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## I. INTRODUCTION

This is a report being rendered to H.E the President of the Republic by the investigation committee that was established by the Republican Order **No 15/2020** to investigate the incident that took place in Gumbo Shirkat on 3<sup>rd</sup> June 2020 and in which six (6) people were killed and eight (8) others were wounded.

The committee was established on the 4<sup>th</sup> June 2020 in accordance with the powers conferred upon the President under article 101 (t) of the Transitional Constitution of South Sudan 2011 (as amended), read together with section 5 (1) and 6 of the Investigation Committees Act, 2006. The committee is composed of seven (7) members, including the Chairperson, who were selected by virtue of their official capacities, as follows:

<b>S/N</b>	<b>Designation</b>	<b>Title</b>
1.	Minister of Justice and Constitutional Affairs	Chairperson
2.	Chief of Defense Forces of the SSPDF	Member
3.	Inspector General of the Police (IGP)	Member
4.	Director General of the Internal Security Bureau, NSS	Member
5.	Director of Military Intelligence, SSPDF	Member
6.	Director of Public Prosecutions, MoJ&CA	Member
7.	Adv. Monyluak Alor Kuol	Member

However, taking into consideration the need for inclusivity and in order to give itself national character, the committee resolved to co-opt additional five members. These members are:

- 1) Lt. Gen. Biar Atem Ajang to represent Bor Community
- 2) Hon. Anne Lino Wuor Abyei, Member of Parliament in the NTLA, representing women in her own right and her constituency of Greater Bor.
- 3) Maj. Gen. David Ohucholi Lemuny, substituting the Chief of Military Intelligence, who also satisfies national character, as he hails from Eastern Equatoria State.
- 4) Maj. Gen. John Daniel Kipa, NSS/ISB, to satisfy the criteria of national character, as he hails from Western Equatoria, and;
- 5) The Executive Director of Rajaf County of the former Jubek State.

The terms of reference for the committee had provided seven (7) days within which it was to conclude its findings and make its report to H.E the President of the Republic. However, that period had to be eventually extended up to the 7<sup>th</sup> of July 2020, on the request of the committee.

In the course of its proceedings, the committee has been able to record statements from witnesses and suspects who were arrested and placed under detention by the

police and other security agents such as the National Security Service (Internal Security Bureau) and the Military Intelligence. The committee visited the site of the incident on two separate occasions and met with State and Local Government authorities in Gumbo Shirkat. The committee received briefings and also documentary evidence from the police, military intelligence, national security, the local government authorities, and above all, community leaders of Bor, Bhar-el Ghazal and Bari communities.

From the facts and evidence gathered, the committee has arrived at a conclusion that the incident at Shirkat was not just a heinous criminal matter that can simply be resolved under the laws regulating criminal justice. It raises very pertinent matters of public interests that need the government to investigate or inquire into, in order to have them appropriately redressed.

These can be highlighted as follows:

- 1) The incident was a result of dispute over contested land that was acquired, or claimed to be acquired, by two contestants in disregard of the legal processes that regulate acquisition of land. This practice is very common and is popularly known as Land Grabbing. The land on which this dispute took place lies in an area of Cemetery where the dead were used to be buried. Land grabbing is not unique to Gumbo Shirkat, it is happening in Juba and other parts of the country.
- 2) The dispute over land in Shirkat was between a military officer and his armed guards who hail from Greater Bahr el Ghazal on one side, and a civilian who, though not armed with a rifle, had the sympathy and apparent support of a large number of his community members residing in the area of Shirkat, who hail from Bor in Jonglei on the other side. The community dimensions of contesting parties is a dangerous trend that almost, always results into group violent confrontation.
- 3) The incident appeared to have been a set-up against Lt. Col Lual Akook Wol by his adversaries and their sympathizers. He was made to believe that the meeting to which he was invited to attend on the fateful day (3/6/2020) was intended to be for peaceful and amicable resolution of the dispute over the land. In the event, he was attacked physically as soon as he appeared on site.
- 4) There was a clear absence of National, State or/and Local authorities in control of the situation. The dispute on the particular piece of land and between the particular parties had been openly dragging on and regularly reported to the authorities at all those levels, but there was no effective intervention.

