of Juba-Yei highway after attack”, 29 January 2023.

三. 区域安排

A. 必要联合部队人员的毕业和部署

43. 2023 年 1 月 14 日，南苏丹首批必要联合部队人员毕业，在团结州本提乌举行了仪式。⁵⁰ 这标志着向执行过渡期安全安排迈出了重要的一步。

44. 2018 年的和平协议规定，由各签署方的不同武装人员联合组成一个专业、团结的安全部门。首先是建立一支必要的联合部队，负责在过渡期维持稳定，然后根据已确定的国家安全需要评估其他具备条件的新征成员。

45. 已毕业部队人员的总数及其现状仍不确定。专家小组查出的估计数上限和下限都大大超过了预计的 50 000 人，即经过筛选、接受培训和毕业的第一批必要联合部队人数，这表明许多毕业生是从正式筛选和培训过程之外征召的。⁵¹

46. 几个月前已经毕业的部队大多数仍然留在他们的培训中心及其周围，尽管恶劣的条件已导致数百人死亡和数千人开小差。⁵² 由于许多毕业生没有定期领到薪水，大多数人花很多时间在当地社区工作。⁵³ 那些已经部署的毕业生看似被纳入了原先存在的军事单位，而不是统一编入一个新的国家部队。⁵⁴

47. 拖延的一个关键原因是政治因素。虽然各方在 2022 年 4 月商定统一最高指挥结构，但他们尚未就其下级职位达成类似的协议。⁵⁵ 一名高级官员告诉专家小组，“是否真诚行事仍然是一个问题”。⁵⁶ 苏丹人民解放军反对派(苏人解反对派)质疑政府对这一进程的承诺，政府官员则指责苏人解反对派保留自己的武器和主要战斗部队，只派出未经培训、不适合服役的部队。⁵⁷ 政府官员还指出，需要对毕业的部队加以武装和装备，这是拖延的一个原因。⁵⁸

48. 2023 年 3 月，总统单方面解除了由苏人解运动/解放军反对派提名的知名人士、第一副总统马沙尔先生的妻子安吉丽娜·特尼的国防与退伍军人事务部长职

⁵⁰ 政府官员的访谈和陈述，经国际观察员的报告印证，2023 年 1 月。

⁵¹ 见附件 9。

⁵² 见 [S/2022/884](#)。

⁵³ 在两个国家三个培训地点与必要联合部队毕业生的访谈，2023 年 2 月和 3 月。经团结州国际监测员的报告印证，2022 年 11 月至 2023 年 1 月。

⁵⁴ 国际监测员和停火监测员证实，一些在中赤道州举行仪式的先期毕业生被部署到了原先存在的军事单位，可能被派往瓦拉卜州，但他们的部署地点尚未得到证实。

⁵⁵ 2023 年 3 月达成的初步协议将 60% 的职位分配给政府，30% 分配给苏人解反对派，10% 分配给南苏丹反对派联盟。

⁵⁶ 与一名南苏丹人民国防军高级军官的访谈，2023 年 1 月。

⁵⁷ 与苏人解反对派指挥官和苏人解运动高级官员的访谈，2023 年 1 月和 2 月。

⁵⁸ 与政府官员的访谈，2023 年 2 月，朱巴，以及与最近毕业的必要联合部队成员的访谈。另见 Keji Janefer, “No deployment of forces without arms-Makuei”, *The City Review South Sudan*, 24 February 2023。

务。在另一项法令中，总统将国防与退伍军人事务部重新划归政府，同时将内政部划归苏人解运动/解放军反对派。总统发言人强调，他的目的是确保安全部队由一人指挥，他的决定不是对他人的妥协。⁵⁹ 苏人解运动/解放军反对派谴责这项法令，指称它没有经过与反对派协商，违反了和平协议。⁶⁰

49. 由于没有一个中间指挥结构，各培训中心仍被第一批必要联合部队人员占用或被遗弃，在筛选和培训第二批人员、使部队人数达到商定的 83 000 人方面进展甚微。

50. 在必要联合部队人员毕业的同时，政府和苏人解反对派都在继续招募人员，并鼓励叛逃。2022 年 12 月，科奇县县长 Gordon Koang 在团结州发起强力招募运动，⁶¹ 而在同样位于团结州的 Panyijiar 县，数名苏人解反对派高级军官叛逃到南苏丹人民国防军。⁶² 据报告，2023 年 1 月，苏人解反对派在本提乌的境内流离失所者营地进行了更多的强行招募活动，包括招募儿童和人道主义工作者。⁶³

B. 必要联合部队中的女性

51. 女性是必要联合部队的重要组成部分，尤其是在努力应对安全部队成员经常实施的性暴力和性别暴力方面。

52. 11 个培训中心当中有 6 个称有一些女兵毕业。女兵人数各异，一些培训中心有几十名女性，西加扎勒河州和北加扎勒河州所有毕业生中有 35% 为女性。然而，国际观察员和南苏丹人民国防军指挥官证实，女兵人数并未经过核实，特别是在中赤道州以外地区。⁶⁴

53. 专家小组与 37 名曾作为必要联合部队人员在两个州的三个培训中心接受培训并毕业的女性进行了访谈。女学员的年龄大多在 32 至 48 岁之间，不过专家小组还获悉，有些人年龄小得多，有些人年龄更大。专家小组访谈过的女学员很少有配发的制服，因为这些制服只发给参加毕业典礼的学员。在专家小组访问的一个培训中心，有三名女性拥有警察部队准将军衔，其他女性拥有上校以下军衔。

⁵⁹ 与内阁事务部长的新闻访谈，2023 年 3 月 13 日。专家小组存档视频。

⁶⁰ 见附件 10 和 11。

⁶¹ 在团结州与科奇县青年代表、一名州政府官员、一名人权活动人士和多名记者的访谈，2023 年 1 月。经国际观察员的报告印证，2022 年 12 月。

⁶² 在团结州与一名记者的访谈，2023 年 1 月。另见 Juba Echo, “Over 1,600 opposition officers defect to SSPDF in Unity State”, 18 January 2023。

⁶³ 与一名州政府高级官员、多名人道主义行动者、记者和民间社会代表的访谈，2023 年 1 月和 2 月。经国际监测员的报告和专家小组存档的照片印证，2023 年 1 月。另见 Juba Echo, “SPLA-IO accused of forceful recruitment of displaced civilians in Unity State”, 23 January 2022; Juba Echo, “Mother pays ransom to secure release of son from SPLA-IO captivity in Unity State”, 26 January 2023。

⁶⁴ 与国际监测员、民间社会代表和一名在安全部门与女性共事的南苏丹人民国防军高级指挥官的访谈，2023 年 2 月。

54. 在南苏丹内战期间，女性在各方面都发挥了积极作用。有些人参加了前线战斗，但大多数人从事支助职能。然而，专家小组访谈的几名女性透露，她们在加入必要联合部队之前没有相关的军事经验。

55. 这些女性描述了贫困和艰苦的状况，在南苏丹许多地区，女性几乎没有机会。因此，一些女性入伍仅仅是因为她们得到了食物和工作的许诺，而且看不到其他可行的选择。其他人入伍是因为她们的配偶入伍了。若干受访者表示，一些 15 至 17 岁的女童被强行招募到必要联合部队，后来成为男军官的妻子。

56. 同必要联合部队的许多成员一样，专家小组访谈的女性描述了她们培训中心非常艰苦的条件。她们抱怨严重缺乏食物、药品、肥皂和卫生用品。“没有睡垫，没有食物，没有药品，什么都没有”，一名苏人解反对派军官说。

57. 一个培训中心负责医疗单位的军官抱怨说，她们没有卫生用品，没有医用手套，甚至缺乏基本的急救设备。由于水灾和恶劣的路况，前往培训中心以外的医疗设施也很困难。专家小组获悉，有几名女性曾因没有适当的医疗而流产。

58. 与政府结盟的部队证实，她们每月领取 3 000 至 7 000 南苏丹镑的薪金，但强调她们无法靠这个数额生活。在一个培训中心，苏人解反对派的女兵证实，她们没有领到薪金。因此，她们大部分时间是在当地社区工作，以求生存。有些女性出售木炭，专家小组在培训中心周围看到了烧制木炭的坑。其他女性收割出售用于盖屋顶的草。在一个培训中心，一名女学员描述说，她在割草时失去了一只眼睛，另一名女学员在感染后被截肢，但随后被部队解雇，没有得到任何补偿。

59. 一些女性还更普遍地提到，饥饿和绝望迫使她们与男军官发生性关系，虽然这种关系被说成是双方自愿。“我们饿，没有食物。我们在受苦，这种处境迫使我们和这些男人在一起，仅仅为了生存。”⁶⁵

60. 在培训中心的三年中，有几名女性生了孩子，有的生了两次。一些人因此被丈夫抛弃，而据报告，一些男军官拒绝对这种关系所生的孩子负责。专家小组会见了几名女性，她们和其他女学员挤在狭小空间的地板上，同婴儿和幼儿睡在一起，没有睡垫。

61. 这些女性非常沮丧地谈到，她们的部署一直拖延，特别是她们培训营的条件继续恶化。但同时，她们也自豪地谈到有意义的归属感和对未来工作的期望。她们讲述了过去几年中相互结交的经历和为国家服务的承诺。大多数人仍然抱有希望，也表示没有更好的选择。在专家小组访问的一个培训中心，几乎没有女性开小差。“我们的精神没有崩溃。我们还在坚持。……我们女性厌倦了战争，我们想要和平。我们不会逃离。……我们已经遭受了太久的痛苦，现在无法放弃。”⁶⁶

⁶⁵ 在一个培训中心与一名女毕业生的访谈，2023 年 1 月。

⁶⁶ 同上。

四. 国家以下层面暴力

62. 国家以下层面暴力仍然构成对南苏丹和平与安全的挑战，朱巴以外的该国大部分地区都发生了严重事件，并有可能使和平协议的多个签署方介入其中。由于这些暴力以及其他原因，流离失所人数达到了签署协议以来的最高数字，而人道主义援助的运送经常受到阻碍。⁶⁷

63. 许多国家以下层面暴力反映了迄今为止和平进程中多重复杂弱点的交汇。政府试图削弱反对派团体和奖励能够指挥地方军事力量的个人，这种努力使政治和安全格局分化瓦解。水灾、流离失所和人道主义危机使社区陷入贫困而对和平进程不再抱有幻想，加剧了对稀缺资源的暴力竞争，并激发了被精英人士加以政治利用的社区民兵。由于未能建立统一的国家军队，国家政府无法或不愿进行有效干预。

A. 国家以下层面暴力的人道主义影响

64. 这种国家以下层面暴力造成巨大的人道主义影响，并加剧了洪水、过往暴力和经济危机的影响。

65. 目前的预测显示，到 2023 年初，严重粮食不安全状况将加剧，影响到 776 万南苏丹人，预计将有 140 多万五岁以下儿童面临急性营养不良。⁶⁸ 这超过了 2013 年和 2016 年冲突期间的粮食不安全程度。⁶⁹ 需要人道主义援助的人数预计也将上升，目前已有三分之二以上的人口需要人道主义援助。⁷⁰ 在这种情况下，人道主义工作人员仍在遭到袭击，⁷¹ 并遭遇官僚主义和准入障碍，⁷² 包括粮食车队被袭击。⁷³

66. 国家以下层面暴力的影响通常还远不止于暴力最激烈的阶段。例如，2023 年暴力事件虽有减少，但上尼罗大区法绍达、Panyikang、Fangak 和 Pigi 等地粮食安全仍然受到严重影响。人道主义者报告说，“河上运输持续面临障碍”，并指出，由于冲突的持续影响，截至 2023 年 2 月，至少有 161 000 人陷入第 4 级(紧

⁶⁷ 联合国，人道主义事务协调厅，“南苏丹：人道主义概况”，2023 年 1 月；联合国，人道主义事务协调厅，“南苏丹：人道主义概况”，2022 年 12 月。

⁶⁸ 粮食安全阶段综合分类，“南苏丹：2022 年 10 月至 11 月重度粮食不安全所致营养不良状况以及 2022 年 12 月至 2023 年 3 月和 2023 年 4 月至 7 月预测”，2022 年 11 月 3 日。

⁶⁹ 人道主义事务协调厅，就南苏丹人道主义局势向安全理事会所作的陈述，2023 年 3 月 6 日 (S/PV.9274)。

⁷⁰ 联合国人道主义事务协调厅，《2023 年南苏丹人道主义需求概览》(2022 年)。

⁷¹ 联合国，人道主义事务协调厅，“南苏丹：人道主义援助准入概况”，2023 年 1 月。

⁷² 联合国，人道主义事务协调厅，“南苏丹：人道主义援助准入概况”，2022 年 12 月。专家小组还存档了几份政府官方陈述，其中强调存在官僚主义障碍。

⁷³ 国际观察员的报告，2023 年 2 月。另见 Lasuba Memo and Chany Ninrew, “Bandits loot relief food en route to Pibor”, Eye Radio, 23 February 2023; Moyo Jacob, “At least ten killed in Mangala boat attack”, Eye Radio, 23 February 2023。

急)和第 5 级(饥荒)状态。⁷⁴ 人道主义者证实, 2023 年 2 月, 他们仍在遭到在尼罗河沿岸活动的民兵的骚扰和抢劫。⁷⁵

67. 在这种条件下, 南苏丹妇女和儿童的生活仍然面临胁迫、剥削和暴力。这些情况普遍存在, 无论年龄、地点和政治派别。⁷⁶ 2023 年, 约有 280 万人面临性别暴力风险, 与 2022 年相比增加了 9%。⁷⁷

68. 这类暴力发生在据称南苏丹妇女权利已取得进展的背景下。例如, 处理性暴力和性别暴力的专门法院已经开始运作。⁷⁸ 然而, 许多妇女指出, 无论是政治、社会还是安全方面的所谓进展, 仍然是表面现象, 而且仅限于朱巴。⁷⁹ 其他司法机制, 例如性别暴力法院和流动法院, 在许多人看来也仍然没有效力,⁸⁰ 这些法院不审理重大冲突事件中士兵实施的性虐待和暴力案件。

B. 上尼罗大区

69. 自 2022 年 7 月以来, 包括上尼罗州和琼莱州在内的上尼罗大区发生了南苏丹最激烈的一些战斗。

70. 该地区人口是该国粮食不安全状况最严重的人群之一, 而且继续受到连年水灾的严重影响。⁸¹ 由于失去了牲畜、生计和对地方行政事务的影响力, 历史上组织起来争夺国家一级权力的社区⁸² 反而相互攻击。这种暴力反过来又被地方指挥官和国家政治人物加以政治利用, 他们一边为代理民兵提供便利, 一边又声称无力遏制暴力。⁸³

71. 专家小组在中期报告(S/2022/884)中详细说明了加特韦克先生(SSi.002)、奥洛尼先生和 Thomas Mabor Dhul 之间失败的基特旺联盟中发生暴力的起因。最初在 Tonga 和 Megeinis 周围发生的冲突不断扩大。随着奥洛尼先生从装备精良的驳船

⁷⁴ 向粮食安全和生计群组所作的介绍, 2023 年 2 月 8 日。

⁷⁵ 与人道主义者和军事观察员的访谈, 2023 年 2 月。

⁷⁶ A/HRC/52/26。

⁷⁷ 联合国人道主义事务协调厅, 《2023 年南苏丹人道主义需求概览》。

⁷⁸ 联合国开发计划署, “南苏丹性别暴力法院在 16 天运动期间启动”, 2020 年 12 月 3 日。

⁷⁹ 与来自政府、军队、民间社会和国际机构的女性代表的访谈, 2023 年 2 月。

⁸⁰ 与民间社会代表和一名国际法律观察员的访谈, 2023 年 2 月至 3 月。Sheila Ponnice, “Civil society rues burden of toothless GBV court”, *The City Review South Sudan*, 24 November 2022; Alex Bullen, “GBV cases on the rise, only 40 perpetrators convicted since 2020”, *The City Review South Sudan*, 22 February 2023。

⁸¹ 饥荒预警系统网络, “因冲突和人道主义援助准入限制, 严重粮食不安全状况持续存在”, 2023 年 1 月 23 日。

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

⁸³ 另见 Joshua Craze, *The Periphery Cannot Hold: Upper Nile since the Signing of the R-ARCSS* (Geneva, Small Arms Survey, 2022)。

上炮击加特韦克先生的部队、苏人解反对派部队和努维尔族平民，这些冲突还出现了族裔因素。努维尔族青年民兵，包括受努维尔族“先知”Makuach Tut影响的青年民兵因此被动员起来，导致法绍达县希卢克中心地带发生严重暴力和多次袭击。

72. 2022年11月，法绍达及其周边地区的战斗仍在继续，包括2022年11月30日的战斗，当时努维尔族民兵袭击了一个大型境内流离失所者营地所在地阿布罗克。大量平民被杀害，其中大多数是妇女、儿童和老人，⁸⁴ 据报有6 000至8 000名平民被迫逃离。⁸⁵

73. 随着暴力蔓延，政府于2022年12月1日将希卢克族首领 Reth Kwongo Dak Padiet 疏散到朱巴。⁸⁶ 此后不久，总统于12月7日宣布部署南苏丹人民国防军人员，以稳定该地区。⁸⁷

74. 继这一宣布后，努维尔族青年民兵开始向南撤退。在其南撤所到之处，苏人解反对派部队与努维尔族青年民兵发生冲突，并与加特韦克先生指挥的残余努维尔族部队发生冲突，包括争夺对尼罗河沿岸有利可图的检查站的控制。⁸⁸

75. 据估计，从2022年8月冲突开始到2022年12月，琼莱州北部和上尼罗州有近90 000平民流离失所。⁸⁹ 仅在2022年12月，就有约10 000名流离失所者在科多克及其周边不同地点登记，包括在南苏丹特派团临时行动基地登记，其中约1 400人进入马拉卡勒平民保护点。⁹⁰

76. 上尼罗州的暴力与国家政治进程不力之间的联系特别明显，因为暴力的根源是政府试图通过鼓励叛逃来分裂和削弱苏人解运动/解放军反对派。

⁸⁴ 与民间社会组织、人道主义者和安全部门人员的访谈，2022年11月和12月。

⁸⁵ 与国际观察员和人道主义者的访谈，2023年2月。另见 Agenzia Fides, “Upper Nile: more than six thousand people forced to flee after the assault on the Aburoch reception camp”, 6 December 2022; 联合国人道主义事务协调厅, “上尼罗州快讯第1期”, 2022年12月10日。

⁸⁶ Yiep Jospheh, “Shilluk King evacuated to Juba as security deteriorates in Upper Nile”, *The City Review South Sudan*, 2 December 2022.

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

⁸⁸ 例如，根据国际和平信息服务组织最近对2021年5月南苏丹路障政治经济开展的项目研究，Tonga 检查站每通过一艘驳船所产生的收入约为625美元。上尼罗州和朱巴的国际观察员的报告，2022年12月。另见 Sudans Post, “Fresh fighting erupts in Tonja as Gatwech accuses Machar’s forces of attack”, 5 December 2022.

⁸⁹ 根据国际移民组织的南苏丹流离失所追踪信息总库，估计有49 250名平民因 Fangak、Canal/Pigi 和 Panyikang 的冲突相关事件而流离失所。估计法绍达还有22 000至40 000人流离失所。例如见联合国儿童基金会(儿基会), “数千名儿童被迫逃离南苏丹境内不断升级的暴力”, 新闻稿, 2022年12月12日。

⁹⁰ 与人道主义行为体和民间社会团体的访谈，2022年12月。

77. 此外，政府和苏人解反对派在暴力的各个阶段都扮演了推波助澜的角色。双方部队多次允许民兵自由通过其领地。例如，奥洛尼先生的驳船经常通过南苏丹人民国防军控制地区，⁹¹ 苏人解反对派指控南苏丹人民国防军授权阿圭莱克部队攻击苏人解反对派在 Tonga 周围的基地。⁹² 苏人解反对派部队则被指控帮助白军作战人员在 Diel 附近渡过尼罗河。⁹³

78. 该地区的南苏丹人民国防军指挥官可能乐于看到潜在对手相互削弱，声称朱巴指示他们不要与白军交战，因为担心白军中有苏人解反对派分子，任何交战都可能违反停火协议。⁹⁴

79. 国家领导人试图将这些暴力归结为“族群间”和“部落间”暴力，这也可能助长了民兵的胆量，加剧了针对平民的暴力，同时使政治和安全精英人士得以拒绝承担指挥责任，尽管他们为民兵的行动提供了便利。⁹⁵

80. 例如，2022 年 12 月，一些上尼罗州官员称，他们无法解决该州的冲突，对在该州行动的部队没有管辖权。⁹⁶ 总统也说，他无法制止上尼罗州的冲突，但在国内批评者质疑他对该地区稳定的承诺后，他澄清了自己的说法。⁹⁷

C. 阿布鲁克遭袭后的性暴力

81. 在上尼罗州，专家小组与一名 17 岁女童进行了访谈，她讲述了被白军俘虏时遭受性虐待长达数周的经历。

82. 在南苏丹，强奸和性暴力仍然是敏感话题。除了精神创伤，它常常还带来耻辱，并给家人造成其他问题，例如“彩礼”降低。这就是性暴力被广泛用作武器、成为冲突的一部分的原因之一。出于同样的原因，个人对性暴力的详细陈述也很少见。因此，专家小组选择列入以下个人陈述，该陈述经过匿名处理，以保护信息来源和其他有关人员。虽然专家小组无法印证每一个细节，但这一陈述与关于上尼罗大区暴力事件的许多独立陈述一致，专家小组认为可信。⁹⁸

⁹¹ 与国际观察员和安全人员的访谈，2022 年 12 月-2023 年 1 月。

⁹² 与苏人解反对派成员的访谈，2023 年 1 月。

⁹³ 与国际观察员、境内流离失所者、政府官员和南苏丹人民国防军官员的访谈，2022 年 12 月至 2023 年 3 月。

⁹⁴ 与南苏丹人民国防军指挥官的访谈，2023 年 1 月。

⁹⁵ 与记者和人道主义工作者的访谈，2022 年 12 月和 2023 年 1 月。一名上尼罗州冲突分析员的报告，2022 年 12 月，专家小组存档。

⁹⁶ Elshiekh Chol, “We’re helpless, says Upper Nile government on crisis in Chollo kingdom”, 6 December 2022.