- 5) There has been an abuse of official capacities and illegal assumption of powers, particularly by some military personnel who are acting as chiefs and have taken over other powers relevant to law and order and public administration that are by law reserved to other government institutions. Indeed, there has been very clear disregard to the application of the relevant laws in all aspects. That disregard of laws is called impunity which is universally noted as a mark of failure of institutions that are responsible for accountability to the public.
- 6) The use of military guns to shoot at unarmed civilians indicates complete lack of care for human lives and fundamental human rights enshrined in the constitution.
- 7) The violent protest that spontaneously erupted at Shirkat immediately following the incident was of a political nature aimed against the government. There is some indication that slogans calling for the downfall of the government were displayed. Public offices and other property were attacked and some public equipment in those offices were damaged.
- 8) Lt. Col Lual Akook Wol had been using some soldiers of South Sudan Defense Forces as his personal guards and had been engaging them for personal errands outside the military command. This is a serious indication of lack of discipline in the army and shows how corruption has influenced the behavior of some elements in the institution.

The report analyses the facts, legal and administrative implications of the incident and enumerates the findings and recommendations of the committee. The outline of the report is set out as:

- a) The Executive Summary narrative of the incident.
- b) The Briefings and Hearings.
- c) Facts & Analysis of the issues arising from the incident.
- d) The Findings of the committee and
- e) The Recommendations.

## **II. EXECUTIVE SUMMARY**

The bloody incident that took place in Gumbo Shirkat, a residential area on the eastern side of the River on the 3<sup>rd</sup> of June 2020, was triggered by a dispute over land, plot number 1, Gumbo South registered by the local authorities in the name of **David Gore Faustino**. The land was rented to Bor Bus Park Union, which then leased part thereof to **Mr. Ajith Jook Yoor** to build a public toilet thereon.

In March 2020, **Lt. Col. Lual Akook Wol**, known as **Lual Marine**, an SSPDF officer, built shops at the cemetery near which was the public toilet, closing the route to the toilet. This resulted into a dispute between Lt. Col. Lual and Mr. Ajith. The matter was reported to the authorities, including the Military as Lt. Col. Lual was an SSPDF officer. Nothing was done, however, and the officer continued his land grabbing activity.

Lual's shops were destroyed on 2/6/2020 and Lual reacted by initiating a criminal case, but was called by Chief Mayen Dau of Bor Community, through telephone for a meeting to resolve the issue the following day. On the 3<sup>rd</sup> of June 2020, the following day, Lual went to the site with his bodyguards for the meeting and found a crowd of people who started to insult him. Malith and Ajith beat Lual on the head and neck with a steel and stick; he fell unconscious and his guards retaliated by shooting.

The shooting resulted in death of people and injuries to others; six **(6)** people, including Lt. Col. Lual, and another Captain of SSPDF lost their lives and eight **(8)** were injured. The crowd then went to Lual's house, a large compound of 22,000 square meters, and did some destruction. Public property was also destroyed in the course of the incident.

In a related development, Capt. Manyang Chol Manyang of SSPDF, was shot by Pvt. Luka Mayen Gueet in the night of the day of the incident in the barracks. The private confessed to the shooting, but denied premeditation.

The task of the Committee was to investigate into the Incident and submit its findings and recommendations to the President within seven (7) days of issuance of the Order.

The Committee was sworn in on the 7<sup>th</sup> June 2020 before the President of the Republic and had its first meeting in the afternoon the same day.

In order to carry out the task efficiently, the Committee appointed a secretariat of five (5) officials from Ministry of Justice and Constitutional Affairs, Interior and

SSPDF, headed by the Director of Public Prosecutions, who is a member of the Committee.

The investigation commenced on 8<sup>th</sup> June 2020. Due to enormity of the task, which could not be accomplished in seven days, an extension for other seven days was requested as from 18<sup>th</sup> June 2020. However, the request was granted on June 30, 2020 to last till July 7, 2020.

The Committee held sixteen (16) sessions in which it took statements of thirty-five (35) people, some of whom are suspects in the criminal proceedings arising from the incident, being handled by Directorate of Public Prosecutions and Police, and others are witnesses. It first listened to briefings and reports from the Police, National Security, Military Intelligence and local authorities in connection with the incident.

Seven (7) bodyguards of Lt. Col. Lual involved in the shooting and the private who shot the captain in a parade are under arrest in the military detention facility, pending determination of criminal cases against them.

Total number of suspects under arrest in the criminal proceedings as a result of the incident is twenty-five (25), of whom seven-teen (17) are civilians and eight (8) are soldiers of SSPDF. Other three suspects in the criminal proceedings, Chol Koch, Majier (father's name not identified) and Deng Yol could not have their statements taken because they are on the run.

The Committee visited the scene of the incident and had engagements with the local and State authorities and representatives of Bahr el Ghazal, Bor and Bari communities. The three communities distanced themselves from the conflict, considering it as arising from a land dispute between Lt. Col. Lual Marine and owner of the public toilet at Bor Bus Park. Bor community blamed the Government for being negligent as it received reports about the dispute, but failed to resolve it. Bari community pointed out that the incident could not have happened had land grabbing been stopped, adding that lands being grabbed have been surveyed, demarcated and allotted to people who have documents.

The Committee also visited **Jebel Amianeen** area, where there is a flurry of land grabbing activities, with members of the military involved. They call the area "**Hai Salaam**".

### III. BRIEFINGS & HEARINGS

The Committee opened the investigation process by having some briefings from a number of officers of the Military Intelligence (M.I.), National Security Service (N.S.S.), Police and local authority that had closely monitored the events from start on 2<sup>nd</sup> and 3<sup>rd</sup> June, 2020. The two-day events occurred near the main market of Gumbo/Shirkat, a southern suburb of Juba town across the Nile Bridge. Its proximity to the capital town has attracted new communities to the area after they moved away from their homes in search of refuge and relative security. The area falls under the local administration of Tokeman East Payam of Rajaf County Central Equatoria State which confirmed that Gumbo/Shirkat growing population hailed from almost all the country's ethnic groups.

#### DAY (1)

Date: 8/6/2020

- 1)           **Name:**                   **Col. John Gadnyai Puok, 52yrs**  
Deputy Chief Inspector, Eastern Div. Gumbo,  
Resident of Hai Thoura

We started on 2/6/2020 at 3pm. Lual came to us at 3pm in Gumbo Police Station with the intention to report, he found attorney Simon Joseph and **Brigadier Gum Gordon Machuot**. He reported that some people attacked him and got injured, so **form 8** was issued to him. When he returned from hospital, the police opened a case under section **235 SSPC-2008** against the accused persons who beat him. His statements with his witnesses were taken. The police issued warrant of arrest against the accused persons namely; **Malith Yol, Deng yol and Ajith Juk Khor**.

On 3/6/2020 morning both sides decided to converge for a meeting to reach a settlement over the case but the meeting failed, **Chol Koch** slapped Lual Marine on his face. Ajith Juuk then Hit Lual on the left side of the head with stick. This was how the problem started at 9:15am. Lual's guards started shooting. Magot Arok Maketh, Agou Chol Malual and Deng Thon Deng died on spot and Juuk Thokbor later died at the hospital. Lual Marine also died at the

hospital the same night. same day night, Capt. Manyang Chol Manyang was shot dead in the parade by Luka Mayen Guet and was arrested immediately in MI custody.

There were 4 people injured at the scene in the morning incident. They are Akol Anyang Mabior, Anyieth Panchol Anyieth, Deng Garang Reech and Deng Jol Deng.

Shooting continued and many civilians attacked the police forces at the tent next to the cemetery who were 18 in number. They withdrew under the command of Capt. Joseph Wol. There were no injuries at this particular attack.

At 10:30 am of the same day, more than 100 furious civilians left the scene towards Wunbur petrol station, the traffic police called Gumbo police station. So, Col. John Gadnyai directed traffic police to withdraw to gumbo Police station but they locked themselves inside the station protecting their property. These civilians burnt a tyre but since we did not have command, we waited till IGP gave orders to shoot in the air. The civilians were pushed back and we managed to arrest 14 of them at the Ministry of Telecommunications and Rajaf County headquarters. The police opened a case against those arrested under sections 48/79/177/80/81/83/95 SSPC-2008. I returned to Gumbo police station.

At 11 am same night, I reported to Gen. Jok Riak, Gen. Rin Tueny, Maj Gen. Majier and Maj. Gen. Azuma Mangar came and we went towards the crime scene but we all stopped at Wunbbur except Gen. Jok Riak and Maj. Gen. Majier who made it to the scene. IGP and CDF joined us later on at about 12 pm.

Two (2) cars came, one of which was ambulance and another was forensic pickup which carried 2 injured soldiers. One was hit with a bottle and the other with panga. The ambulance first brought one body (Sultan) and later brought three others and were taken to military hospital mortuary. Ajith Juuk, the accused for Lual's death is not yet apprehended.