⁹⁷ 专职撰稿人, “‘I can’t stop those fighting in Upper Nile’, says President Kiir”, Eye Radio, 7 December 2022 (专家小组存档的完整讲话)。另见 No. 1 Citizen Daily, “Kiir clarifies ‘I can’t stop fighting in Upper Nile’ remark”, 8 December 2022; 附件 12。

⁹⁸ 删除了对被点名个人提出的无法印证的严重指控。

83. 阿布罗克境内流离失所者营地位于上尼罗州东北部的法绍达县。2022 年 11 月 30 日，该营地遭到白军袭击，此前在营地附近发生了几天的战斗。

84. 据这名女童描述，随着袭击的展开，整个营地的人四处逃散，恐慌蔓延，她与家人失散。她被一群持有重武器的男子抓获，她目睹这群人杀害老年人、男子和男童，同时大喊“你们的男人在哪里？”。

85. 她描述了袭击者第二天在他们之间分配抓获的平民和牛的情况。武装男子带走了三四名妇女，有些人还带走了年仅三岁的儿童。专家小组访谈的女童被一名努维尔族男子带走。她描述了自己随后同一大群被抓的平民和牲畜被转移到南部、然后在瓦乌希卢克停留的情况。她相信她在瓦乌希卢克看到了努维尔族“先知” Makuach Tut，他在动员努维尔族青年方面起到了重要作用。

86. 又走了五天左右，他们来到尼罗河西岸 Panyikang 县的一个村庄。第二天早上，穿军装的男子把他们连同牲畜一起运过河，送到 Diel，在那里他们遇到了其他被绑架的平民。

87. 据这名女童描述，在 Diel 期间，她与其他被抓的妇女和女童一起遭受了暴力性奴役，包括被多名男子强奸、其他形式的性侵犯以及持续的身体和言语虐待。据她描述，另有至少一名 16 岁女童经常遭到轮奸。几名施害者穿着制服。她还描述了对男子、其他妇女和小到 7 岁儿童的强奸。

88. 据这名女童描述，她在 Diel 呆了大约 15 天，然后走了大约 3 天，到达一个村庄，在那里，她的绑架者(现在称她为他的妻子)开始建造一个供他们居住的筒式棚屋。她仍然经常被强奸和殴打。

89. 村里的另一名居民帮助她和几名被抓的男童逃跑，他们步行到一个地点，得到南苏丹救济和恢复委员会的协助，委员会将他们带到马拉卡勒的南苏丹特派团平民保护点。她在那里得以与家人团聚。她仍然不愿意将她的经历告诉家人，因为担心耻辱，她还说晚上睡眠很困难。

D. 大皮博尔行政区

90. 2022 年 12 月，琼莱州当地社区民兵之间的暴力冲突导致近 30 000 人从穆尔勒族占主导地位的大皮博尔行政区流离失所，还导致大规模破坏和严重侵犯人权行为，包括数十起杀戮和绑架妇女和儿童事件。⁹⁹

91. 经过数月的紧张局势升级，从 2022 年 12 月初开始，琼莱州的主要非穆尔勒族社区，包括洛乌努维尔族和规模较小的吉卡尼和加瓦尔努维尔族，以及丁卡博尔各族群(包括东特威克县的丁卡特威克族和杜克县的丁卡尼亚翁族)，在琼莱州北部和西部的阿科博、乌罗尔、涅罗勒和杜克地区进行联合动员。¹⁰⁰ 当月晚些时

⁹⁹ 联合国，人道主义事务协调厅，“南苏丹暴力冲突加剧人道主义局势”，新闻稿，2022 年 12 月 29 日；南苏丹特派团，“南苏丹特派团和国际伙伴严重关切大琼莱地区暴力升级”，2022 年 12 月 28 日。

¹⁰⁰ 琼莱州人道主义组织和国际观察员的报告，2022 年 12 月。

候，洛乌努维尔族和丁卡族的武装盟友对琼莱州中部的穆尔勒族阵地和通往皮博尔公路上的主要城镇发动重大攻势，¹⁰¹ 将几个穆尔勒族村庄夷为平地。¹⁰²

92. 这反过来又引发了穆尔勒族青年的防御性动员以及对努维尔人领地的平行攻击和武装抢牛。¹⁰³ 战斗中使用了重武器，包括机枪、火箭榴弹和反坦克武器。¹⁰⁴

93. 尽管数千名努维尔人和盟友部队最终从大皮博尔行政区撤出，并向西前往博尔镇，白军部队绑架妇女和儿童以及武装抢牛事件一直持续到 2023 年 1 月。¹⁰⁵

94. 过去一年来，琼莱州仍然是南苏丹粮食不安全状况最严重地区之一，而严重的水灾进一步加剧了这一状况。琼莱州南部大部分地区持续处于第 4 级(紧急)状态，琼莱州和大皮博尔行政区有小块地区处于第 5 级(饥荒)状态。¹⁰⁶

95. 然而，这些情况并不能充分解释暴力和虐待行为、包括袭击人道主义营地行为的程度，¹⁰⁷ 以及为什么妇女和儿童被绑架、强奸和贩卖，为什么饮水井被有系统地污染或破坏。¹⁰⁸

96. 因此，一些当地分析人士和政府官员试图将暴力事件解释为琼莱州大量人口长期遭受政治排斥的后果，这些人群感到，面对失败的基层对话，他们已经一无所有，不怕失去什么。¹⁰⁹

97. 例如，洛乌努维尔人认为，他们在战时对苏人解反对派作出了贡献，在政治上却没有得到充分的代表。他们仍然与琼莱州现任州长、2020 年任命的洛乌努维

¹⁰¹ 琼莱州国际观察员的报告，2022 年 12 月。另见 Radio Tamazuj, “Violence broke out in Pibor – official”, 25 December 2022; Wol Mapal, “56 killed in ethnic violence in Pibor Administrative Area”, Eye Radio, 27 December 2022。

¹⁰² Radio Tamazuj, “Villages destroyed as fighting intensifies in Pibor”, 26 December 2022。

¹⁰³ 同上。

¹⁰⁴ 几个人道主义组织的联合小组进行的大皮博尔快速评估。专家小组获得的报告，2023 年 1 月。

¹⁰⁵ 国际观察员和人道主义组织的报告，2022 年 12 月和 2023 年 1 月。

¹⁰⁶ 饥荒预警系统网络，“上尼罗河西部冲突激增，数千人流离失所，造成紧急状态(粮食安全阶段综合分类第 4 级)”，2022 年 12 月。另见粮食安全阶段综合分类报告，“南苏丹：粮食安全阶段综合分类重度粮食不安全和急性营养不良状态分析，2022 年 10 月至 2023 年 7 月”，2022 年 11 月 3 日。

¹⁰⁷ 从琼莱州若干人道主义行动者获得的报告，2023 年 1 月至 2 月。专家小组获得的视频片段，2022 年 1 月。另见儿基会，“儿基会关于皮博尔被绑架妇女和儿童的声明”，新闻稿，2023 年 1 月 13 日。

¹⁰⁸ 联合国，人道主义事务协调厅，“驻南苏丹临时人道主义协调员谴责杀害三名援助人员事件”，2023 年 1 月 11 日。专家小组获得的照片，2023 年 1 月。经人道主义组织其他报告印证，2023 年 1 月。

¹⁰⁹ 主持的讨论，参与者包括琼莱州和大皮博尔行政区在国家与州两级的高级代表。见 Radio Miraya, “Nationwide discussion on peacebuilding”, episode 2150, 17 January 2022; Radio Miraya, “Sanctions for those fuelling violence in Jonglei – The Round Table”, episode 2147, 14 January 2023。

尔人 Denay Chagor 脱节，他在该地区没有真正的选民群体，¹¹⁰ 许多人认为他依附于总统。根据专家小组获得的与政府官员的访谈，洛乌努维尔族大规模动员似乎是由 Dak Kueth 等几位有影响力的当地精神领袖推动的。¹¹¹

98. 同样，对于穆尔勒人而言，2020 年建立半自治的大皮博尔行政区，并没有带来他们期望的好处，因为琼莱州南部经历了全国最严重的粮食不安全状况。

99. 这些情况也削弱了这些社区的精英代表、包括在国家政府内的精英代表应对和缓和暴力的能力。尽管国内和国际对应方多次尝试基层外交，琼莱州的暴力仍在加剧和持续。¹¹² 政府官员难以理解和解决战斗，¹¹³ 而州议员只发表声明谴责暴力行为。¹¹⁴ 第一副总统马沙尔先生没有就这些暴力发表任何公开声明。

E. 中赤道州与牲畜有关的暴力

100. 虽然与牲畜有关的暴力在南苏丹根深蒂固，但最近这类暴力的强度、持续性和蔓延状况标志着全国稳定局势的严重恶化。专家小组收集的证据表明，政府部队或与其有关联的民兵越来越多地卷入与牲畜有关的暴力，导致许多社区与政府之间的关系进一步破裂。¹¹⁵

101. 在本报告所述期间，中赤道州发生了一些与牲畜有关的最激烈暴力事件，包括在曼加拉区和卡约凯吉。

102. 越来越多的牧民和牛群从琼莱州迁移到赤道州，导致当地社区¹¹⁶ (其中许多社区主要从事农业)与新来的丁卡博尔族武装牧民之间的紧张关系加剧。虽然在南苏丹很少公开讨论牛群的规模和所有权，但专家小组的访谈表明，许多迁移的牛群与政治和安全精英人士有关联，他们能够利用安全部队来保护他们的牛群。¹¹⁷ 牛群迁移是为了寻找更好的牧场，以及躲避琼莱州的水灾和袭击威胁。

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

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

¹¹² 琼莱州国际观察员的报告，2022 年 11 月至 2023 年 1 月。

¹¹³ 与来自皮博尔的国家代表的访谈，2023 年 1 月。另见 Wol Mapal, “Jonglei official: we are unable to arrest ‘wild, heavily armed’ raiders”, Eye Radio, 13 January 2023; Radio Miraya, “Nationwide: understanding the unfolding violent situation in Greater Pibor and Jonglei”, episode 2143, 5 January 2023.

¹¹⁴ 见附件 13。

¹¹⁵ 见附件 14。

¹¹⁶ 例如见 S/2021/566、S/2022/468 和 S/2022/689。

¹¹⁷ 与国际和本国监测员、民间社会和人道主义组织的访谈，2023 年 1 月至 3 月。专家小组还存档了安全部队收回牛的录像，他们认定这些牛是安全部门一名官员的财产。

牛群的到来现在是赤道社区对国家政府的主要怨诉之一。¹¹⁸ 许多人认为，丁卡族牧民在该地区的存在已成为一种占领和争夺土地的机制。¹¹⁹ 至少两项总统令(先后于 2015 年 4 月¹²⁰ 和 2017 年 10 月¹²¹ 发布)以及州当局的几次要求¹²² 都未能成功地将牧民驱离。

103. 2022 年 12 月，中赤道州曼加拉区发生土著巴里社区成员与丁卡博尔族武装牧民之间的暴力争斗，发展成 2022 年 12 月 15 日的对抗，造成至少 16 人死亡，数人受伤。¹²³ 南苏丹人民国防军人员被派往缓和局势，但据报也帮助了丁卡博尔牧民。¹²⁴

104. 政府消息人士表示，战斗刚结束，就有数千平民流离失所，¹²⁵ 几个村庄已被烧毁。¹²⁶ 2022 年 12 月 24 日，一个政府代表团前往曼加拉视察该地区。¹²⁷ 第二天，南苏丹人民国防军人员炮击了尼罗河上的几个岛屿，流离失所的巴里平民正在这些岛上避难。¹²⁸ 一名南苏丹人民国防军发言人说，炮击是正当的，因为曼加拉社区窝藏了民族拯救阵线反叛分子。¹²⁹ 这一说法引起了巴里社区的谴责。¹³⁰ 民族拯救阵线也否认在曼加拉有任何存在或参与暴力。¹³¹ 该南苏丹人民国防军发言

¹¹⁸ 与民间社会代表的访谈，2022 年 12 月至 2023 年 2 月。见附件 15 和 16。

¹¹⁹ 见附件 15。另见 Lakes State Media, “Are Jieng cows being used as pretext for another Kokora 2?”, 10 January 2023; South Sudan Eagle Media, 前朱巴市长的声明，2023 年 1 月 4 日，专家小组存档；人道主义行动者的报告，2023 年 1 月。

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

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

¹²² No. 1 Citizen Daily, “Adil orders immediate evacuation of Jonglei herders after 9 killed”, 25 June 2022; 专职撰稿人, “Adil gives herders 72-hour ultimatum to leave for their areas”, Eye Radio, 14 November 2022.

¹²³ 国际观察员和人道主义组织的报告，2022 年 12 月。

¹²⁴ 同上。另见与报道该事件的记者的访谈，2022 年 12 月；Sudans Post, “Top lawmaker says government soldiers involved in latest attack on villagers in Central Equatoria”, 17 December 2022.

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

¹²⁶ 同上。另见国际观察员和人道主义行动者的报告，2023 年 1 月。

¹²⁷ 见附件 16。

¹²⁸ 同上。另见国际观察员和人道主义监测员的报告，2022 年 12 月和 2023 年 1 月。一名巴里社区长者代表和一名前政府官员的陈述，2023 年 1 月 4 日。

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

¹³⁰ 见附件 16。另见 South Sudan Eagle Media, 与前朱巴市长就 Mangala 局势进行的访谈，2023 年 1 月 3 日，专家小组存档。

¹³¹ 见附件 17。

人随后表示，南苏丹人民国防军在曼加拉的行动已“暂停，直至另行通知”，¹³²但也警告社区领袖不要发出军事“指令”。¹³³

105. 同样，2023年2月2日，赤道地区至少29名平民，¹³⁴包括4名人道主义者¹³⁵和1名妇女，在卡约凯吉被丁卡博尔族武装牧民杀害，据报这是与一些南苏丹人民国防军人员勾结所为。¹³⁶杀戮事件导致卡约凯吉及其周边地区的报复袭击升级，此前的事件包括2023年1月赤道社区民兵杀害当地酋长和袭击丁卡博尔人的牛群。¹³⁷

106. 州政府将2月2日的杀戮描述为“挨家挨户[野蛮]屠杀手无寸铁的无辜平民”，包括将平民包围在家中和供水点，并“成批[杀害他们]”。¹³⁸南苏丹宗教人士称这起杀戮为“大屠杀”。¹³⁹

107. 与曼加拉一样，卡约凯吉当地社区很快提出了对丁卡博尔牧民争夺土地的指控。例如，民族拯救阵线描述了一场蓄意的“疯狂杀戮，其目的是让人们流离失所，从而占领他们的土地”。¹⁴⁰据报告，杀戮事件发生后，网上仇恨言论升级。¹⁴¹来自中赤道州的副总统瓦尼·伊加在对当地社区的讲话中说，卡约凯吉的牧民是“巫师”和“巫婆”，可以通过“[捏]他们的鼻子”来对付他们。¹⁴²

108. 这些杀戮也造成了严重的人道主义影响。各人道主义组织进行的评估表明，截至2023年2月中旬，约有3 480个家庭、约10 100人流离失所，大量难民涌

¹³² No. 1 Citizen Daily, “Troop withdrawal isn’t community business: SSPDF”, 11 January 2023.

¹³³ No. 1 Citizen Daily, “SSPDF freezes response to Mangala slaughter until further notice”, 9 January 2023.

¹³⁴ 国际观察员的报告，2023年2月。专家小组获得的人道主义评估报告，2023年3月。见附件18。

¹³⁵ 人道主义者和国际观察员进行的实地评估和访谈，经专家小组审核，2023年2月至3月。另见南苏丹特派团，“南苏丹特派团强烈谴责中赤道州卡约凯吉发生的致命暴力”，2023年2月5日；附件18至23。

¹³⁶ 见附件19。

¹³⁷ Sudans Post, “25 cows shot dead to revenge killing of community chief”, 24 January 2023. 武装青年在卡约凯吉杀牛的视频，2023年1月，专家小组存档。

¹³⁸ 见附件20。

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

¹⁴⁰ 见附件22。

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

¹⁴² 同上，另见 Sudans Post, “VP Igga claims herders behind Kajo Kaji killings are ‘witches’ seeking to overthrow Kiir from power”, 9 February 2023.

入邻国乌干达。¹⁴³ 食物也被抢劫，房屋被烧毁，许多流离失所者报告说，他们受到养牛人的“虐待”，包括性暴力。¹⁴⁴

109. 国家和地方当局发表了几份相互矛盾的声明，宣布向卡约凯吉部署部队，以强行迁走丁卡博尔牧民，¹⁴⁵ 同时又声称迁走牧民的总统令已经执行完毕。¹⁴⁶ 一些当地社区成员称，部署的部队重点保护的是丁卡博尔族武装牧民，而不是平民。¹⁴⁷ 据报告，牧民甚至在南苏丹人民国防军保护下被护送离开时，还在卡约凯吉的几个地点实施了更多袭击。¹⁴⁸

F. 湖泊州的国家以下层面暴力活动减少

110. 南苏丹国家以下层面暴力活动肆行，湖泊州的情况与之形成了鲜明对比，因为在本报告所述期间该州的暴力活动有所减少。¹⁴⁹ 许多人将此归功于州长 Rin Tueny Mabor 的执法，其特点是迅速和全面地展开军事行动，且经常绕过法律保障。因此，他在该州一部分人口中的支持率飙升。其他人则指出他的成功付出了太大的代价。¹⁵⁰

111. Tueny Mabor 先生于 2021 年 6 月成为州长，承诺清除该州的杀戮、袭击和道路伏击行为。¹⁵¹ 他是最先接收新装甲运兵车和其他军事装备的人之一。¹⁵² 他的战略鼓励地方官员和各安全机构的高级官员使用致命武力和死刑来遏制暴力。¹⁵³ 这一任务规定也扩大至县一级，当地县长认为这是对法外处决的认可。¹⁵⁴

¹⁴³ 人道主义快速评估报告，2023 年 2 月 6 日和 2023 年 2 月 18 日，专家小组存档。

¹⁴⁴ 同上。

¹⁴⁵ Sudans Post, “Army commanders ordered to oust cattle herders from Central Equatoria”, 15 February 2023. 另见总统办公室的声明，2023 年 2 月 10 日。

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

¹⁴⁷ 国际观察员与当地社区成员的访谈，由专家小组获得，2023 年 2 月。另见 The Dawn, “Evicted cattle herders await screening at Kaya Bridge”, 2023 年 2 月，专家小组存档的文章。

¹⁴⁸ 与当地民间社会成员的访谈，2023 年 2 月。国际观察员与当地社区成员的访谈，也经专家小组审核，2023 年 2 月。

¹⁴⁹ 2020 年 1 月至 2022 年 12 月期间联合国人权事务高级专员办事处编制的关于影响平民的暴力活动的年度简报和季度简报。

¹⁵⁰ 与数名民间社会和人权代表、一名记者、数名本国监测员和政府官员的访谈，2022 年 5 月至 10 月。数名社区成员的社交媒体陈述，专家小组存档。

¹⁵¹ 湖泊州州长新闻单位的新闻谈话，2021 年 7 月 20 日。另见 South Sudan Broadcasting Corporation, “Governor Rin Tueny Mabor’s instructional communication to the organized forces”, Facebook, 10 June 2022.

¹⁵² 见 S/2022/359。另见 South Sudan Broadcasting Corporation, “16th May SPLA Day celebration in Rumbek”, Facebook, 16 May 2022.

¹⁵³ 与人权监测员的访谈，2022 年 6 月。另见 Lakes State Media, Welcoming of new Governor General Rin Tueny Mabor, 21 June 2021.