**2) Name: 1<sup>st</sup> Lt. Simon Obura Sabrino,**  
Investigator of Case No. 1294/2020

The case was opened on 2/6/2020 by Lt Col. Lual Marine against Ajith Juuk Khor and others under sections 48/224/223/245/315/235 SS-Penal Code, 2008. The case was opened at 3pm.

**3) Name: 1<sup>st</sup> Lt. Aban Peter Bol**  
Investigator of Case No. 1310/2020



The case was initiated by Kuol Chol Lual against accused Lual Marine and others. The victim, Juuk Thokbor, died later in Giada hospital.

Another case per Information No: 1311/2020 under sections 48/206 of the Penal Code, 2008 was opened by Machar Thon Deng against Lual Marine and others. The victim, Deng Thon Deng died at Giada hospital.

- 4) Name: 2<sup>nd</sup> Lt. Akim Michael Luk**  
Investigator of Case per No. 1318/2020 under sections 72/206 of the Penal Code 2008

The case was initiated by Manyok Deng against Luka Mayen Guet and the victim is Capt. Manyang Chol Manyang who died on spot in the parade.

- 5) Name: Maj. Gen. Monydhang Deng**  
Director Criminal Sector, CES  
Related to case No. 1296/2020/48/72/206/236  
SSPC-2008

I usually take data from all police stations early morning, so a report came to me through Brig. of Sector 1 called John Oywal saying Lual Marine and his bodyguards shot 2 people dead at Shirkat Gumbo. I ordered for opening Case No **1296/2020** under sections 48/72/206/236, PC-2008.

Lual was still alive at the time and he had 4 guards in uniform and 3 others in non- uniform. There is an eye witness, namely. Maj. Police Juma Beliu Kuany, Contact: 0915147995.

**DAY (2)**

**Date: 9/6/2020**

- 6) Name: Maj. Gen. David Ohucholi Lemuny**  
Director for M.I Combat Operations

On the 3<sup>rd</sup> of June 2020 at 8:30, we received information that Lual Marine had caused a problem. After receiving information, we responded by sending a force. At the scene, one was dead and four wounded. The mission was to arrest Lual Marine with his guards but the force found Lual was beaten and rushed to hospital. So, we managed to arrest 7 guards namely, Peter Kur

Agou, MI Unit, Sergeant Major Kon Deng Wol, Div. 3, Sergeant Harun Mading Mayen, Div.7, Sergeant Donato Akok Garang, Administration Battalion, Sergeant Monybut Mading Monybut, MI, Sergeant Ngor Atem Deng, MP, Coprol Kuech Bol Mayen, Admin. Battalion.

On the same day at 10 am, we moved to Shirkat to patrol along the area. When we arrived, there was big crowd, burning tires. We tried to stop doing what they were doing but they refused. I ordered my soldiers not to shoot anybody and we retreated to Wunbur Petrol Station. Two (2) vehicles were damaged, of which one was mine and the other pickup for the soldiers. I called CMI and told him the situation was going out of hand and he replied that we should continue to control the situation till he comes. I also contacted Garang Akook who came and talked to the crowd. CMI arrived and subsequently Gen. Jok Riak came. Also, Maj. Majier joined us.

At the petrol station, the current CDF came and tried to engage the crowd to calm down. This approach didn't work; so, the CDF came back for security meeting about the incident.

The community youths refuted arrest of Lual Marine and wanted to confirm whether the culprits were arrested. The community chose representatives to confirm those faces. We allowed them and they confirmed that those arrested were the culprits.

I am not sure what types of ripples or arms the culprits were using. I should find out later and let you know today. The incident happened in Shirkat Market. Corpses were scattered.

**7) Name: Maj. Gen. Aboud Stephen Thiongkol**  
Chief of Security Central Division

On 6 April 2020, Lual built more than 20 shops which triggered the problem on the 27<sup>th</sup>/4/2020.

On the 3<sup>rd</sup> June 2020, Lual went to Shirkat with 9 guards. Five (5) State govt cars were destroyed. *'The officer presented a report related to land grabbing in Shirkat by Lt Col. Lual Marine'*

**8) Name: Capt. Biong Deng Kuol**  
Abyei Independent Brigade

I came from Abyei because of sickness. I did not have money; so, I contacted Lual to give me a space to sleep. He gave me a responsibility to take care of cement store at Shirkat.