¹⁵⁴ 与人权监测员和社区成员的访谈，2022 年 6 月。国际观察员的报告，2022 年 6 月至 9 月。

112. 在其州长任期内，湖泊州的法外处决和非法拘留数量攀升。例如，在 2022 年 4 月至 5 月期间，至少有 15 人被安全部队按照州长或当地县长的命令处决。¹⁵⁵ 据一个民间社会组织称，还有数十起逮捕和任意拘留事件记录在案，¹⁵⁶ 且至少有 18 个拘留设施仍在运作。¹⁵⁷ 任意拘留、酷刑和法外处决的受害者包括当地酋长、¹⁵⁸ 平民¹⁵⁹ 和各种安全机构的成员。¹⁶⁰ 尽管开展了这些行动，2023 年初湖泊州的武装抢牛和暴力活动仍有所增加，特别是在该州与瓦拉卜州和团结州的交界地区。¹⁶¹

五. 军火

A. 采购装甲运兵车

113. 2022 年 12 月 28 日，总统出席在朱巴市 Bilpham 村南苏丹人民国防军军事总部举行的一场仪式，正式派遣一个规模为 700 至 750 人的营参加前往刚果民主共和国东部的东非共同体区域部队。¹⁶²

114. 仪式上的几张照片展示了至少 10 辆装甲运兵车。¹⁶³ 这些车辆在设计 and 颜色上都不同于在 2021 年底或 2022 年初违反军火禁运规定所购买的车辆，专家小组的最后报告(S/2022/359)对此作了详细说明。这些车辆也不同于已知南苏丹人民国防军在安全理事会第 2428(2018)号决议实施军火禁运之前购买的车辆。¹⁶⁴

¹⁵⁵ 人权监测员收集的数据，经专家小组审核，2022 年 6 月。与湖泊州人权监测员的访谈，2022 年 6 月。

¹⁵⁶ 人权监测员收集的数据，由专家小组获得，2022 年 6 月。国际观察员的报告，2022 年 7 月至 11 月。另见 Charles Wote, “Activist documents 62 unlawful proxy arrests in Lakes State”, Eye Radio, 8 February 2022。

¹⁵⁷ 与民间社会组织代表的访谈，2022 年 6 月。

¹⁵⁸ 社区成员的陈述，2023 年 1 月 30 日，专家小组存档。另见附件 24; Charles Wote, “Lakes government probes torture of paramount chief by soldiers”, Eye Radio, 30 January 2023; Radio Tamazuj, “4 SSPF soldiers arrested for torture of Yirol East chief”, 2 February 2023。

¹⁵⁹ 人权观察员的报告，以及与民间社会代表的访谈，2022 年 6 月至 11 月。例如见 Northern Corridor Morning Post, “Lakes State government detained teachers at Rumbek’s Panda Military Barracks”, Facebook, 23 June 2022; Radio Tamazuj, “12 teachers arrested for rejecting salary arrears without increments in Lakes State”, 21 June 2022。

¹⁶⁰ 见附件 24。与社区和受害者家属的访谈以及国家和国际观察员和人权监测员的报告，2022 年 6 月至 9 月。专家小组审核的社交媒体帖子，2022 年 5 月。

¹⁶¹ 国际监测员的报告，2023 年 2 月至 3 月。另见 Radio Tamazuj, “11 suspected cattle raiders arrested in Panyijiar county”, 20 February 2023; Radio Tamazuj, “Rumbek North, Tonj East clashes death toll rises to 151”, 7 March 2023。

¹⁶² 见 S/2022/884。另见 Sudan Tribune, “Kiir flags battalion size for DRC peacekeeping mission”, 29 December 2022。

¹⁶³ 见附件 25。

¹⁶⁴ 见 S/2016/70。

115. 专家小组发现了一辆商用车辆，与在南苏丹观察到的通常以型号名 Titan-S 营销的车辆吻合。这是一款可通过商业渠道购买、经高度改装和武装的民用车辆。¹⁶⁵ 在销售材料中，该款车辆被标记为 2019 年设计。¹⁶⁶ 然而，由于几家公司似乎都在出售该款车辆，专家小组无法确认这些车辆是通过哪条供应链进入南苏丹的。

116. 专家小组没有收到 3 个相关会员国对其援助请求的答复。自通过和随后延长第 2428(2018)号决议以来，会员国没有根据该决议第 7 至 10 段提交检查报告。

117. 装甲工业的几家公司告诉专家小组，各公司抄袭竞争对手的设计或径直转售换上新标识和品牌的车辆是很常见的。¹⁶⁷ 一些公司还指出，公司重组和更改名称的情况很常见，这既是行业内频繁采取法律行动的结果，也是逃避制裁的一种手段。在一些场合，专家小组被告知一些公司可能会使用假冒品牌来逃避侦查。

“把那个标识和标牌放上去是一种转移注意力的方式，因为它们不想受到制裁。”¹⁶⁸

118. 追加了 669 万美元的预算用于向东非共同体部队部署南苏丹人民国防军特遣队。¹⁶⁹ 专家小组审核的南苏丹人民国防军原始文件显示，作为特派团一部分部署的部队是按照南苏丹人民国防军现行薪级表支付薪金的。¹⁷⁰ 因此，薪金可能只占所分配拨款的一小部分。¹⁷¹ 南苏丹人民国防军官员表示，大部分拨款分配给“装备”。¹⁷²

119. 虽然所有展示出来的车辆都装配了重武器，但专家小组无法确定这些车辆是在进口到南苏丹之前还是之后装配的。无论如何，第 2428(2018)号决议中的规定最近在第 2633(2022)号决议中得到延长，所有会员国被指示防止供应“任何类别武器或相关军用物资，包括武器和弹药、军用车辆和装备、准军事装备及上述物项的备件”，专家小组认为，进口这些军用车辆违反了军火禁运规定，因为没有为这些车辆的进口提出豁免申请。

¹⁶⁵ 装甲运兵车制造部门的数名独立专家印证了这一发现。

¹⁶⁶ 一家已知制造商的销售材料，专家小组存档。然而，另一家公司告诉专家小组，该公司认为该车辆的设计是在模仿该公司在 2010 年左右开发的一款早期设计。

¹⁶⁷ 与从事车辆装甲行业的公司员工的访谈，2023 年 1 月至 3 月。

¹⁶⁸ 与一家车辆装甲公司的员工的电话访谈，2023 年 2 月。

¹⁶⁹ 例如见 Obaj Okuj, “South Sudan joins Kenya in sending troops to DR Congo”, Eye Radio, 5 December 2022。

¹⁷⁰ 专家小组存档的机密文件。

¹⁷¹ 根据官方薪级表所示，中校每月收入为 9 466 南苏丹镑，上尉 8 580 镑，中尉 8 419 镑，而列兵收入为 2 534 镑。见附件 26。

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

B. 江河部队

120. 近年来，南苏丹的江河部队已成为该国军事力量中日益突出的组成部分，原因包括尼罗河的通行受到越来越大的威胁。例如，2023 年 2 月，江河部队成员参加了在中赤道州贡多科罗的军事行动。¹⁷³

121. 2022 年 4 月，兼任联合防务委员会共同主席的 Garang Ayii Akol 中将被任命为江河部队的指挥官。¹⁷⁴ 从江河部队在 2022 年全年发布的照片和视频中可以看到他在测试其舰队的各个部分。舰队包括几艘配备先进导航设备的舰艇。¹⁷⁵ 3 名了解该舰队的消息人士告诉专家小组，其中许多舰艇在 2020 年至 2022 年期间分阶段进行了大规模翻新，包括使用新的进口导航设备和发动机。¹⁷⁶ 经专家小组研究的卫星图像与这一说法相符，卫星图像显示巡逻艇于 2021 年 5 月首次停靠朱巴，到 2021 年 7 月，适航舰艇从 5 艘增加到 11 艘，多个保密信息来源证实，舰队还为另外几艘舰艇采购了零部件。¹⁷⁷

122. 专家小组开展的访谈还证实，近年来，包括江河部队在内的南苏丹军队曾与外国政府会晤，并与私营企业合作，以提高其军事和技术能力。¹⁷⁸ 专家小组看到了关于供应更多军事装备的几份提案和合同，但无法证实这些提案和合同的交付情况。¹⁷⁹ 2023 年 3 月，Akol 先生被任命负责南苏丹人民国防军的所有采购工作。¹⁸⁰

六. 公民空间

123. 在本报告所述期间，南苏丹当局继续在全国各地和该地区打压民间社会活动人士、记者和媒体、抗议者、律师和人权维护者。¹⁸¹ 这些事件本身不仅严重侵犯人权，而且也是对自由和公正选举的严重挑战。

124. 被认为是批评政府的在线活动会遭到中断，这种情况受到了越来越多的注意。南苏丹当局试图通过阻止记者记录事件¹⁸² 并警告人们不要“滥用”表达自由

¹⁷³ 见附件 27。

¹⁷⁴ 总统办公室的声明，2022 年 4 月，专家小组存档。另见 Emmanuel Akile, “Full list: Kiir unifies command structure”, Eye Radio, 13 April 2022.

¹⁷⁵ 见附件 28。

¹⁷⁶ 与了解舰队的保密信息来源的访谈，2023 年 3 月。

¹⁷⁷ 同上。专家小组存档的卫星图像。

¹⁷⁸ 见附件 29。

¹⁷⁹ 与私营公司的访谈，2022 年 12 月至 2023 年 3 月。专家小组看到的社交媒体帖子，2022 年 12 月至 2023 年 3 月。

¹⁸⁰ Alhadi Hawari, “Chief of Defence Force reshuffles SSPDF command”, Eye Radio, 4 March 2023.

¹⁸¹ 见附件 30、31 和 32。

¹⁸² Daniel Garang Dent, “Journalists told not use phones for covering events”, The Radio Community, 13 October 2022.

来限制网上的材料传播。¹⁸³ 在某些情况下，政府当局还针对制作引人注目的网络内容的个人。

A. 针对活动人士的特别行动

125. 2023 年 2 月 4 日至 5 日，居住在肯尼亚的南苏丹难民和活动人士 Morris Mabior Awikjok 从其在内罗毕的家中被带走，并返回朱巴。¹⁸⁴

126. Mabior Awikjok 先生是一名南苏丹活动人士，据信他在批评国家安全署内务部门主任 Akol Koor 之后被驱逐出境，他的批评包括在他的 Facebook 页面上发帖，其 Facebook 账号有大量追随者。¹⁸⁵

127. 2023 年 2 月 4 日，肯尼亚武装安全人员与至少一名南苏丹特工合作，闯入 Mabior Awikjok 先生在内罗毕的家中。¹⁸⁶ 他的电话、笔记本电脑和家人的旅行证件被没收，他被交给南苏丹国家安全人员。¹⁸⁷ 肯尼亚当局指控 Mabior 是恐怖分子嫌疑人，以作为逮捕的理由。¹⁸⁸ 2023 年 2 月 5 日，Mabior Awikjok 先生被押解乘飞机到朱巴，并被转移到国家安全署的一个拘留设施。¹⁸⁹

128. 在 Mabior Awikjok 先生被拘留后的数天里，他在肯尼亚的家人受到国家安全署人员的网上骚扰，¹⁹⁰ 并在收到几次威胁后被迫暂时躲藏起来。¹⁹¹

129. 南苏丹安全部队开展海外行动的证据可见于财务文件。例如，2020 年公布的一份对国际货币基金组织(基金组织)资金的政府审计报告中，就包括了用于资助“外部活动”的拨款，其中包括用于国家安全署下属情报局随员的 130 万美元。¹⁹²

¹⁸³ Emmanuel Akile, “Deputy Minister of ICT cautions against abuse of freedom of expression”, Eye Radio, 17 November 2022.

¹⁸⁴ 与了解第一手情况的保密信息来源的访谈，2023 年 2 月。另见 Emily Chebet, “Puzzle of missing South Sudanese national abducted from his Nairobi home by alleged police officers”, Citizen Digital, 8 February 2023; Citizen TV Kenya, “South Sudanese activists allegedly arrested in Nairobi”, video, YouTube, 8 February 2023; 附件 33、34 和 35; Nyagoah Tut Pur, “South Sudanese refugee goes missing in Kenya”, Human Rights Watch, 19 February 2023; Front-line Defenders, “Arbitrary arrest and detention of human rights defender Morris Mabior Awikjok”, 10 February 2023.

¹⁸⁵ 经专家小组审核的 Facebook 帖子。Mabior Awikjok 先生和 Koor 先生之间试图调解的证据，由专家小组获得，2023 年 2 月。与调解员的访谈，2023 年 2 月。

¹⁸⁶ 与了解第一手情况的保密信息来源的访谈，2023 年 2 月。向东非法院提交的法律文件，2023 年 2 月，专家小组存档。

¹⁸⁷ 同上。

¹⁸⁸ 同上。

¹⁸⁹ 与该地区南苏丹活动人士、安全部门人员和商业行为体的访谈，2023 年 2 月。

¹⁹⁰ 经专家小组审核的社交媒体帖子和其他材料，2023 年 2 月。

¹⁹¹ 与了解第一手情况的保密信息来源和民间社会行为体的访谈，2023 年 2 月。

¹⁹² 国家审计署，对国际货币基金组织 2020 年 11 月 2 日快速信贷机制的审计，2021 年 9 月 9 日。

B. 网络攻击增多

130. 2023 年 2 月，南苏丹两大媒体塔玛祖广播电台和 Sudans Post 的社交媒体网站以及至少一名高级编辑的私人页面遭到黑客攻击。¹⁹³ 多个平台上的页面被破坏，一些内容被删除。

131. 目前尚未查明肇事者，也没有人声称对此事负责。然而，这两个媒体都观察到，在它们报道在南苏丹发生的引人注目的安全事件后的几天里，网络攻击有所增多。¹⁹⁴

132. 这些袭击反映了一批南苏丹民间社会活动人士和组织观察到的更广泛的趋势。根据南苏丹民间社会组织最近进行的一项研究，“假冒攻击对象”、社交媒体黑客攻击和“名誉”攻击是该国最常见的网络犯罪形式，并注意到最近此类犯罪有所增加。¹⁹⁵

133. 国家安全署、国家通信管理局以及信息和邮政服务部共同努力，加强政府对互联网和在线信息流动的管控。近几个月来，该局和该部的高级代表建立了新的区域伙伴关系，以提高其能力，巩固政府对互联网基础设施的掌控，并就网络安全威胁开展合作。¹⁹⁶

七. 公共资源

A. 石油收入

134. 南苏丹的石油产量已恢复到每天约 150 000 至 160 000 桶，¹⁹⁷ 尽管水灾仍在影响上尼罗州的生产。石油仍占政府收入的 90% 以上，且为该国几乎全部的出口商品，同时也给政府大部分外债提供担保。¹⁹⁸

¹⁹³ 与《苏丹邮报》主编的访谈，2023 年 2 月；Radio Tamazuj, “Alert: Radio Tamazuj official Twitter handle hacked”, 16 February 2023; Sudans Post, “Yakani decries cyberattacks on Sudans Post, Radio Tamazuj”, 18 February 2023。

¹⁹⁴ 与记者和编辑的访谈，2023 年 2 月和 3 月。

¹⁹⁵ 与南苏丹网络安全专家的访谈，2023 年 2 月。

¹⁹⁶ 南苏丹广播公司提交的报告，2022 年 11 月 29 日和 12 月 20 日；Alan Burkitt-Gray, “South Sudan and Djibouti sign fibre interconnection agreement”, Capacity Media, 27 September 2022; Douglas Mubiru, “East African Chiefs of Defence Intelligence meet in Kampala”, New Vision, 19 November 2022; UBC Television Uganda, “EAC Defence – Chiefs of defence intelligence discussed regional security risks”, video, YouTube, 18 November 2022; Kenneth Kazibew, “Eastern Africa military intelligence chiefs meet in Kampala”, Nile Post, 18 November 2022。

¹⁹⁷ 南苏丹财政和规划部，2022/23 财政年度第一季度宏观经济最新情况。

¹⁹⁸ 同上。另见 2022/23 财政年度核定预算。

135. 虽然南苏丹对石油的依赖使其容易受到油价的冲击,但油价远高于 2022/23 年度预算中假设的每桶 75 美元。因此,政府可能会超过 2022/23 财政年度石油总收入 16 亿美元的预算目标。¹⁹⁹

136. 南苏丹政府推进了一系列公共财政管理改革,旨在稳定经济和改善监督,包括在其联合公共财政管理监督委员会和一项基金组织工作人员监测方案的框架下。在此背景下,2022/23 年度国家预算得以及时提交并获得批准,而季度支出报告提高了政府支出的透明度。一系列审计报告,包括对国家外债的审计报告,也更清楚地反映了公共财政状况。政府在一段时期内成功地减少了对中央银行和国际石油交易商借款的依赖,特别是在接受基金组织快速信贷机制供资的同时,但在这些资金用尽后又恢复了这种借款。²⁰⁰

137. 然而,尽管南苏丹面临的许多挑战显然涉及经济层面,但丰厚的石油收入通常无法用来解决短缺问题。公共资源的挪用和转用不仅继续助长政治竞争,而且还使财政部失去所需资源,无法利用它来处理当前的人道主义危机、为执行和平协议提供资金以及通过定期支付薪金和寻求发展来实现国家稳定。

138. 南苏丹公共资源管理的结构性弱点,再加上催生这种行为的政治文化,助长了这种转用和挪用行为。²⁰¹ 据称,一位部长告诉一家公司,他必须尽快赚钱,因为他不知道自己还能任职多久。²⁰² 南苏丹高级官员,包括副总统伊加先生²⁰³ 和国有石油公司尼罗河石油公司新任总裁,²⁰⁴ 均强调腐败是一个重大挑战。

B. 结构性弱点

139. 第一个结构性问题是民族团结过渡政府本身所花的费用不断增加,消耗了大量正式预算,第二个问题是大量资源被转用于基本上不受有效监督的零散预算外支出。这些压力叠加在一起形成了恶性循环,鼓励官员借钱填补缺口,结果却发现高额的贷款偿还还会在未来造成更大的缺口。

140. 政府自己公布的本财政年度第一季度数字清楚地体现出这些挑战。据政府报告,2022 年 7 月至 9 月期间的石油总收入约为 8.4 亿美元,是预算的两倍多。²⁰⁵ 然而,尽管有这些意外之财,据记录政府支出总额为 2.42 亿美元,仅为

¹⁹⁹ 2022/23 财政年度核定预算。

²⁰⁰ 见基金组织,《南苏丹共和国:2022 年第四条磋商和工作人员监测方案的第二次审查》;南苏丹银行,“Statistical bulletin”, November 2022。

²⁰¹ 另见附件 36。

²⁰² 与一家私营部门公司的访谈,2022 年 2 月。

²⁰³ No. 1 Citizen Daily, “Dr. Igga slams ministries against corruption and discrimination”, 24 February 2023。

²⁰⁴ Mathiang Makuach, “Makeny looks up to Petronas in bid to revamp Nilepet”, *The City Review South Sudan*, 6 March 2023。

²⁰⁵ 财政和规划部,2022/23 财政年度第一季度宏观经济最新情况。

该期间预算的 75%。²⁰⁶ 这笔预算内支出有 85%以上, 即约 2.1 亿美元, 用于管理少数几个最重要的政治和安全机构, 其中几个机构收到的拨款远远超过预算拨款。²⁰⁷ 在该期间, 由政府控制的各部委开支大约是反对派团体控制的部委所获拨款的四倍。²⁰⁸

141. 相比之下, 问责、教育和卫生部门各得到的资金不到该期间预算拨款的 30%, 总支出略低于 1 500 万美元。²⁰⁹ 在同一时期, 仅议会就花费了 2 110 万美元。据报告, 停火和过渡期安全安排监测和核查机制的本国监测员已 10 个月没有领到薪金, 而全国过渡委员会因未付租金而被要求搬出其在朱巴的办公室。²¹⁰ 2023 年 3 月, 国家宪法修订委员会也以未发工资为由暂停活动。²¹¹

C. 成本高昂的借款

142. 此外, 尽管支出低于预算, 但政府在本季度通过大量借款进一步增加了收入。财政和规划部的文件明确指出, 大量石油收入不仅是油价上涨的结果, 而且是由于从“数家石油公司”借款约 2 亿美元, “.....以偿还政府的未清债务, 并同意在 2022 年 12 月底以零利率偿还”。²¹² 政府还在 2022 年 7 月至 12 月期间从国家投资和开发银行借款 2.05 亿美元, 但目前尚不清楚这是同一笔石油预付款还是额外贷款。²¹³ 在同一时期, 政府还从南苏丹中央银行借款 620 亿南苏丹镑(1 亿美元)。²¹⁴

143. 这种贷款也成本高昂。截至 2020 年 10 月, 政府从国家投资和开发银行借款总额为 9.25 亿美元, 费用和利息超过 3 300 万美元。²¹⁵ 目前尚不清楚该银行的受益所有人是谁, 但其董事会包括几名前政府官员。²¹⁶ 南苏丹目前欠外部债

²⁰⁶ 同上。

²⁰⁷ 即财政和规划部、总统事务部、内阁事务部、外交部、国民议会、州委员会、内政部和安全部门, 包括警察和监狱。

²⁰⁸ 专家小组根据 2022/23 财政年度第一季度宏观经济最新情况中报告的预算分配进行的计算。

²⁰⁹ 财政和规划部, 2022/23 财政年度第一季度宏观经济最新情况。

²¹⁰ Sheila Ponnice, “Peace deal in fresh test as CTSAMVM, NTC plunge in cash crisis”, *The City Review South Sudan*, 3 March 2023. 专家小组也存档了该份文件。

²¹¹ 见附件 2。

²¹² 财政和规划部, 2022/23 财政年度第一季度宏观经济最新情况。专家小组根据最新数据作出的估计。

²¹³ 专家小组存档的机密文件。

²¹⁴ 南苏丹银行, “Statistical bulletin”, November 2022。根据财政和规划部的报告, 同一季度的贷款偿还总额为 8 000 万美元。

²¹⁵ 专家小组存档的机密文件。

²¹⁶ 董事会, 专家小组存档。

权人约 25.7 亿美元，其中欠商业债权人约 20 亿美元。²¹⁷ 这类商业债务的利率往往超过 10%，往往还要另付 1%至 3%的各种费用。²¹⁸

D. 预算外支出

144. 政府的已知收入与预算内支出之间存在差异，这被解释为是由于部分收入被转用于预算外支出，但对预算外支出几乎没有进行有意义的监督。²¹⁹ 两项目前被转用的收入占预算外支出的很大比例。

145. 第一项被转用的收入是目前以实物形式向苏丹支付石油。南苏丹历来每天向苏丹支付 19 000 至 28 000 桶石油。这包括使用苏丹管道和设施的费用，以及偿还独立时商定的 30.28 亿美元债务。不过这笔债务在 2022 年 3 月前后已还清，因此南苏丹支付剩余费用所需移交的石油量减少了一半以上。但石油移交仍在继续，数量只略有减少。²²⁰ 根据财政和规划部的数据，南苏丹在 2022 年 7 月至 9 月期间向苏丹分拨了近 200 万桶石油，价值在 2 亿美元(1 220 亿南苏丹镑)左右。²²¹ 根据政府在此期间动用的石油数量粗略计算，南苏丹仅欠苏丹约 6 500 万美元的费用(406 亿南苏丹镑)。²²² 南苏丹的核定预算估计，全年向苏丹支付的款项总额为 920 亿南苏丹镑。²²³ 因此，在 2022/23 财政年度第一季度，南苏丹向苏丹支付的石油实物已超过整个财政年度的计划。

146. 这些付款与苏丹政府和南苏丹政府就 2019 年到期的收入分成协议正在进行的谈判有关。²²⁴ 然而，由苏人解运动反对派任命的部长所领导的南苏丹石油部基本上被排除在谈判之外。²²⁵ 这些工作反而是由总统的国家安全顾问 Gatluak 先生领导，他与苏丹官员也有密切关系，包括他担任苏丹政府与几个反叛团体于 2021 年 8 月签署的《苏丹朱巴和平协议》的首席调解人这一背景。²²⁶ 最近，谈判由商人 Bol Mel 先生领导，他最近被总统任命为特别方案总统特使，²²⁷ 并被任

²¹⁷ 财政和规划部公布的债务摘要；2022 年 12 月编制的“安永对南苏丹政府外债的盘点”报告草稿。见附件 37。

²¹⁸ 专家小组存档的机密贷款文件。但 2022 年 12 月编制的“安永对南苏丹政府外债的盘点”报告草稿对此给予了确认。

²¹⁹ 类似的差异在前几个财政年度的账目中也很明显。

²²⁰ 与政府官员的访谈，2022 年 10 月至 2023 年 3 月，经财政和规划部的报告印证。

²²¹ 财政和规划部，2022/23 财政年度第一季度宏观经济最新情况，2022 年 9 月。

²²² 见附件 38。

²²³ 2022/23 财政年度核定预算。

²²⁴ 专家小组存档的协议。

²²⁵ 与保密信息来源的访谈，2022 年 12 月至 2023 年 3 月。

²²⁶ 同上。

²²⁷ 南苏丹总统办公室的声明，专家小组存档。

命为苏人解运动政治局成员。²²⁸ 此前自 2016 年以来的协议，包括最近的协议，都是由南苏丹石油部长签署的。²²⁹

147. 自 2022 年 3 月以来，南苏丹可能已向苏丹支付了超过 5 亿美元的超额费用。²³⁰ 这些公共资金在南苏丹或苏丹都没有明确入账，而是转入南苏丹和苏丹精英人士直接管理的非常不正式的财政安排，这些安排似乎把南苏丹的财政和规划部和石油部排除在外。²³¹ 专家小组开展的访谈还表明，多付的款额中一小部分可能由从苏丹运往南苏丹的高粱抵消。²³² 这些资金可能已分配给南苏丹人民国防军，它们自己也在预算外大量采购粮食和车辆。²³³

148. 第二项被转用的收入用于石油换道路方案，南苏丹通过该方案将石油收入直接用于道路建设。专家小组以前曾较为详细地描述过该方案，但它仍然是南苏丹公共资金的唯一最大去向。²³⁴ 在 2022/23 财政年度第一季度，政府为该方案分配了 1.748 亿美元的石油收入，大大超过预算，几乎等于政府在整个国家预算中的支出总和。²³⁵ 虽然石油换道路方案现在名义上是预算的一部分，但没有提供关于其支出的详细报告。

149. 政府文件显示，大部分石油换道路方案由 ARC 资源公司管理，该公司与总统特使 Bol Mel 先生也有广泛关联。²³⁶ 总统高级特使既受益于政府的大型合同，同时又领导政府与苏丹就石油收入进行谈判，这显然有内在的利益冲突。

150. 这种利益冲突并不限于道路建设，专家小组已查明几家公司与南苏丹政治和安全领域的精英人士有关系。经专家小组审核的文件表明，签订分包合同和利用代理股东等手段越来越多地被用来掩盖精英人士与从利润丰厚的政府合同受益的公司之间的关系。²³⁷

²²⁸ 同上。另见 L. Memo, “S. Sudan, Sudan talks over oil transit fees cordial-official”, Eye Radio, 1 March 2023.

²²⁹ 专家小组存档的协议。

²³⁰ 基金组织估计，截至 2022 年 6 月底超额费用总额为 2.46 亿美元。见基金组织，《南苏丹共和国：2022 年第四条磋商和工作人员监测方案的第二次审查》。专家小组的计算表明，2022 年 7 月至 9 月期间的超额费用为 1.31 亿美元。

²³¹ 与保密信息来源的访谈，2022 年 11 月至 2023 年 3 月。

²³² 同上。

²³³ 与政府消息人士、国际观察员和民间社会的访谈，2022 年 10 月至 12 月。

²³⁴ 见 S/2020/1141 和 S/2021/365。

²³⁵ 见附件 39。

²³⁶ 与政府官员、民间社会和记者的访谈，2022 年 7 月至 2023 年 3 月。经专家小组审核的社交媒体帖子和其他开源材料。另见总统的声明，包括 Yiep Joseph, “Kiir warns criminals as Juba-Terekeka road breathes to life”, *The City Review South Sudan*, 12 December 2022; No. 1 Citizen Daily, “Bol Mel gives residents of Aweil East 25 km feeder road”, 8 March 2023。

²³⁷ 与南苏丹政治人士、私营部门行为和民间社会的访谈，2022 年 8 月至 2023 年 3 月。专家小组存档的机密文件。

E. 分散的公共财政

151. 其余没有记录的资金在某种程度上解释了预算外的军事采购、激励叛逃、特别安全行动和其他此类活动是如何获取资金的。特别支出通常由高级政府官员直接授权，并由多个接受公共资金(包括贷款)的政府银行账户支付。²³⁸

152. 南苏丹的石油主要卖给相对少数的国际贸易商。政府每个月将两到三批 60 000 桶石油分配给投标的贸易商。²³⁹ 出价最高的贸易商理应得到货物，但一些贸易商抱怨说这一过程并不总是透明的。²⁴⁰

153. 一些贸易商还指出，每当获得货物时，它们都要向南苏丹政府代表团提供昂贵的旅行、住宿和娱乐补贴。²⁴¹ 贸易商还报告说，政府官员施加压力要求它们预付款项，数额往往超过 2 000 万美元，表面上是为了支付工资，实际上是为了确保能获得货物。²⁴² 专家小组的访谈表明，在同一时期，支付工资往往被当作向多个贷款方借款的理由。²⁴³

154. 2022 年 1 月至 4 月，只有 6 家贸易商从南苏丹政府购买石油。²⁴⁴ 除一家贸易商外，所有贸易商以前都曾向政府购买货物。大部分付款现在似乎都是直接进入政府在纽约联邦储备银行的账户。²⁴⁵

155. 但资金通常从该账户转移到数家商业银行的多个政府账户。专家小组查明了肯尼亚、乌干达和波斯湾数家商业银行的政府账户。²⁴⁶ 单个部委和机构，包括国家安全署、国家税务局和尼罗河石油公司，也在该区域的商业银行设有账户。2023 年 1 月，南苏丹中央银行命令所有商业银行关闭政府部委和机构持有的账户。²⁴⁷

156. 款项从这些账户向南苏丹中央银行的政府账户转移，包括通过运送现金来转移。²⁴⁸ 但也有从上一段所述的商业账户直接转账。由于使用多个银行账户，有许多官员能够授权从每个账户转账，这使监督工作变得复杂，并造成有可能进行

²³⁸ 与政府官员的访谈，2022 年 10 月至 2023 年 3 月，经专家小组存档的支出文件证实。

²³⁹ 根据石油部提供的数据，包括销售报告中的数据。

²⁴⁰ 与大宗商品贸易商的访谈，2022 年 9 月至 2023 年 2 月。

²⁴¹ 同上。

²⁴² 同上。

²⁴³ 与数家公司的访谈，2022 年 9 月至 2023 年 2 月。经专家小组审核的贷款文件也反映了这一点。

²⁴⁴ 专家小组存档的机密文件。

²⁴⁵ 与数家公司的访谈，2022 年 9 月至 2023 年 2 月。

²⁴⁶ 与保密信息来源的访谈，2022 年 8 月至 2023 年 3 月，经专家小组审核的各种支出文件和贷款文件印证。

²⁴⁷ 见附件 40。

²⁴⁸ 与保密信息来源的访谈，2022 年 8 月至 2023 年 3 月。

许多未列入预算的转账。最近几次政府审计发现有大量从多个政府账户转出的不正常和不符合条件的转账，共计数百万美元。²⁴⁹

157. 专家小组审核了多种文件，这些文件授权从多个政府账户向个人和公司直接进行未列入预算的转账，用于“特别行动”、卫生保健等各种用途。²⁵⁰

F. 黄金和木材

158. 黄金和木材仍然是南苏丹非法经济的重要组成部分，特别是在国家以下层面。专家小组记录到，中低级别政治和安全官员以及武装反政府团体在赤道州各地以及西加扎勒河州继续非法开采黄金和木材。

159. 这些地区的不安全状况、掠夺资源的安全行为体和经济挑战叠加在一起，使对采矿业和林业的投资大幅缩减。因此，这两个部门现在基本上都是不正规和不受管制的。几家对此进行投资的公司被迫撤出了这个国家。²⁵¹ 由于国家政府提供的资源很少，州级官员和军事人员与正规架构之外的多家新公司进行私下交易。²⁵²

160. 因此，试图从这类贸易中获利的努力往往是投机取巧的，重点是在主要运输路线沿线收取安保费和设置非法检查站，以及偶尔直接参与手工采矿、伐木、木炭生产和贸易。

161. 木材(目前主要是非洲缅茄和卡雅楝)仍在被用来为南苏丹人民国防军和反对派团体提供资金，方式包括设置检查站、收取安保费和直接参与伐木和木炭贸易。州一级官员称，南苏丹人民国防军高级指挥官及其指挥下的士兵通过提供安保和后勤为非法伐木提供便利。²⁵³ 专家小组看到的文件显示，这些公司向当地政治和安全行为体支付费用，以换取砍伐和运输树木的许可。²⁵⁴ 访谈、文件和贸易数据表明，在南苏丹采伐的几乎所有木材都通过非正规渠道出口至乌干达，再从乌干达运往包括印度和越南在内的国际市场。²⁵⁵

²⁴⁹ 例如见国家审计署，关于国际货币基金组织快速信贷机制的审计报告；关于国际货币基金组织快速信贷机制第二批资金的审计报告；关于 2011 年至 2020 年期间石油生产州和社区的石油净收入 2% 和 3% 份额的审计长报告，2021 年 3 月。

²⁵⁰ 专家小组存档的文件。另见附件 41。

²⁵¹ 专家小组与公司 and 民间社会的访谈，2022 年 8 月至 2023 年 2 月。

²⁵² 同上。专家小组存档的文件证实了这一点，这些文件详细说明了向州政府官员和安全部门行为体支付款项的情况。

²⁵³ 与议员和反对派高层人士的访谈，2022 年 3 月至 5 月。另见 Doru Peninnah, “SSPDF commander be changed to stop illegal logging in Kajo Kaji, CES Speaker”, Eye Radio, 24 April 2022; Doru Peninnah, “Soldiers accused of aiding illegal logging in Kajo Kaji”, Eye Radio, 23 April 2022。

²⁵⁴ 专家小组存档的机密文件。

²⁵⁵ 与公司、民间社会和议员的访谈，2022 年 9 月至 2023 年 2 月。专家小组存档的机密文件显示向乌干达出口。专家小组获得的贸易数据。

162. 黄金开采仍然主要是手工作业，而中赤道州和西赤道州的州级官员也在寻求与较小的公司达成勘探和生产协议。²⁵⁶ 据报告，在西加扎勒河州的拉贾地区附近，包括来自邻国的数千名手工采矿者聚集在矿床周围，并与寻求与当地官员达成交易的公司发生冲突。²⁵⁷ 官员、安全行为体和外国贸易商竞相从手工采矿者手中购买黄金，黄金也作为便利跨境贸易的替代性硬通货。²⁵⁸ 几乎所有来自南苏丹的黄金都通过非正规渠道进行交易，包括跨境售往肯尼亚、苏丹和乌干达，以及通过朱巴售往阿拉伯联合酋长国。²⁵⁹

八. 结论

163. 最近毕业的必要联合部队学员向专家小组表示，他们希望接受部署将意味着“新生活”的开始。²⁶⁰ 虽然在执行和平协议方面取得了一些进展，但对于那些仍然希望和平协议最终能缓解不安全局面和人道主义困境的人而言，拖延继续考验着其耐心。然而，在开始制定和平协议中一些最具争议性和可能会引起冲突的条款之前，例如在开始起草宪法、正式划定政治边界和进行人口普查之前，许多人的耐心已被耗尽。

九. 建议

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

(a) 促请南苏丹政府优先作出努力，全面追究与冲突有关的性暴力行为人的责任，包括追究该国安全部队和民兵中的性暴力行为人的责任；

(b) 又促请南苏丹政府尽一切努力为提供人道主义援助提供便利，为此消除官僚障碍，防止对人道主义人员及其资产的袭击，并协助确保所有地区(特别是尼罗河沿岸)通行无阻；

(c) 鼓励南苏丹政府加强与地雷行动司和大湖区、非洲之角及周边国家小武器问题区域中心的现有关系，以便支持该国努力改善对现有武器和弹药库存的管理；

(d) 促请肯尼亚政府在将肯尼亚境内逮捕的任何嫌疑人移交南苏丹当局之前，确保采用适当的程序和提供相关法律保障；

(e) 继安全理事会对挪用和转用公共资源表示关切之后(最近一次是在第 [2633\(2022\)](#) 号决议第 16 段中表示关切)，鼓励南苏丹审计长或其他政府官员向委

²⁵⁶ 与公司、民间社会和记者的采访，2022 年 9 月至 2023 年 2 月。

²⁵⁷ 同上。

²⁵⁸ 同上。

²⁵⁹ 同上。

²⁶⁰ 与最近从必要联合部队毕业的学员在一家培训中心的访谈，2023 年 2 月。

员会通报南苏丹最近制定的公共行动计划，²⁶¹ 该计划的依据是政府最近对其公共财政的审计以及和平协议第 4.8 节详述的规定；

(f) 鼓励石油部根据《南苏丹石油收入管理法》²⁶² 第二章第 6 节以及和平协议第 4.8.1.2 条的要求，利用其重新启用的新网站²⁶³ 具体说明石油收入单一账户的细节；

(g) 提醒 Facebook(Meta)注意在南苏丹不断增多的仇恨言论和在线骚扰事件，包括在国家以下层面暴力活动持续不断以及选举将要举行(目前计划于 2024 年 12 月举行)的背景下。

165. 第 2428(2018)号决议规定了军火禁运，最近第 2633(2022)号决议将禁运延长。安全理事会在第 2577(2021)号决议第 2 段中表示随时准备根据秘书长对特定基准方面所取得进展的评估，对军火禁运措施进行审查。就安理会按照这套程序考虑延长或修改禁运而言，专家小组建议：

(a) 鉴于国家以下层面暴力持续不断，并鉴于南苏丹政府官员最近就军队与平民之间转让军火问题发表的评论，²⁶⁴ 安全理事会在审查军火禁运措施时，特别注意在达到第 2577(2021)号决议第 2(b)和(d)段详述的基准方面取得的进展；

(b) 鉴于记者和民间社会行为体受到威胁，包括日益严重的网络威胁，安全理事会考虑将数字监控工具和其他攻击性网络工具的供应(包括对使用这些工具的培训)列入军火禁运范围；

166. 专家小组还建议委员会提醒会员国，目前的军火禁运范围包括所有军用车辆的供应。

167. 专家小组进一步建议委员会鼓励与南苏丹接壤的所有会员国根据经第 2633(2022)号决议延长的第 2428(2018)号决议第 7 至 10 段提交检查报告。

168. 鉴于带有浓烈政治色彩的选举筹备工作正在进行中，专家小组建议安全理事会考虑增加一项具体的制裁指认标准，针对目的在于严重阻碍在南苏丹举行自由公正选举或其合法性，包括阻碍或干扰重要的选前筹备活动的行动或政策。

²⁶¹ 南苏丹财政和规划部，“Action plan on the recommendations of the AG’s report on RCF II”, 9 January 2023。可查阅 www.mofep-grss.org/wp-content/uploads/2023/01/Action-Plan.pdf。

²⁶² 见 www.mop.gov.ss/。

²⁶³ 同上。另见附件 42。

²⁶⁴ Keji Janefer, “Disarm civilians to win war against arms embargo – Taban Deng”, *The City Review South Sudan*, 29 November 2022.

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

THE REPUBLIC OF SOUTH SUDAN



Press Statement by the R-TGoNU

1. Introduction

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

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

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

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

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

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

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

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

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

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

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

2.1.1 On Bills associated with the R-ARCSS/Roadmap

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

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

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

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

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

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

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

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

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

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

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

- 5.4 Article 5.2.1.3 (Item 4 of Annex-7 of the roadmap) on the MOJCA in collaboration with other stakeholders to conduct public consultations for a period not less than 1 month prior to the establishment of the CTRH will be effected upon the ratification of the CTRH by the R-TNLA.
- 5.5 All the other CTRH operational provisions (Items 6 to 16 of Annex-7 of the roadmap) shall be implemented upon the ratification of the CTRH bill (Item 5 of the roadmap as per Article 5.2.1.3 and 5.2 of the R-ARCSS).
- 5.6 As stated earlier the bill for the establishment of the Compensation and Reparation Authority (CRA) is drafted and awaiting the conduct of a workshop to consolidate its contents prior to consideration by the Council of Ministers and subsequently the R-TNLA before the end of February, 2023.
- 5.7 On the establishment of the Hybrid Court for South Sudan (HCSS) as required by article 5.3.1, sub-article 5.3.3.1 and 5.3.3.3 is pending guidance of the African Union as provided for under article 5.3.1.1 of the R-ARCSS.

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

- 6.1 Article 6.1 (Items 1 of Annex-8 of the roadmap) on the R-TGoNU on the initiation and overseeing the permanent constitution-making process during the Transitional Period is ongoing.
- 6.2 Article 6.15 (Items 6 to 16 of Annex-7 of the roadmap) on the R-TGoNU to provide adequate funding for the permanent constitution-making process is in progress.
- 6.3 Article 6.7 (Items 3 of Annex-8 of the roadmap) on the RJMEC convening a workshop for the Parties to agree on details of conducting the permanent constitution making process is completed.
- 6.4 Article 6.8 (Items 2 of Annex-8 of the roadmap) on RJMEC identifying and engaging a renowned institute to facilitate and moderate the permanent constitution process workshop is accomplished.

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

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

7. To conclude:

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

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

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

_____ End of Press Statement _____



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

NATIONAL CONSTITUTIONAL AMENDMENT COMMITTEE (NCAC)

07/03/2023

PRESS STATEMENT FOR IMMEDIATE RELEASE.

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

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

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

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

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

We remain seized of the matter.