When the problem started, I was there and I witnessed everything. I was beaten too. On 2/6/2020, youths came and destroyed Lual's shop, these were Ajith, Malith, Majier and Sultan Mayen Dau. Lual closed the public toilet.

Lual came back on 3/6/2020 to the site based on the appointment initiated by Sultan Mayen Dau but found several youths seated at the scene. When they saw Lual Marine they all entered the compound armed with pangas and sticks. Majier started insulting Lual, who then asked Sultan Mayen: 'is this the way we are going to solve this issue'? Immediately, **Malith** came from behind and hit Lual on back head with **hammer** and **Majier** hit him on the forehead. They did not take any item/material from Lual after he fell down. Majier announced to his people that Lual is dead, and on hearing that his people dispersed. I took his pistol including grenade and phone.

Lual was taken to hospital. He came at 7am to the site. Before we took him to hospital, there was no gunshot, I heard that people were shot after we had already left. I do not know whether Lual had other business in Shirkat.

After the incident, Brig. Gen. Garang Akook, with group of people, attacked Lual's house in Shirkat.

### **DAY (3)**

**Date: 10/6/2020**

**9) Name: Maj. Juma Biliu Kuany, 56 yrs.**  
C.I.D

When I was at Gumbo, I asked: 'what is happening there'? Somebody answered that there was someone called Lual Marine who had a problem with some people there.

After he was beaten, ordered his guards to shoot. Upon hearing this, people ran. There was one old lady and another person. After all these Lual went into a car and left towards Juba. So many people came and destroyed Lual's shops and burnt 3 motor bikes. These crowd advanced towards Juba Bridge intending to go to Lual's house.

In the process, they started with slogan "down down Salva Kiir". When they reached Ministry of Telecommunications, they were dispersed by the police. The shooting only came from Lual's guards with AK47.

**10) Name: Martin Morris**  
Executive Director of former Rejaf County

I got information last March 2020 that Lual Marine built shops at the cemetery. We formed a committee that included legal adviser and I. We went to the site on 1/4/2020 and found Lual with his people building. The committee wrote a report regarding this and we submitted it to State level. So, the State Security Committee visited where Lual had built his shops; the resolution was to demolish those shops. And as a local government authority, we were waiting for demolition to take place.

On 2/6/2020, I heard from Chief Executive of former Rajaf County that there was a problem in this place between **Lual** and **Ajith** and that six (6) shops of Lual were destroyed. Then I concluded that security organ would submit a report.

There was a contract between the owner of the land (David Gore Faustino) and Bor bus park management represented by Ajith. I do not know the size of the cemetery, but we will report the details of the size later. It's hard to tell how many graves were destroyed because people burry even without registration. *'Secretary General of State Government, who was present in the meeting pointed out that a committee had been formed to investigate into the incident, which would render a report and it would be brought to the Committee'.*

**DAY (4)**

**Date: 11/6/2020**

STATEMENTS OF 14 PEOPLE UNDER ARREST IN POLICE CUSTODY AND 7 BODYGUARDS OF LT. COL LUAL MRINE INVOLVED IN THE INCIDENT AND BEING HELD BY MILITARY INTELLIGENCE UNIT IN THEIR DETENTION FACILITY

**11) Name: Paul Loge Wachai, 27 yrs.**  
Casual Worker, Gumbo

I was drinking alcohol with my colleagues in the morning. After that I told my friends I want to go to Konyokonyo for my daily work. I left via petrol station route. Immediately, I saw soldiers and one of them told me to run quickly towards him and they started beating me and I was asked to sit under the boot of their car.

I was alone; none of my friends came with me. I'm now 7days under arrest. I don't know Lual Marine. I was arrested behind the barbed wire fence. I saw soldiers wearing tiger div. uniforms and civilians running. I do not know why they were running.

**12) Name: Maker Gabriel Ayuel Riak, 28 yrs.**

Teacher, Brilliant Academy Jebel Lemon Sec. Sch.  
Gumbo

I always go to teach and also operate computer and work in a salon. One morning, I was asked by my customer to design cards. This was a Wednesday. At about 8:30 am, while on my way to Custom, I realized I had forgotten those cards so I had to go back but I delayed because my wife asked me to have tea. I took the bus heading to Gumbo Shirkat.

After Gumbo police, there was traffic jam at the Pacific Petrol Station. So, we asked the bus driver to get us back. Upon seeing the crowd, we had to alight and foot back. I met the police who told us to get to the police station, alleging that I'm among those making noise. I did not see the bus driver. I heard gunshots.