*National Members
National Constitutional Amendment Committee*

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



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



October 24th, 2022

Press Statement

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

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

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

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

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

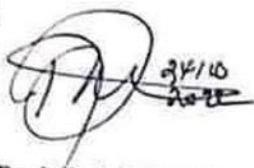
In conclusion, the SPLM (IG) has no authority to dismiss leaders of SPLM of other factions at any time when the reunification is not done. This decision of SPLM (IG) is a distraction of the

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

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

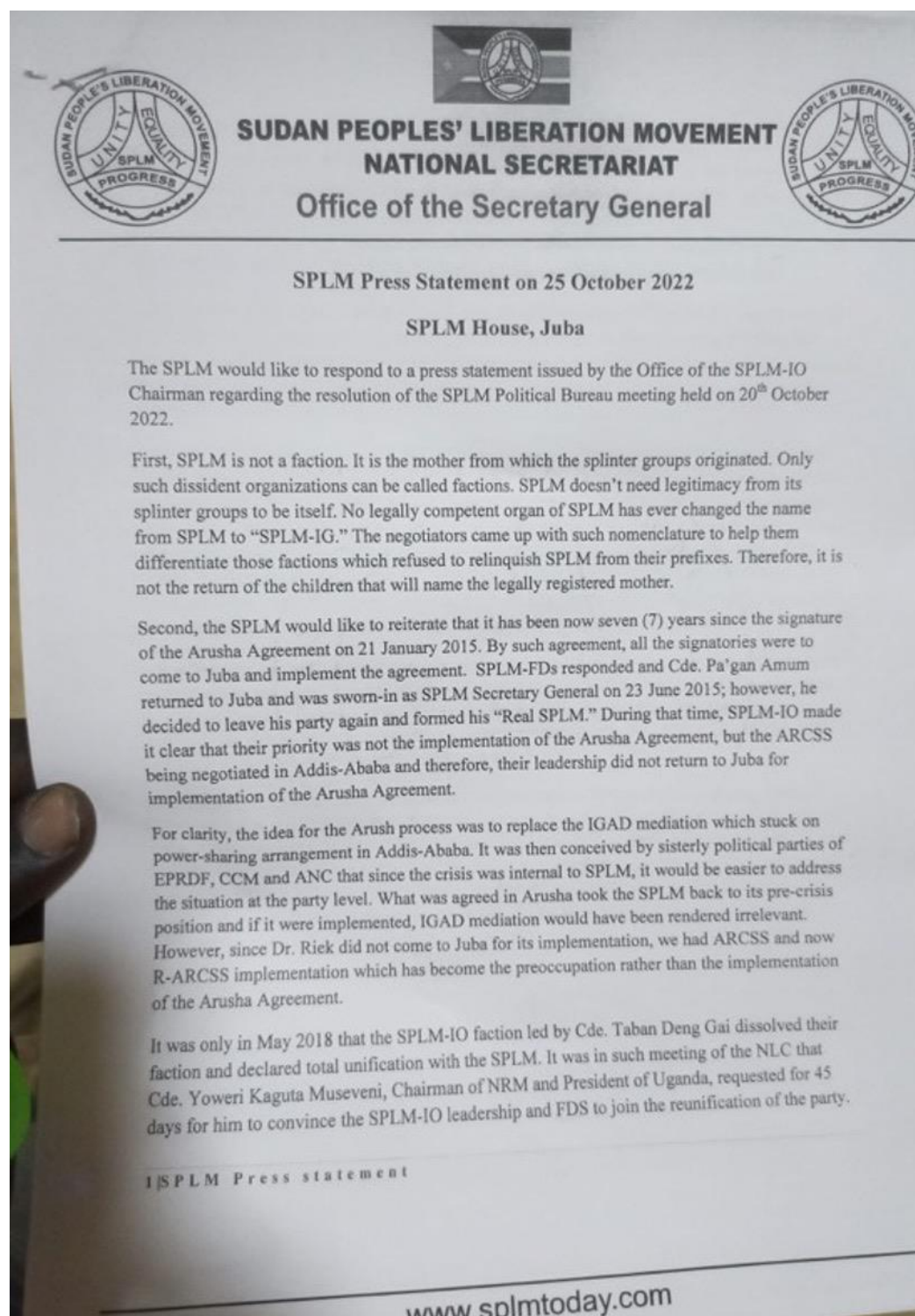
Finally, the leadership of SPLM (IO) respects and firmly commits itself to the two Agreements (R-ARCSS and Arusha). We therefore hold the SPLM (IG) accountable for violating the Arusha Agreement and aborting the reunification of the SPLM.

Sign

A handwritten signature in black ink, appearing to be 'Cde Puok Both Baluang', with the date '24/10' written next to it.

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

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



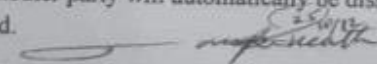
Indeed, it has now been four years since that statement was uttered and Cde. Dr. Riek and Cde. Pa'gan never returned to SPLM. Dr. Riek has been now in Juba since the formation of R-TCGoNU and has never indicated any interest to return to SPLM though his office is less than 700 meters away from the SPLM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

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

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

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

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


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



2 | SPLM Press statement

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

CONFIRMED FINAL LIST OF THE SUDAN PEOPLE'S LIBERATION MOVEMENT (SPLM) POLITICAL BUREAU (PB) MEMBERS, DECEMBER 2022

Equatoria Region - 9 SPLM PB members.
Central Equatoria State. 1. Cde. James Wani Igga. 2. Cde. Daniel Abocha Ali Malou. 3. Cde. Mary Apai-New.
Eastern Equatoria State. 1. Cde. Josephine Napwon Cosmos-New. 2. Cde. Tulio Odongi-New. 3. Cde. Margaret Leonardo Itto-New.
Western Equatoria State. 1. Cde. Jemma Nunukumba. 2. Cde. Kosti Manibe Ngai. 3. Cde. Africano Mande Gedima-New.
Bahr El Ghazal Region - 13 SPLM PB Members.
Lakes State. 1. Cde. Daniel AwetAkot. 2. Cde. Paul Mayom Akech. 3. Cde. Akol Paul Kordit. 4. Cde. Rin TuanyMabor-New.
Warrap State. 1. Cde. Salva Kiir Mayardit. 2. Cde. Nhial Deng Nhial. 3. Cde. Awut Deng Acuil. 4. Cde. Tor Deng Mawein-New.
Western Bar El Ghazal State. 1. Cde. Mark NyipuochoUbang. 2. Cde. Rizikzackaria Hassan-New.
Northern Bar El Ghazal State. 1. Cde. KuolAthianMawien-New. 2. Cde. Benjamin Bol Mel-New. 3. Cde. Angelo Ugwaag Arun-New.
Upper Nile Region - 11 SPLM PB members.
Jonglei State. 1. Cde. KuolManyangJuuk. 2. Cde. Rebecca Nyandeng de Mabior. 3. Cde. John Kong Nyuon-New. 4. Cde. Barnaba Marial Benjamin-New.
Upper Nile State. 1. Cde. Peter Lam Both-New. 2. Cde. Simon KunPuoch-New. 3. Cde. Rebecca Joshua Okwaci-New. 4. Cde. Stephen DhieuDau-New.

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



The Republic of South Sudan
Jonglei State Legislative Assembly-Bor



Office of the Chief Whip – SPLM-IO

Date: 13/02/2023

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

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

Rt. Hon. Apotho,

The reference is hereby made to the presidential decree read out on S5BC TV on January 3rd 2023 on the revocation of the appointment of Rt. Hon. Amer Ateny, the speaker of the Jonglei State Legislative Assembly, and the initiated process of reopening the Jonglei State Legislative Assembly by the leadership of the parliament (ABC).

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

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



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

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

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

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

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

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

Hon. Abel Nyuot Lok

Chief Whip

Contact number: +211925227222/ WhatsApp number: +211922337338

Cc: Governor

Cc: Minister of Parliamentary Affairs

Cc: Chairperson of SPLM-IO, Jonglei State

Cc: SPLM-IO Chief Whips, National Legislature

Cc: Civil Society Organization

Cc: Media

Cc: File



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





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



Date: 7/9/22

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

Unity state – Bentiu

Dear Sir

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

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

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

Thanks

Brig: Gen Gorden Koang Biel

Koch county SPLM chairperson

cc- office file

cc- state SPLM office

cc- county SPLM office

Sign



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

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



PRESS STATEMENT

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

The details of the violations are hereunder; -

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

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

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

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

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

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

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

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

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

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

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

RESOLUTIONS.

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

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

CONCLUSION

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

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

Additionally,

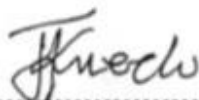
If the Governor of Warrap State does not want to cooperate with other political parties in his government, then it should be clear such that the leadership of SPLM IO should evaluate its alternatives.

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

Finally,

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

Thank you for the attention.



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



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

Annex 9: Variation in graduation figures for Necessary Unified Forces

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

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

¹ Eye Radio, Kiir graduates over 20 thousand unified forces, some with wooden guns, 30 August 2022

Estimate provided by international monitoring body, November 2022.

² Eye Radio, Unified peace soldiers in figure, 11 August 2022.

³ Reports by international monitors .

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

⁵ Eye Radio, Unified peace soldiers in figure, 11 August 2022.

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

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

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

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

¹⁰ Reports by international monitors.

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

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

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

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



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



Resolutions of SPLM (IO) Political Bureau Extra-ordinary Meeting Held on 4th March 2023

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

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

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

The Political Bureau calls upon the President to;

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

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

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

Signed



Riek Machar Teny-Dhurgon, PhD

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

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

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

Communication Office

PRESS RELEASE

(For Immediate Publication)

Thursday, 09 March, Juba, South Sudan

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

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

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

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

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


REPUBLIC OF SOUTH SUDAN
Office of The President


Press Release

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

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

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

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


Lily Adhieu Manyiel Ayuel
Press Secretary,
Office of the President



Republic of South Sudan (RSS)

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



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



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

Date: 26th, December, 2022

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

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

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

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

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

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



Contacts: +211922266634 (WhatsApp) +211917232092/ E-mail johnsamuel161@gmail.com

Annex 14: Additional incidents of reported subnational violence

- Central Equatoria: Dollo,¹⁴ Lainya,¹⁵ and Liria¹⁶
- Eastern Equatoria: Magwi¹⁷
- Western Bahr el Ghazal: Jur River area on the border with Warrap State¹⁸
- Warrap: Greater Tonj¹⁹ and Twic²⁰
- Lakes: Rumbek North²¹
- Unity State: in Panakuach in Ruweng,²² and on the Mayom-Warrap border²³

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

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

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

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

¹⁸ Reports from international monitors, December 2022 and January 2023.

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

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

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

²² Reports by international monitors, January 2023.

²³ Ibid.

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

THE CHAIRPERSONS OF EQUATORIA COMMUNITIES

JUBA – SOUTH SUDAN

Date: 24th January 2023

H.E. Salva Kiir Mayardit

President of the Republic of South Sudan

Juba – South Sudan

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

Your Excellency,

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

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

I. THE BRUTALIZATION OF EQUATORIA COMMUNITIES BY THE DINKA BOR

1. The Forceful Grabbing of Land from the Indigenous Owners

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

2. The Cattle and the Heavily Armed Herders

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

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

3. The Cattle Rustling

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

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

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

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

- Date: Friday, 11th November 2022.

- Casualties: 5 men killed.

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

- Dates: 10th December 2022 to 8th January 2023.

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

Casualties: 12 killed, including 1 woman.

5. Destruction of the Economic Base

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

6. Lack of Spirit of Good Neighbourliness

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

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

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

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

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

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

Your Excellency,

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

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

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

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

III. THE WAY FORWARD

Your Excellency,

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

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

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

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

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


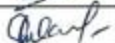



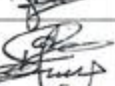









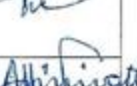
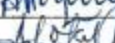


Your Excellency,



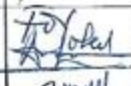

In conclusion, we the under-signed and those whom we represent are raising these weighty matters to you, the ultimate authority in the country, to put an end to the agonies being meted on us by the Dinka Bor. Also, we are taking this opportunity to assure you of our unwavering support and cooperation.

THANK YOU.


THE CHAIRPERSONS OF EQUATORIA COMMUNITIES – As attached hereunder:

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

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

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

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



Bari Community
Juba - South Sudan

OFFICE OF THE CHAIRMAN

Date: 30th December 2022

PRESS RELEASE ON THE MANGALLA CRISIS

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

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

The facts on the ground are as follows:

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

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S.A.B

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

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



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

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

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

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

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



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

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

 Hon. Stephen Pitia Lako

Mor Lo Bari (BC Chairman)

Bari Community (BC)

Juba- South Sudan

Cc: Office of the President, RSS

CC: Diplomatic Missions

CC: Troika

CC: UNMISS



CC: IGAD

CC: Office of the Speaker, NTLA

CC: Office of the Speaker, CS

CC: Office of the Governor, CES

Cc: Office of the Speaker, CESLA

CC: Office of the Commissioner, Juba County

Cc: Chief of General Staff

Cc: DG, NSS/ISB

Cc: IGP

Cc: All Media Houses

A handwritten signature in blue ink, appearing to be 'S. J. B.', with a diagonal line extending from the bottom left of the signature.

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



SOUTH SUDAN

Restoring Unity & Dignity of the People

National Salvation Front/ Army

OFFICE OF THE SPOKESPERSON

General Headquarters

Ref: NAS/OSM/23

22nd December, 2022.

FOR IMMEDIATE PRESS RELEASE

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

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

NAS Leadership would like therefore to state the following statement:

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

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

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

Email: samuelsuba@yahoo.co.uk

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

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

Suba Samuel Manase

NAS Spokesperson.



Email: samuelsuba@yahoo.co.uk

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

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



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

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



SSRC/SG/2023/132

SSRC News Release

Four South Sudan Red Cross Volunteers killed in Kajo-Keji

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

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

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

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

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

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



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

Tell: +211912665836

Email: john.lobor@ssdredcross.org

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



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



STATEMENT ON THE MASSACRE IN KAJO-KEJI COUNTY

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

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

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

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

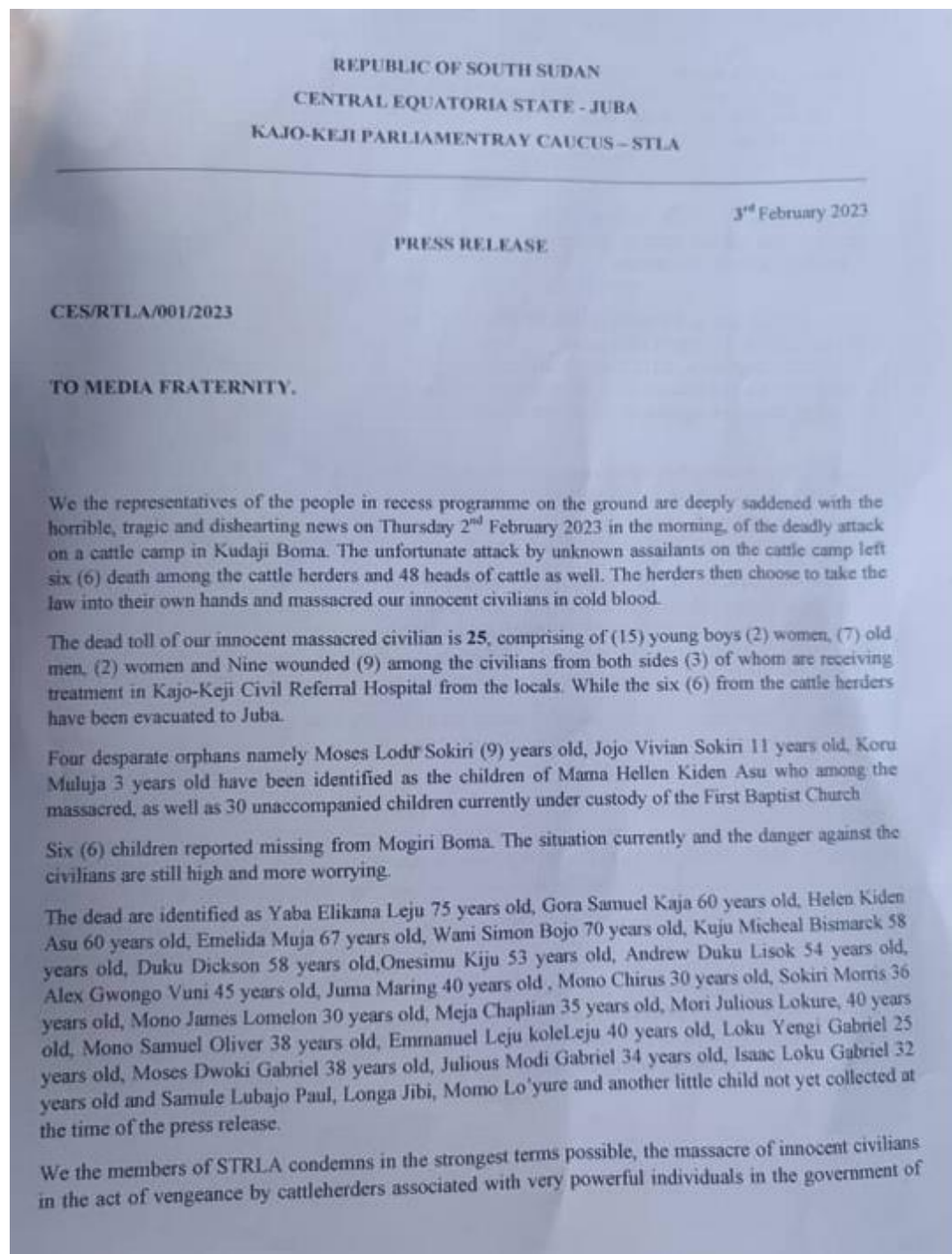
The Governor reiterates his government's resolve to implement the Presidential Orders for unconditional return of the problematic armed cattle herders to their areas of origin.

Dr. Andruga Mabe Saverio
Dr. Andruga Mabe Saverio,
Minister of Information and Communication
Government of Central Equatoria State, Juba



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

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



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

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

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

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

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

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

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

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

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

Undersigned are the names below:

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

Cc: Central Equatoria State Revitalized Transitional Legislative Assembly

Cc: Office of the County Commissioner Kajo-Keji County

Cc: Hon. Celina Pita member RTNLA

Cc: Peace Director Kajo-Keji County

Cc: File

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

Ref: NAS/OSM/01

3rd February, 2023.**Message of Condolences for Kajo-Keji Massacre**

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

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

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

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

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

Email: samuelsuba@yahoo.co.uk

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

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

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

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

Suba Samuel Manase

NAS Spokesperson.



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

SOUTH SUDAN OPPOSITION MOVEMENTS ALLIANCE (SSOMA)

"Launching the New Vision of Hope & Transformation in South Sudan"

FOR IMMEDIATE RELEASE

04 February 2023

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

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

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

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

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

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

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

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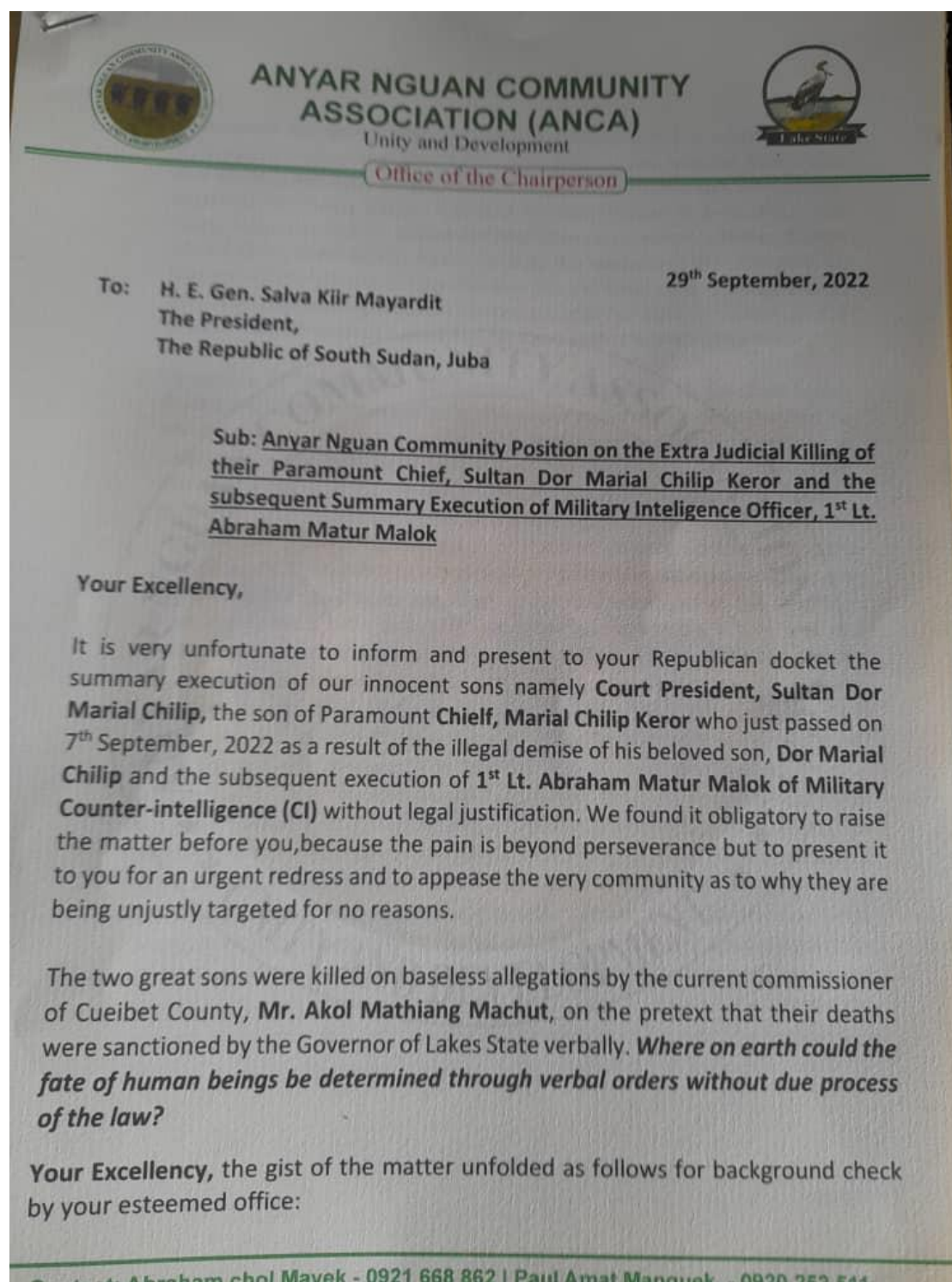
Contacts:

Kwaje Lasu

+1 336 575 5965

Email: jointoppositionpressrelease@gmail.com

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



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

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

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

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

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

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


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

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

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

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

Sincerely yours,



Mr. Abraham Chol Mayek Rual
Chairperson,
Anyar Nguan Community

On behalf of Anyar Nguan Community

CC:

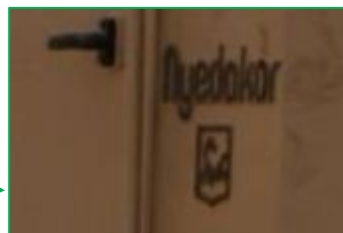
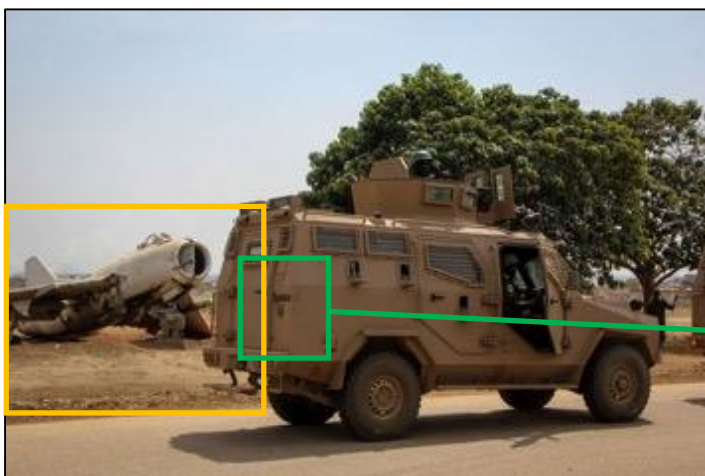
1. Rt. Honourable Speaker of the Transitional National legislative Assembly RSS, Juba
2. Rt. Speaker of the Transitional Council of States, RSS, Juba
3. Chief of Defense Forces, SSPDF, RSS, Juba
4. Inspector General of SSNPS, RSS, Juba
5. Hon. Governor of Lakes State
6. Director General of National Security Service (NSS), RSS, Juba
7. Chief of Military Intelligence, SSPDF, GHQs
8. Concern Elders and File

Annex 25: New armoured personnel carriers paraded at Bilpham, Juba, around 28 December 2022

Source: various press reporting



Bilpham, Ministry of Defence and SSPDF Headquarters, Juba, South Sudan (4.910524, 31.596673)






Annex 26: Approved 2022/23 pay-scales for the security sector

Source: Ministry of Finance and Planning, Approved Budget for FY 2022/23


Republic of South Sudan - 2022/23 - Staffing Structure by Grade

	Monthly Salary	Monthly allowance	Housing Allowance	Approved positions	Current staff	Provisional staff	New Staff	Total Staff	Monthly salaries bill	Monthly pensions bill
Committee Deputy Chairpe	644,000	600	4,000	48	38		10	48	32,225,800	3,424,608
Assembly Member	560,000	600	4,000	563	412		121	533	317,017,133	33,102,498
President	36,000	-	-	1	1			1	36,000	3,960
Vice-President	32,400	-	-	5	5			5	162,000	17,820
Presidential Advisors	25,200	-	-	18	18			18	453,600	49,896
Auditor General	24,000	-	-	1	1			1	24,000	2,640
Chair of Anti-Corruption Co	24,000	-	-	1	1			1	24,000	2,640
Chair of Human Rights Com	24,000	-	-	1	1			1	24,000	2,640
Ministers	24,000	-	-	35	35			35	840,000	92,400
Deputy Minister	19,200	-	-	10	10			10	192,000	21,120
Other Commission Chairs	19,200	-	-	33	33		-	33	930,600	69,696
Secretary General	19,200	-	-	2	2			2	38,400	4,224
Organized Forces/Security	7,665	125	1,091	356,481	34,173	334,660	104,066	472,899	2,250,602,893	247,566,318
1st Lt. General	19,200	-	4,000	21	15	8	7	30	696,000	76,560
Lt. General	14,400	-	3,000	88	47	60	43	150	2,610,000	287,100
Major General	12,696	400	3,000	498	170	412	362	944	15,194,624	1,671,409
Brigadier	10,836	275	2,500	1,757	189	1,637	634	2,460	33,483,060	3,683,137
Colonel	10,260	251	1,800	2,811	374	2,604	736	3,714	45,723,054	5,029,536
Lt. Colonel	9,466	225	1,200	4,446	460	4,167	732	5,359	58,362,725	6,419,900
Major	9,144	201	900	6,084	884	5,634	1,514	8,032	82,287,840	9,051,662
Captain	8,580	163	900	12,945	1,753	11,764	2,234	15,751	151,886,893	16,707,558
1st Lieutenant	8,419	63	630	11,079	2,320	9,718	4,042	16,080	146,524,176	16,117,659
2nd Lieutenant	7,567	50	630	12,891	2,766	10,916	6,112	19,794	163,245,077	17,956,958
RS/Major	7,075	50	630	8,228	3,297	5,958	19,906	29,161	226,149,387	24,876,433
S/Major	6,540	50	450	14,650	3,188	12,715	8,794	24,697	173,866,880	19,125,357
Sergeant	3,991	38	450	36,579	4,515	34,478	23,800	62,793	281,262,406	30,938,865
Corporal	3,091	38	450	45,175	3,363	42,945	6,506	52,814	189,031,869	20,793,506
L/Corporal	2,645	38	360	32,267	2,284	30,813	3,994	37,091	112,860,495	12,414,654
Private	2,534	30	360	166,962	8,548	160,831	24,650	194,029	567,418,408	62,416,025

Annex 27: Statement by the Office of the Chairman, Bari Community, 28 February 2023



Bari Community
Juba - South Sudan



OFFICE OF THE CHAIRMAN

Date: 28th Feb 2023

For immediate Press Release

Press Release on the Conflict between Land Grabbers and Bari Youths in Gondokoro Payam.

The leadership of the Bari community is once again appealing to you in the Government of the Republic of South Sudan; the international community, United Nations (UN), Troika (USA, UK and Norway), IGAD, AU, RMEC and all South Sudan Peace guarantors, people of Greater Equatoria and Equatorians in diaspora and all peace loving people to stop all too familiar heinous acts of killings, looting, displacement, and land grabbing being meted out on the Bari People of Mori Boma of Gondokoro Payam, Juba County in Central Equatoria State, that the culprits are not only Dinka Bor but include, Riverine Unit of South Sudan People Defense Forces and Some Nuer.

1. On Saturday 25th February 2023, the clashes started in Mori Boma of Gondokoro Payam between the Bari and the land grabbers supported by South Sudan People's Defense Forces (SSPDF) of River Defense Forces and some other organized forces who are supposed to return the cattle to their places of origin.
2. On Saturday 25th -28th February, 2023 up to date, there is a total absence in action of all level of governments to rescue the Bari people from the atrocities being done against them. These invaders are determined to illegally occupy the Bari land by forcefully displacing the Bari from their areas of origin.
3. On the 5th of January 2023, the Bari Community of Gondokoro, in the person of the head Chief, Peter Ladu Tongun of Mori Boma wrote a letter to both the Commissioner of Juba County, Hon. Charles Joseph Wani and the Commander of Riverine Defense Force, Major Gadiak informing and complaining against land grabbing and cattle keepers at Gondokoro Payam and Mori Boma in particular.
4. Subsequently, on 5th January 2023, the Bari Community of Mori Boma of Gondokoro Payam requested the Commissioner of Juba County and the Commander of the Riverine Defense Forces to stop the illegal demarcations of the land in Gondokoro by the communities of the Dinka Bor and Nuer.
5. Furthermore, the Bari Community of Gondokoro also requested the Commissioner of Juba County and the Commander of the River Defense Force to use their

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

authority to remove the cattle from the area to avoid escalation of the situation on the ground.

6. This shows how the Bari Community has been working together with all levels of the governments to avoid violent conflicts in the area but the government never took any necessary steps to arrest this situation before developing into this violent conflict.
7. On 28th December 2022, the invaders and enemies of peace in South Sudan against the Bari Community in Gondokoro started by the two communities of Dinka Bor and the some Nuer that entered Gondokoro Payam by force of guns and started demarcating the land illegally without the approval of the indigenous people of the Gondokoro.
8. These events happening in Gondokoro is the continuation of what happened in Mongalla, Ngagala, Lokiliri, Lobonok, Rejaf, Kajo-Keji, Wonduruba, Luri, Lodu, Bungu, and Ganji and in many other areas of the Bari Community in Central Equatoria and the Greater Equatoria at large.

The Violent Conflict Resulted to the Following on the Ground:

This violent conflict has resulted to the massacre of men, women, children, and elderly people. Hundreds of people killed, wounded, thousands displaced and burning of villages plus the looting of valuable properties such as

1. More than one hundreds (100) motorbikes looted by the attackers
2. Hundreds of people killed, wounded and disappeared.
3. More than twenty youths (20) were arrested and some of their names are Jimmy Ladu Alisio, Rino Gore Lodu, and Emmanuel Tongun Ruben until now we don't know whereabouts.
4. Houses were burnt to ashes and properties looted.

Therefore, the leadership of the Bari Community and entire Bari People, would like to make the following clear to the Government of the Republic of South Sudan, International Community and people of South Sudan that:

1. The leadership of Bari Community strongly condemned the Dinka Bor, Riverine Defense Forces and Some Nuer land grabbers for illegally demarcating Bari land in Mori Boma of Gondokoro Payam.
2. The incident in Gondokoro Payam happened concurrently with the closure of the Bari Community Centre in order to prevent the people of Bari community, Juba County, Central Equatoria and Greater Equatoria from meeting together so as to discuss and make resolutions on the events happening on ground. We suspect the motive of closure is to give cover to enable the land grabbing and the burning of the villages in Gondokoro Payam. We believe this is a serious crime of genocide that all levels of governments are condoning against the Bari Community.



3. The SSPDF and all the other security organs who are supposed to protect the people and their properties are now the very agents of chaos killing, looting properties and grabbing the land in Mori Boma of Gondokoro Payam.
4. As we write this press release, the SSPDF and land grabbers are continuously destroying buildings, arresting people & beating people and looting the properties in Mori Boma in Gondokoro Payam.
5. The SSPDF together with the illegal land occupants (Land grabbers) are fighting the Bari labeling and accusing them of being National Salvation Front (NAS) rebels simply because the Bari have managed to defend themselves.
6. On Saturday 25th February, 2023, the SSPDF and land grabbers went to Gondokoro land and stated shelling heavy weapons of all types claiming Gondokoro and Mongala are strongholds and bases of NAS rebels.
7. This is a lie which is fabricated to warrant the massacre of the Bari and Equatoria people to pave way for the total occupation of Bari and Equatoria land. And this is the same claimed made by the SSPDF Spokesperson in the incident of Mangalla Payam.
8. The Bari Community Leadership would like to put it categorically clear that the Bari people are under real existential threat. Therefore we will fight for our survival as a community and we will continue to protect our ancestral lands from being illegally occupied by these invaders.

The Way forward:


1. The Bari Community is reiterating that the facts the Bari people are not rebels and not National Salvation Front (NAS) but simply defending themselves and their land from being grabbed. We will never give up struggling for our right because we are born free and we will die as free people
2. The Government should identify the leaders of the land grabbers and bring them on book.
3. The Riverine Unit of SSPDF should stop the harassment and intimidation of the people as it is their mandate, otherwise we will treat them as enemies.
4. The Bari Community is requesting SSPDF Headquarters to withdraw the Riverine unit of SSPDF from Gondokoro.
5. The government to direct the commander of the Cattle evacuation force to finalize the moving of the cattle out of the Bari land and to disband the forces immediately.
6. We are appealing to the National and State Government, National & International NGOS, people in Diaspora and well-wishers to come to the aid of the displaced people of Gondokoro. Also, we are calling for the resettlement of the Bari people to their ancestral land.
7. We are calling for the National Government to intervene because the primary responsibility of any competent government is the protection of their people and property rights.
8. The Bari Community Center at the Jubek Memorial Square is illegally closed but the Bari Community Executive Committee Members are continuing to operate within



Bari territory because there is no power other than that of the BC General Assembly that can suspend the operations of the BC Executive.

9. We are calling for the immediate withdrawal of the security forces and unconditional opening of the Bari Community Centre.
10. In conclusion, we are urging **H.E.Gen. Salva Kiir Mayardit**, the President of the Republic of South Sudan, Commander in Chief of SSPDF and Supreme Commander of all the Organized Forces to intervene in the current political, social and security situation in Central Equatoria State because there is a total breakdown of social fabric, security and political status.

Kind regards,


 Hon. Stephen Pitia Lako
 Mor Lo Bari (Chairman)
 Bari Community (BC)
 Juba- South Sudan



Cc: H.E Gen. President of the Republic of South Sudan
 Cc: United Nations (UN)
 Cc: UNMISS
 Cc: Troika (USA, UK, Norway)
 Cc: African Union (AU)
 Cc: IGAD
 Cc: East Africa Community (EAC)
 Cc: Peace Guarantors (Sudan & Uganda)
 Cc: RJMEC
 Cc: Speaker, R-TNLA
 Cc: Speaker, Council of State
 Cc: Governor, Central Equatoria State
 Cc: Commissioner of Juba County
 Cc: Chief of General Staff SSPDF
 Cc: IGP Office
 Cc: DG, NSS/ISB
 Cc: All Media Houses
 Cc: File

Annex 28: Riverine boats and equipment



Riverine facility in Juba: 4.831628, 31.614827







Annex 29: Riverine unit outreach with foreign governments

The Riverine Unit has expanded its public sector engagement abroad. In October 2022, Lt. Gen. Akol, along with other senior representatives of South Sudan's security organs traveled to India to attend a defense exposition.²⁴ During the visit, they reportedly conducted bilateral meetings with members of India's private sector defense industries to "[explore] new areas of convergence for mutual engagement, including in areas like capacity building, training, cyber security, maritime security and counter-terrorism".²⁵ South Sudan's representatives also met with senior officers in India's navy to "develop strategies and military relations between South Sudan and India in the military fields".²⁶

In an interview with Al Watan newspaper in November 2022, Akol also suggested ongoing efforts to engage Uganda for additional training for the Riverine Forces (see clip below).

²⁴ Reports and photographs obtained by the Panel, November 2022. Interviews conducted with members of private sector representatives of India's defense industry, by phone, November 2022.

²⁵ Statement issued by the South Sudan National Police Service, 21 October 2022, on file with the Panel.

²⁶ Statement issued by the SSPDF, 19 October 2022, on file with the Panel.

الجنرال / قرنق أيي اكول اقانج

قائد سلاح البحرية...ضيفا على شواطئ الوطن يتحدث!!

فهمه الواسع لعلوم العسكرية، ولم تغفل بالحديث عن الخوادر التي كانت تعمل في الجيش السوداني في وحدة البحرية وفصل وشرح ما حدث لهم، وفي ناحية أردنا أن نتعرف علي مهام وواجبات سلاح البحرية وأفاض في الشرح والتفاصيل، وكشف لنا عن لقاء جمعه مع قائد قوات البحرية الهندية في إحدى المؤتمرات، أخذنا الوقت سريعا بعد المرور بعدة محطات مع ضيفنا الذي تلمسنا عمق التصاقه بالجندي، مدركا للواجب من أجل الوطن، ثم انطلقت صافرة الختام معلنة الوصول لتسرع لعرض هذا الحوار التاريخي الوثائقي لواحد من أبناء جنوب السودان المخلصين بواجب الدفاع عن أرضه وسكانه وإنهائه، وقبل أن نغلق التسجيل تكرم الجنرال بإرسال رسالة لقيادة الدولة، ورفض التمايل بأنه مع جيش بلاده جاهزون دوما من أجل استتباب الأمن وتثبيت ركائز السلام والاستقرار وحراسة مكتسبات الشعب..

بعد أن تم تخريج القوات المشتركة المدمجة في بحر الغزال تصدر اسم الضابط الكبير نور الدين أيي اكول عناوين حديث الناس مشجدين بجهده وعظائه حتى تم الأمر.. هو بذرة من تراب هديق أويل، وسليل أسرة عريقة فوالده الشيخ الراحل المقيم عبد الباقي أيي اكول، نال ثقة قيادة الدولة وتم تكليفه ليكون المسؤول الأول عن وحدة سلاح البحرية في جنوب السودان، وهو اختيار لرجل يمتلك الموهلات والقدرات بعد تخرجه من الكلية الحربية في السودان... يعرفه الناس باسم نور الدين حسب معتقده الديني، ذهبا إليه وسيرته سبقتنا إلى أبواب مكنية، وحملنا معنا مجموعة من محاور تساؤلات، تناولنا القوة التي مازالت تحت التأسيس والمستقبل والبلاد تتجه لبناء جيش وطني وفق منظومة الجيوش في عالم اليوم، فوجدناه يحمل رؤية وعزيمة قوية لإنجاز ما تم تكليفه به، وتوقفنا في محطة تخريج القوات من إقليم بحر الغزال وقد لعب دورا سيقطعه له التاريخ، وجدناه مغموم جدا بالتدريب والتأهيل انطلاقا من

حاوره / مايكل ريال خريستوفر - جوبا

طبعاً تخرجوا كقوات موحدة - عندما دخل الناس إلى معسكرات التدريب، ناس المعارضة في مناطق التجمع، وناس الحكومة التوا من المعسكرات وتقبلوا في مراكز التدريب... في البداية تم توجيه التوجيه من المعارضة ومن الحكومة ولم نعرفهم مع بعض، بعد ذلك تم تفرجهم، ومن ثم استقبلوا المستجيبين أو الدارسين في مراكز التجمعات وبقوا مع بعض لمدة سنتين حتى تم التفرج كقوة موحدة..

طبعاً التدريب عادة يكون تدريب أساسي أو تفصيلي القادر بالقوة العسكرية لأنهم في الأصل كانوا عسكريين، والغرض من تدريبهم هو لتجهيزهم مع بعض ليكثروا قوات موحدة ونودا لتستقبل جيش جنوب السودان..

حقيقة لقد نجحتم نجاح باهر بتلك الخطوة؟

حقيقة نسبة النجاح كانت مئة في المئة..

فخامة السيد رئيس الجمهورية كانت دوماً يقدم توجيهات للجيش، وهو اليوم في قمة السعادة لنجاحكم، كيف تنظر إلى مستقبل المؤسسة العسكرية بعد الثقة الكبيرة التي وضعت فيكم باختلاف مواقعكم؟

حقيقة أنت كضابط مؤهل أو منابر أي وظيفة أو أي تكليف يجب أن تقوم بالواجب المكلف به، لأن الجيش مبنى على تسلسل هرمي، القائد الأعلى هو رئيس الجمهورية، بعده رئيس هيئة الأركان، ونواب رئيس هيئة الأركان إلى أن تصل إلى تحت الهرم، لذا يكونون بأن الجيش مبنى على تسلسل هرمي، من ناحية التدريب فهو يوفر التمايل في المعركة، ولكننا نلعب المعسكر كثيراً يتوفر الضبط والربط ويكون عالي شديداً، وكل شخص سيخضع وأجابه، فالتدريب مهم جداً..

أما سؤلك هل لقوات البحرية جيش، طبعاً في هذه الأيام نشاهد عمليات التفرج من

اسمين، طبعاً نحن في جنوب السودان كل شخص لديه السيمان بأختيار الدولة والثاني اسم من أسماء القبيلة..

أنا اسمي قرنق أيي اكول الفاتح وهو اسم من أسماء قبيلتي وهي الدينكا وهو الاسم المعتمد في مستنداتي الشخصية الرسمية وبهذا الاسم تخرجت من الكلية الحربية في السودان، والاسم الثاني هو نور الدين بأختيارني مستم..

قوات

سعيد بن

نلتقي بك البحرية، هي

وانت من حديثة تم تأسيسها

و معزوفة، لأول مرة عام ٢٠٠٩

نتمنى لك وكان قوامها

أنتو فيق فصيله

والنجاح، نلت

ثقة كبيرة من

فخامة رئيس الجمهورية

وتم تكليفك لقيادة القوات

البحرية، حدثنا عن هذه

القوات وهي واحدة من

تشكيلات جيشنا الوطني؟

حقيقة قوات البحرية، هي حديثة تم تأسيسها لأول مرة عام 2009 وكان فرانسوا فصيله بقيادة طهيد، في العام 2010 أصبحت كتيبة ورائستها هنا في جوبا على شاطئ النهر، وهي قوات جديدة مازالت تحت التأسيس..

هل بدأتكم فعلياً في تكوين وحدات سلاح البحرية لجنوب السودان؟

حقيقة الوحدات موجودة لكن فعاليتها ما كانت على المستوى المطلوب أن تصل إليه، وهي شاركت في مشاغل البلاد عام 2013 وكانت فعالة..

تابعنا بإعجاب شديد الإنجاز الكبير بتدريج أول قوة مشتركة في قوات دفاع جنوب السودان في إقليم بحر الغزال، حدثنا عن ذلك التدريج الذي كانت لك فيه بصمة واضحة؟

ومرحباً بك ضيفاً عزيزاً في بداية هذا الحوار نرجو أن تقدم نفسك في لوحة التعارف فمن أنت؟

شكراً جزيلاً ومرحباً بصحبة الوطن على هذه الساحة الحوارية..

أريد أن أقول بأني لدى

دخلت إلى مكتب السيد قائد سلاح البحرية وهو رجل عسكري من الكفاءات التي يعزز بها في جيشنا، كانت الإشواق تسبقنا للتلقي به ونستضيفه باسم كل فراء الوطن..

سمعتك اهلاً



7
حوار

الترتيب: الأربعاء 16 نوفمبر 2022 - العدد: 1651 (الطبعة السبوعية)

الوطن
AL WATAN
بمصر - القاهرة



وتعدنا عن التدريب وتبادل الزيارات والخبرات، كان مؤتمر كبير جدا، وكل شخص تلقى نظيره في الجانب الآخر...

هل لديكم تنسيق مشترك بينكم وقوات البحرية في دول الجوار؟

حقيقة الدولة التي تشيها شوية هي يوحدا، لديهم بحيرات وانهار ويمكن أن نستفيد منها، وحتى دولة السودان المجاورة يمكن أن نستفيد من خبراتهم وخاصة التأهيل، وكما قلت لك البحرية هي وحدة حديثة ولا زالت تحت التأسيس ولتحاج ليدل مجهود ويمثل في تبادل الخبرات ولديها أنشطة مختلفة وأقسام كثيرة...

كنا نتحدث يوما عن القدرات الرفيعة والصفات الواضحات داخل المؤسسة العسكرية، وحدثت تحولات بعد اتفاقية السلام بدخول نماء جديدة إلى جسد العسكرية منهم بلا شك الفريق نور الدين كحل عبد الباقي، وشاهنا وسمعا هن العماس ومواصلة العمل بلا كلل أو ملل لبناء الجيش الوطني الواحد والتحديث...

سعادتك تتبنى لك التوفيق في مهامك وانت مساعد رئيس هيئة الأركان للقوات البحرية...

ماذا تريد قوله لأبناء جنوب السودان من أجل احترام المؤسسة العسكرية حتى تمضي قدما في تنفيذ واجباتها؟

في الحقيقة العسكرية هي العود التقري للدولة، نودحها الوضع الأمني لا يستقر، والعسكرية لا ينجح فيها إلا الشخص الذي يحب العسكرية، انت لو ما كنت تحب العسكرية لن تنجز شئ، هناك شخص تكون العسكرية عنده مجرود رغبة، أنا أأشد الشدايب من يقوموا بالمزيد من التضحيات هذا دور الشدايب من أجل الوطن، لا يمكنك أن تقدم وعطك إلا وانت شدايب مستعد للتضحيات من أجل بلدنا...

الشكر على السالمة الحاروبة هذه، والشكر للقاء العام لقوات دفاع شعب جنوب السودان و رئيس الجمهورية، والسادة نوابه، وكل أعضاء هيئة أركان الجيش، وكل القوات النظامية وهم يحضرون كل الدول الإفريقية، وتمكنت في زيارتي من مقابلة قادة القوات البحرية الهنابية

نسبة النجاح كانت مئة في المائة فحالة السيد رئيس الجمهورية كانت دوما يتم ترويضها للجيش

العسكرات، ولم يتبقى إلا مطلقين، معسكر مشاك وبناتشو، يمكن تفريغ معسكر مشاك يكون يوم 18 من هذا الشهر، بعدها سناهب إلى باتشو يوم الاثنين وبذلك تتصل الحفلة الأولى هو 53 شب جندي يكونوا قد تخرجوا، الخطوة الثانية ستكون نشر وتوزيع القوات على حسب احتياج القيادة العامة هي التي ستحدد، وبعد ذلك حسب التوزيعات من المفروض أن يحصل تدريب، لأنه إذا كان قوات الدفاعية اعطوهم كتيبة مفروض يأخذوا الدورة الأساسية للتفنية وكذلك الدفاع الجوي، وكذلك البحرية، لأن التدريب الذي نلوه هو تدريب أساسي وبعد ذلك يجب أن يأخذوا تدريب متخصص...

سعادتك قبل الانفصال كان هناك الكثيرين من أبناء جنوب السودان جزء من المؤسسة العسكرية السودانية، بعضهم كانوا في البحرية، ولدينا الكثيرين من الكفاءات من الضباط وصف الضباط الآن يعملون في أعمال هامشية ألم تفكروا في الاستعانة بهم؟

حقيقة عندما حصل الانفصال أو إسقاط الجنسية معظم الضباط تم تحويلهم بإيالتهم لتوزارة الدفاع، ومعظمهم الآن في الخدمة إلا الشخص الذي لا يريد أن يخدم، في البحرية كان عددا ضابط هو أول دفعة 46 اسمه عثمان سعد الله، الآن هو يعمل ضمن قوات البحرية، وهو قائد لقوات الآن موجود في طرف البحر...

أنا من ضمن الناس كنت في الجيش السوداني، وهناك ضباط كثيرين يعملون الآن في الخدمة ولديهم مهام هنا في القيادة العامة في بلشام...

إذا سوف تستعينوا بالآخرين إذا تمكنت من حصرهم؟

في الحقيقة لا يوجد حصر، لأنهم في الأساس ألوا بإيالتهم، جزء منهم موجودين في شئون الضباط وجزء آخر في وزارة الدفاع وآخرون مكثين بمهام أخرى...

باختصار ما هي الواجبات التي تخص القوات البحرية؟

من مهام قوات البحرية تأمين المجرى النهر، طبعنا ليس لدينا بحار، بل لدينا النهر، نهر النيل من نهومي في حدودنا الجنوبية حتى الجبلين آخر نقطة شمالا في حدودنا مع السودان، طبعنا المجرى صالح لتجارة من جوبا إلى السودان، فواجبات سلاح البحرية هو حماية المجرى النهر وتأمين المدن على ضفاف الأنهار من أي عنوان، وهو واجب عسكري مثل أي واجب يقوم به الجيش وفق التكليف والتوجيهات.

منذ دخول مكتبك لاحظت الكثير من أجهزة الكمبيوتر، نعود للحديث مرة أخرى عن التدريب، ورويتك المستقبلية لقوات البحرية في جنوب



Annex 30: Additional incidents limiting freedom of expression in South Sudan

- In Juba, on 7 August 2022, Diing Magot, a South Sudanese journalist was arrested with several others while gathered at a protest in a public market in Juba.²⁷ In remarks to the media on 8 August, the Deputy Mayor of Juba, Thiik Thiik Mayardit, confirmed that one protestor had been shot and threatened to use further live ammunition against protestors.²⁸ Juba's Mayor, Michael Lado Allah-Jabu, also warned citizens not to join protests.²⁹
- In August 2022 in Bor town, government authorities, on orders from Jonglei Governor Denay Jock Chagor, shut down the Jonglei Workers' Union and arrested its senior leadership after local civil servants went on a strike over unpaid salaries.³⁰ The chairperson of the state's teachers' union was also arrested. Bor town's newly appointed mayor, Samuel Ateny Pech, issued a blanket ban on all demonstrations, threatening legal and security action against violators of the ban.³¹ The detained civil servants were not brought to court, and were subsequently reported missing from Bor's central prison, prompting concern that they might have been relocated to another detention facility outside the state.³²
- In September 2022 in Malakal, in Upper Nile, protests against the appointment of a mayor turned deadly as security personnel fired live ammunition to disperse a crowd of over 200 people.³³ Several people were injured and at least six people were reportedly killed.³⁴ Following the violence, at least a dozen people, including several government officials and members of the State Parliament, were arrested, and a dusk-to-dawn curfew was imposed in the town.³⁵
- In Rumbek, Lakes State, on 8 October 2022, local government officials and a senior representative of the Union of Journalists for South Sudan summoned and interrogated staff of a local radio station after the radio station aired a report about the conviction of a traditional judge.³⁶ The following day, security personnel from Panda military barracks in Rumbek entered the radio station and detained a journalist.³⁷ Although the journalist was subsequently released, he continued to receive warnings and threats of reprisals for broadcasting information perceived as critical of state administration.³⁸
- On 27 October 2022, a law firm in Yei in Central Equatoria was raided by security personnel who confiscated confidential case documents and other property, and locked the office with their own padlocks.³⁹ Local staff members of the law firm had been offering legal services in several high-profile human rights cases including investigating the death of an SSPDF officer Yuma Sebastian who was killed in a local military prison;⁴⁰ corruption within the logging sector in Central Equatoria; supporting a local women's group that had had several members unlawfully detained; and defending the People's Coalition for Civil Action, a civil society group that has been critical of the government.⁴¹ Staff members and their

²⁷ Statements by the Union of Journalists of South Sudan, 9 August 2022, and the Association for Media Development in South Sudan on 12 August 2022. Radio Tamazuj, Journalist among protestors detained in Juba, 9 August 2022.

²⁸ Video interview on file with the Panel. See also Eye Radio, Deputy Mayor Thiik threatens protestors with live bullets, 9 August 2022.

²⁹ Radio Tamazuj, Juba mayor warns against protests over soaring market prices, 12 August 2022.

³⁰ Eye Radio, Jonglei police arrest three striking civil servants, 12 August 2022; Radio Tamazuj, Jonglei Workers' Union dissolved, leadership arrested, 15 August 2022.

³¹ City Review South Sudan, Bor mayor bans demonstrations in town, 17 August 2022.

³² City Review South Sudan, Family of missing Jonglei unionists demand answer from police, 18 August 2022; Sudans Post, Activists voice concern over disappearance of civil servants from police cell in Jonglei, 18 August 2022.

³³ Eye Radio, Woman killed amid clashes between demonstrators and security forces in Malakal, 5 September 2022.

³⁴ City Review South Sudan, Dusk to dawn curfew declared after six died in Malakal protest, 6 September 2022.

³⁵ Radio Tamazuj, Police begin arresting protest organizers in Malakal, 7 September 2022.

³⁶ Interview with representative from radio station, by phone, November 2022. Corroborated by reports received from human rights observers.

³⁷ Ibid.

³⁸ Ibid. Corroborated by social media posts archived by the Panel.

³⁹ Interviews with local civil society organization and law firm representatives, by phone, November 2022.

⁴⁰ Sudans Post, High-ranking SSPDF officer tortured to death at army detention cell in Yei, 11 August 2022.

⁴¹ City Review South Sudan, Frail and hopeless: Ex-governor – Kuel appears in court for the first time in 14 months, 4 October 2022.

families were accused of being rebels. They reported being continuously intimidated or harassed by government security personnel since 2021, including by surveilling their phones.⁴²

- In Jonglei on 5 December 2022, a prominent civil rights activist and a journalist were detained and allegedly tortured for taking pictures of a demolished market. They were released after spending several hours in prison.⁴³
- On 28 October 2022, a Member of Parliament, who is also a senior military officer, Salva Mathok, burned down a church in Warrap State, describing it as a “prostitution center” and accusing it of eroding cultural norms.⁴⁴ Mathok’s actions and speech were recorded on video and distributed across South Sudan drawing widespread condemnation from civil society members, religious representatives and South Sudanese academics.⁴⁵ Warrap State officials announced an investigation into the incident.⁴⁶ Despite the widespread coverage, on 8 November 2022, security personnel in Warrap detained a local journalist for several days for reporting on Mathok’s remarks.⁴⁷
- In December 2022, seven journalists employed by the South Sudan Broadcasting Corporation (SSBC), the state-run media outlet, were detained in two separate incidents by agents of the National Security Service.⁴⁸ A press statement on 17 December 2022 by the Union of Journalists for South Sudan initially denounced rumours of arrests and disappearances as misinformation.⁴⁹ Following extensive media coverage of the detention of the SSBC journalists however, UJOSS issued a second statement on 6 January 2023 calling for the NSS to release the reporters.⁵⁰ In February, three journalists were released while the others remained in detention.⁵¹

⁴² Interviews with confidential sources with first-hand knowledge of the situation, by phone, November 2022.

⁴³ Eye Radio, Activist detained for taking photos of demolition exercise in Bor released, 6 December 2022. See also Sudans Post, Gov’t told to hold security officers who tortured Jonglei activist accountable, December 2022.

⁴⁴ Reports from monitors obtained by the Panel, November 2022. Eye Radio, Salva Mathok: “I burnt down prostitution center”, 31 October 2022.

⁴⁵ Eye Radio, Activist condemns Mathok for “taking law into his own hands”, 1 November 2022; Eye Radio, MP Mathok violated the constitution – says law professor, 1 November 2022; No. 1 Citizen Daily, Freedom to religion denied, Adventist pastor says, 1 November 2022.

⁴⁶ Eye Radio, Warrap State government to investigate church burning, 31 October 2022.

⁴⁷ Statement by Dalwuot Media, dated 9 November 2022, on file with the Panel. Lakes State Media’s appeal to the Union of Journalists of South Sudan, 10 November 2022, on file with the Panel.

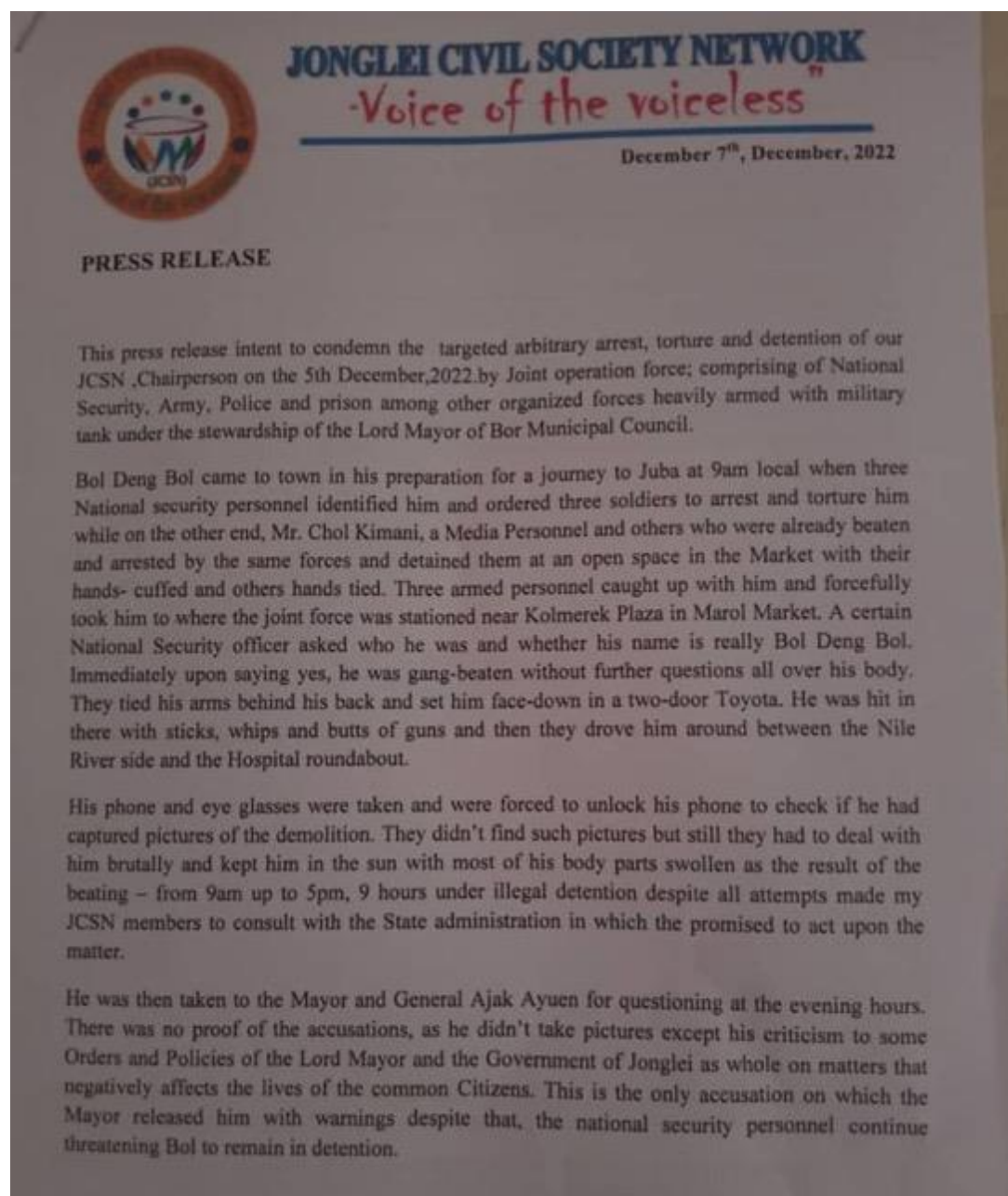
⁴⁸ Radio Tamazuj, National Security arrests 6 SSBC staff, 5 January 2023; Sudans Post, South Sudan security forces detain another journalist over president’s viral video, 17 January 2023.

⁴⁹ UJOSS, Press Release, dated 17 December 2022, on file with the Panel.

⁵⁰ Statement on file with the Panel.

⁵¹ Radio Tamazuj, 3 SSBC journalists released, 4 remain in detention, 18 February 2022.

Annex 31: Jonglei Civil Society Network press release, 7 December 2022



Annex 32: UJOSS press release on detention of SSBC staff, dated 6 January 2023



Date: 6th.Jan 2023

PRESS RELEASE

FOR IMMEDIATE RELEASE

Re; UJOSS Calls for speedy conclusion to investigation of detained SSBC staff.

UJOSS calls for speedy conclusion to the investigation of the six staff of South Sudan Broadcasting Corporation (SSBC) who are currently in the custody of the National Security Service.

The staff are suspected of having knowledge of the release of "a certain footage" to the public.

If there is a prima facie case of professional misconduct or offense then let authorities expedite an administrative or legal process to address the issue in a fair, transparent and in accordance with the law.

UJOSS will continue to work with other stakeholders including the National Security Service to ensure a good environment for all journalists to foster mutual understanding for the development of South Sudan.



Oyet Patrick Charles
UJOSS-President

oyet@u-joss.org/oyetpatrick12@gmail.com

0925440019/0915130165

Annex 33: Clip from South Sudan's Dawn newspaper, 6 February 2023

Annex 34: Statement by Amnesty International Kenya, 8 February 2023




8 February 2023

South Sudan: Investigate reports of arbitrary arrest and detention of Morris Mabior Awikjok Bar

"We are very concerned about the reports of the arbitrary arrest of South Sudanese man, Morris Mabior Awikjok Bar, by armed Kenyan security forces and a South Sudanese man on Saturday, 4 February, and his subsequent detained in South Sudan's main National Security Service detention facility in capital Juba. We call on the Kenyan and South Sudanese authorities to investigate these reports", said Irungu Houghton, Amnesty International Kenya's Executive Director.

Background

Amnesty International has documented numerous arbitrary detentions by the NSS in multiple facilities where detainees are often subjected to torture and other ill-treatment – some held incommunicado without access to a lawyer, or family members.¹

The Government of South Sudan, primarily through the National Security Service (NSS), conducts communications surveillance with equipment bought in Israel, and likely with support from the telecommunication companies. The NSS also conducts physical surveillance through a widespread, cross-border network of informants and agents, penetrating all levels of society and daily life, by monitoring media and social media, and requiring event organizers to seek permission before holding any form of gathering. The NSS has used these forms of surveillance illegally, in breach of the right to privacy, to arbitrarily arrest and illegally detain individuals and infringe on press freedoms and the freedom of opinion and expression and the freedom of assembly.²

The NSS spy network extends throughout East Africa to reach those who find refuge in neighbouring countries. For instance, on 23 January 2017, Dong

¹ Amnesty International, *Broken Promises: Arbitrary detention by South Sudan's intelligence agencies continues* (Index: AFR 65/8823/2018), September 2018, South Sudan: Broken promises: Arbitrary detention by South Sudan's intelligence agencies continues – Amnesty International

² Amnesty International, *"These walls have ears": The chilling effect of surveillance in South Sudan* (Index: AFR 65/3577/2021)

Samuel Luak, a South Sudanese human rights lawyer and registered refugee, was forcibly disappeared in Nairobi, Kenya. The next day, on 24 January 2017, Aggrey Ezbon Idri, chair of the SPLM/A-IO's Humanitarian Affairs Committee, was also forcibly disappeared.

In 2019, the UN Panel of Experts on South Sudan found that Dong and Aggrey were forcibly flown to South Sudan on a commercial plane chartered with the help of South Sudan's embassy in Kenya on 27 January 2017. Both the UN Panel of Experts and Amnesty International verified that once in South Sudan, they were detained in the Blue House in Juba. They were then removed from this facility on 27 January 2017. According to the UN Panel of Experts, they were moved to the NSS training facility on President Salva Kiir's farm in Luri, near Juba. The Panel of Experts concluded that it is "highly probable" that the two were executed there on January 30, 2017.³

The forceful disappearance and reported extra-judicial killing of Dong Samuel and Aggrey Idri and the NSS's cross-border operations has had a powerful chilling effect on activists in South Sudan and neighbouring countries.⁴

Dong and Aggrey are not the only South Sudanese who have been abducted in Kenya and illegally transferred back to South Sudan. In November 2016, Kenyan authorities unlawfully deported SPLM/A-IO spokesman James Gadet, a registered refugee, to South Sudan where he was subsequently sentenced to death.⁵ President Kiir pardoned James Gadet on 31 October 2018.⁶ In December 2017, SPLM/A-IO governor Marko Lokidor Lochapio was abducted from Kakuma refugee camp in Kenya,⁷ transferred to Juba and detained in Blue House until his release on 25 October 2018.⁸ On 23 July 2020, Peter Biar Ajak, a South Sudanese academic and chair of the South Sudan Young Leaders Forum, arrived in the USA with his family after having been forced into hiding for five weeks in Nairobi, Kenya after receiving calls from senior government officials, who according to Peter Biar Ajak, warned him that NSS agents had been sent to abduct or kill him in Nairobi.⁹

³ United Nations Panel of Experts on South Sudan, Final Report, S/2019/301, 9 April 2019, www.undocs.org/S/2019/301

⁴ Amnesty International, "These walls have ears": The chilling effect of surveillance in South Sudan (Index: AFR 65/3577/2021)

⁵ Amnesty International, South Sudan: One of just two executing states in sub-Saharan Africa in 2017 (Press Release, 16 April 2018)

⁶ Amnesty International, South Sudan: Relief as president pardons two prominent death row inmates (Press release, 2 November 2018)

⁷ Sudan Tribune, South Sudan rebel appointed governor abducted in Kenya, 1 January 2018,

www.sudantribune.com/spip.php?article64385; The East African, Africa: Are Kenya, Uganda Obstacles to South Sudan Peace?, 6 January 2018, allafrica.com/stories/201801150280.html

⁸ Reuters, South Sudan frees five political detainees: intelligence agency, 25 October 2018,

www.reuters.com/article/us/southsudan-unrest/south-sudan-frees-five-political-detainees-intelligence-agency-idUSKCN1M221P

⁹ Amnesty International interview with Peter Biar Ajak, remote, 18 June 2020; Peter Biar Ajak, My Escape to America Shows the Price of Dissent in South Sudan, 23 July 2020, www.wsj.com/articles/my-escape-to-america-shows-the-price-of-dissent-in-south-sudan-11595545759

Annex 35: National Consensus Forum statement on abduction of Morris Mabior, 8 February 2023



National Consensus Forum (NCF) Condemns with Concern the Abduction of Morris Mabior Awikjok from Nairobi Kenya.

February 8th, 2023

The NCF, represents various Political Forces, Civil Society, Youth, Women and Faith-based Organizations together with Academic and Professional Associations and a multitude of South Sudanese Citizens who believe in a peaceful resolution of the South Sudan Conflict through an inclusive Roundtable Conference to discuss and resolve the root causes of the conflict and establish a New Dispensation for South Sudan.

NCF received with great concern and trepidation, the disturbing news of the illegal abduction of the respected political activist Mr. Morris Mabior Awikjok from Nairobi Kenya over the last weekend February 3 and 4, while the Holy Triad-Pope Francis, the Archbishop of Canterbury, and the former Moderator of the General Assembly of the Presbyterian were still on South Sudanese soil, in Juba. The NCF condemns this unwarranted humiliation and detention of an honorable patriot in the strongest terms possible. We call for Awikjok's immediate unconditional release with guaranteed safety and bringing the Perpetrators to book in a transparent court of justice.

While the people of South Sudan poured out in millions to welcome the Holy Triad's Peace Pilgrimage to our land and peace-loving people, their hosts in the government of South Sudan were busy planning oppression, torture, death, deceit, and many evil things. That is why even the Dove of Peace, conscious of these evil plans, and insecurity all over South Sudan, could not understandably fly, when freed.


The undemocratic government of South Sudan, which is used to abducting citizens from neighboring countries as it did in 2016 to the late human rights activist Dong Samuel and senior Opposition Politician Aggrey Idri, who were later tortured, maimed and the latter killed in the Blue House. This and the on-going state-sponsored atrocities and killings all over South Sudan have encouraged Kiir's Government to always continue its abhorrent policy of oppression and killings without consequences and in impunity even while South Sudan was the focus of international attention heightened by the historic visit. The souls of Dong Samuel and Aggrey Idri, indeed of many citizens killed by unknown gunmen in various parts of the country based on their opinions, have spoken loud and clear for the world to know and condemn the rogue government of South Sudan which rules by manipulative decrees, impunity, and complete disregard for the basic human rights, in the strongest terms.

Given his dismal failure to heed and fulfil the Holy Father's call to him at the 2019 Holy Pilgrimage in Rome, in the presence of the same Triad, to go and make peace with his people, NCF urges the International Community, to hold President Kiir accountable for the plea he has just made to the Holy Father in Juba to restore peace to South Sudan.

Hon Pagan Amos
Okiche: Real SPLM



General Paul Mahong
Awan: NSUF/A



Mr. Abraham Awolich:
PCCA



Ms Angela Tana SAA



Mr. Wol Deng Atak: UPDP



Dr. Henry Lejokoh: Academic & Professionals



Mr. Mahor Tut: RCM



Dr Matur Gorjok: NPM



Dr. Jok Madut Jok: Academic & Professionals



General Thomas Cirillo: NAS



Ambassador Emmanuel
Ajawin: NDM-PF



Ms Suzanne Jambor: STEPS World



Mr Alex Yatta
Lukadi:SSNMC



Mr. Abraham Lado Latik: SSC



General Stephen Buay Rolnyang SSPMA



Simon Reat Maruyout: CODA



Annex 36: Glencore pleads guilty to South Sudan bribery in UK Court

Some of these challenges and institutional weaknesses undermining the effective management of South Sudan's public resources have been fuelled by forces outside of South Sudan.

On 21 June 2022, for example, Glencore Energy UK Ltd pleaded guilty to seven counts under the United Kingdom Bribery Act of 2010, including one count of failing to prevent the bribery of officials in South Sudan.⁵²

Soon after independence, in July 2011, Glencore, via its subsidiary, Glencore Juba International, entered into a Joint Venture Agreement with the Nile Petroleum Corporation (Nilepet), South Sudan's state-owned oil company. The Joint Venture was called Petronile and incorporated in the British Virgin Islands (BVI).⁵³ It was to have the licence to market and sell South Sudan's share of crude oil production after independence. Within weeks of independence, however, the deal was in trouble. The Ministry of Petroleum, in fact, intended to market its oil through its own competitive marketing process.⁵⁴

According to court documents, in early 2011, Glencore had hired a South Sudanese company to act as its local intermediary, as it "had access to government ministers, the President and his assistant."⁵⁵ According to Court documents, on 2 August 2011, a Glencore employee withdrew \$800,000 in cash from Glencore's Swiss office and travelled by private jet to Juba with the money. The cash used, by the intermediary company, "to pay bribes to government officials who could influence the allocation of crude oil cargoes." On 10 August, Petronile was awarded 2 million barrels of crude oil.⁵⁶

On 3 November 2011, Petronile was again told that it had been excluded from the tender process. The same day, a Glencore employee withdrew a further \$275,000 in cash at its office in Switzerland, while meeting with the assistant of the President of South Sudan at Glencore offices in both Zurich and London. The day after, on 4 November 2011, Petronile was awarded a cargo of 600,000 barrels of crude oil.⁵⁷

These efforts to corrupt South Sudanese institutions, while they were in the process of being formed, has undoubtedly cast a long shadow. While UK Courts did not hear any complaints against South Sudanese nationals or companies, several of the individuals and companies implicated in the case remain active in South Sudan's oil economy.

⁵² Rex v Glencore Energy UK Limited, Case Summary, T20227145, dated 2 November 2022, on file with Panel. See also UK Serious Fraud Office, Glencore to pay £280 million for 'highly corrosive' and 'endemic' corruption, 3 November 2022: <https://www.sfo.gov.uk/2022/11/03/glencore-energy-uk-ltd-will-pay-280965092-95-million-over-400-million-usd-after-an-sfo-investigation-revealed-it-paid-us-29-million-in-bribes-to-gain-preferential-access-to-oil-in-africa/> .

⁵³ According to Court documents, Petronile would take 1 per cent of gross revenues as a fee and split remaining profits 30 per cent for Glencore and 70 per cent for Nilepet.

⁵⁴ See, for example, Reuters, Glencore Sudan oil deal at risk amid power struggle, 21 July 2011: <https://www.reuters.com/article/sudan-oil-idUKL6E7IL21520110721> .

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

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Annex 39: Government expenditure, including oil for roads, Q1 2022/23

Table 13: Q1 Outturns Government Spending by sectors against the budget (A Revised Table, including spending on Oil for Roads during Q1 2022-2023 Budget – see last two rows in Blue)

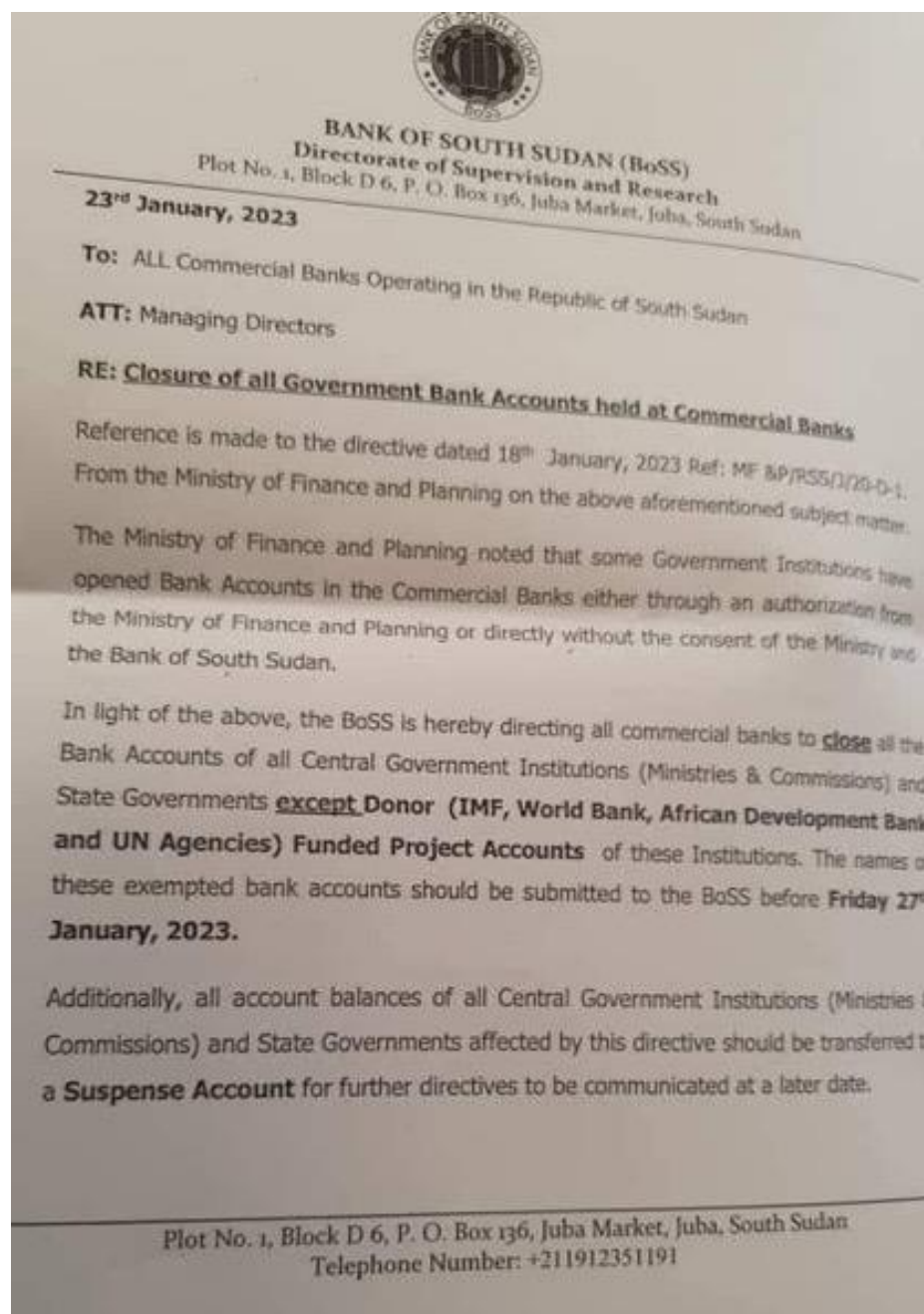
Spending by Sectors	Approved FY 2022-2023	Q1 2022-2023 Approved Budget	Q1 2022-2023 Outturns	% change Against Q1 Budget
ACCOUNTABILITY	2,077,324,806	519,331,202	117,040,248	23%
ECONOMIC FUNCTIONS	97,823,058,741	24,455,764,685	54,856,192,853	224%
EDUCATION	110,497,811,858	27,624,452,065	7,745,615,569	28%
HEALTH	33,569,770,825	8,392,442,706	1,631,617,067	19%
INFRASTRUCTURE	250,010,175,510	62,502,543,878	749,675,031	1%
NATURAL RESOURCES AND rural development	16,146,057,624	1,745,798,575		11%
PUBLIC ADMINISTRATION	129,671,109,227	32,417,777,307	44,781,896,402	138%
RULE OF LAW	30,327,036,743	7,581,759,186	15,263,141,942	201%
SECURITY	72,486,195,499	18,121,548,875	21,498,902,208	119%
SOCIAL AND HUMANITARIA	5,335,454,782	1,333,863,696	1,743,538,146	131%
Grand Total	796,382,168,485	199,095,542,121	158,133,418,041	78%
OIL FOR ROADS (SSP)	241,176,948,120	60,294,237,030	114,807,747,811	190%
OIL FOR ROADS (USD)	541,970,670	135,492,667	174,782,020	129%

Data Source: MoFP, Directorate of Accounts EFMIS

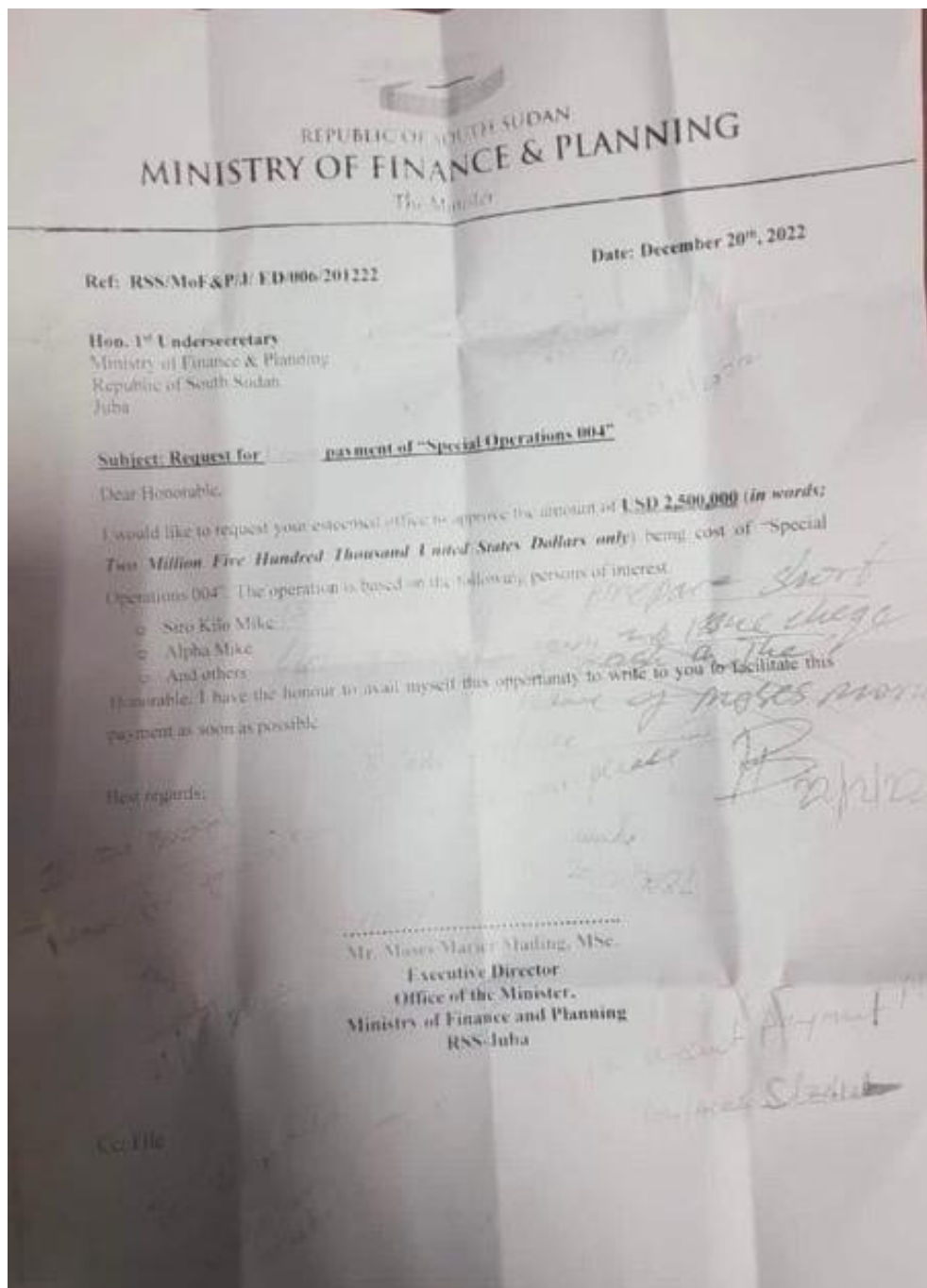
Oil for Roads (highlighted in blue): In Q1 of 2022-2023, government spending on roads amounted to USD 174,782,020 compared to average Q1 2022-2023 budget of USD 135,492,667, or 129%, which indicates that Q1 has overspent by about 29%. In SSP terms, using the prevailing exchange rate during the quarter, government spending on roads amounted to 114,807,747,811 compared to average Q1 2022-2023 budget of SSP 60,294,237,030., or 190%, which indicates that Q1 has overspent by 90%.

(Signature)
16/2/2023

Annex 40: Bank of South Sudan, Closure of Government Bank Accounts held at Commercial Banks, dated 23 January 2023



Annex 41: Payments for “Special Operations”, December 2022



REPUBLIC OF SOUTH SUDAN
MINISTRY OF FINANCE & PLANNING
1st Undersecretary for Finance

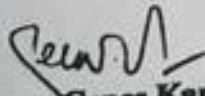
Date: 22nd December 2022

REF: MF&P/RSS/J/20-D-1.

Hon. Governor,
Bank of South Sudan
Republic of South Sudan
Juba

Subject: Authorization for Bona Alith Arow to cash from Account 002
692 1000 1024

Would your esteemed office please allow Bona Alith Arow to cash Cheque number 3939 for the sum of USD 2,500,000 (Only Two Million Five Hundred Thousand United States Dollar) Being cost of Special Operation.


Ocam Genes Karlo
1st Undersecretary for Finance


Dhel Mayuol Tong
Director General of Account

MINISTRY OF FINANCE & PLANNING
RSS-JUBA

Cc: Director of Accounts
Cc: File

Annex 42: Extract from Petroleum Revenue Management Act of the Republic of South Sudan

CHAPTER II PETROLEUM REVENUE ACCOUNT

6. Establishment of the Petroleum Revenue Account

- (1) The Ministry shall establish a Petroleum Revenue Account at the Bank of South Sudan.
- (2) Any Petroleum Revenue due to the Government shall be paid into the Petroleum Revenue Account for subsequent transfers in accordance with provisions in this Act.
- (3) No other revenue shall be paid into the Petroleum Revenue Account.

7. Payments into the Petroleum Revenue Account

- (1) Any company carrying out Petroleum Activities in South Sudan shall pay Petroleum Revenue due to the Government into the Petroleum Revenue Account.
- (2) Petroleum Revenue due to the Government shall include:
 - (a) any amount deriving from the sale of the Government's oil and gas entitlement;
 - (b) any amount of revenue from petroleum in kind that is used for domestic purposes;
 - (c) any amount received from the direct participation of the Government, including participating interests held by the National Petroleum and Gas Corporation on behalf of the Government, in Petroleum Activities;
 - (d) any amount including surface rental fees, signature bonuses and other cost based fees from production sharing agreements and charges, received by the Republic of South Sudan in accordance with Petroleum Act, 2012, and from any licenses authorizing Petroleum activities or any Petroleum Agreement;
 - (e) any amount payable by the National Petroleum and Gas Corporation as tax, royalty, dividend or any other payment due in accordance with applicable law;
 - (f) any amount payable as tax on income from Petroleum Activities;
 - (g) interest deriving from the Petroleum Revenue Account; and
 - (h) any amount received by the Government relating directly to Petroleum Activities not covered in paragraphs (a) to (g) above.

- (3) Petroleum Revenue shall be paid by direct transfer into the Petroleum Revenue Account by the due date.
- (4) Petroleum Revenue shall be paid by the entity liable to make such payment into the Petroleum Revenue Account in accordance with the terms set out in the Sales Contract.
- (5) The amount of revenue under paragraph(2)(b) shall be estimated:
 - (a) based on the average price achieved on export sales for the current month if export sales take place;
 - (b) based on the current international oil price adjusted for the average price differential for the last three months in which export sales took place, if export sales do not take place and
 - (c) the price differential referred to in subsection(b) shall be calculated as the difference between the international price and the actual export price due to the quality of oil.
- (6) If the payment under subsection (2) of this Section is not discharged by the due date, the responsible party shall pay a default rate as prescribed in the regulations to this Act.
- (7) A payment shall not be considered discharged until such payment is received into the Petroleum Revenue Account.

8. Management of the Petroleum Revenue Account

- (1) The Bank of South Sudan shall hold any Petroleum Revenue received in foreign currencies at interest-bearing current accounts abroad with financial institutions with the highest security.
- (2) The Ministry and the Bank of South Sudan shall enter into a management agreement on the management of the Petroleum Revenue Account.

9. Transfers from the Petroleum Revenue Account

- (1) Subject to subsection (2) of this Section, the Bank of South Sudan shall only, after paying the Petroleum producing States and Communities, make transfers from the Petroleum Revenue Account as follows:
 - (a) Up to 75% to the Consolidated Fund in accordance with sections 10 and 11 of this Act;
 - (b) 15% to Petroleum Revenue Stabilization Account; and
 - (c) 10% to Future Generation Fund.
- (2) In the event of overpayment of Petroleum Revenue under Section 7 of this Act, the Ministry is exceptionally permitted to request the Bank of South Sudan to make a transfer from the Petroleum Revenue Account to refund such overpayment of