I was not aware of any demonstration before I could see the crowd. I come from Jonglei and have been here for one year and I do not belong to any organization in my community. I do not know any chief and I also do not know any grave yard, because I only wake up to my work; I have no business with other things around. I live with my cousin called Deng Ayuel.

My cousin did not tell me how he got his land, but I know how people acquire land. We were 7 in the bus; most were women and all ran including me but I was singled out by police. I have no idea about Lual Marine and I never heard of the fight that day.

The crowd I am talking about is those who gathered and stopped the bus from going to Shirkat. I know those arrested with me by faces because I have not met them anywhere before. I have never heard of land grabbing in Shirkat.

Previously, I was living in Uganda, but came here in 2012 straight to Jonglei. I only know the cemetery near Skyline near Jebel Lemon and I know Bor Park.

**13) Name: Stephen Chol Akuei Chol, 23 yrs**  
Student  
Resident of Shirkat (family house)

I was arrested on 3/6/2020 at 11am. I was going to bus park (Mahata Torit), but I found Police on the road who asked me to sit down. I sat and after a while, the police told me to enter the car. It was me alone. I have not heard anything about Lual Marine except when I was in cell/custody. I was told there was problem between Lual and Ajith. That day, I heard shooting when I was out of the house. I stay near Torit Bus park which is far from Bor Park. My father is a police officer in Buluk.

**14) Name: Anyieth Nguach Anyieth, 26yrs**  
Cattle Keeper, Lobonok  
Hometown – Anyidi, Bor

I came to Juba to visit my brother and buy medicine for my cattle. I slept at Shirkat in Erjok Majok's house near Garang Akook's house. I have been a cattle keeper since 2013. I came from the cattle camp and was arrested the following day.

I left the house 9 am and was arrested at about 9:30 am near Wunbur Petrol Station. I heard gun shots after I left the house. My brother came after 3 days in custody. I was not among those who demonstrated.

**DAY (5)**

**Date: 12/6/2020**

**15) Name: Kiir Deng Anyieth, 26 yrs.**  
Lives with a brother Deng Deng  
Hometown – Duk, Jonglei

I was arrested on Wednesday June 2020 about 11am-12pm by a guy in police uniform. In the morning of that day, I left Shirkat at 7:30 to meet female friend of mine named Adhiu Deng at Jebel. When I came from Jebel back to Shirkat together with Adhiu. I saw many people on the road. They were so many that I can't tell their numbers.

I have been in Shirkat about one year. At the time of my arrest, I saw people but I was not part of them. I have heard about Lual Marine. I do not own any land but I'm looking forward to owning one in Jebel Amianeen where several people want to get a piece of land. I know the grave yard in Shirkat. I was arrested because I heard that I have violated article 48 of the South Sudan Constitution. I heard about people who died in Shirkat.

**16) Name: Deng Gai Chol, 26 yrs.**  
Student  
Resident of Shirkat (lives with mother)  
Hometown – Twic, Jonglei

I have lived in Shirkat for 8 months and I was on the 3<sup>rd</sup> June 2020; I came to tea place to take shisha at 10 am. From the time, I heard Gunshots, and people started running; so, I left heading home near Gemtel. I asked my friend who was with me at the tea place whether he picked my phone and he said no. I came back to get my phone but did not find it. So, I left and came back again at 12 pm and this is where I met with the police who ordered me

to sit down. They later arrested me near Gemtel Tower. I heard gunshots around 10 am close to the park. I did not see any crowd of people. My friend was not arrested.

I did not know any of these guys in custody and I am not part of any youth in the area. I play basketball at Don Bosco. I have not heard about Lual Marine. I know of public toilet near Bor Park for Samir (Ethiopian).

- 17) Name: Yak Deu Aguer, 20 yrs**  
Resident of Shirkat (Uncle's house who is a Soldier)  
Hometown – Twic, Jonglei

I have been with my uncle for 3 months

I was in Konyokonyo for 2 days and when I went back, I found police who asked me to sit down and beat me and later took me to police station, but was beaten again at police station. I was not carrying anything in my hand. My residence from Bor Park is 30 minutes' walk.

That day, I heard gunshots and of some two people from Twic who died in Gumbo. I do not know Lual Marine. I know the cemetery near Bor Park.

- 18) Name: Malueth Bol Deng, 25yrs**  
Driver in Konyokonyo

I was arrested on 2/6/2020. I came from Bor and took my car for cleaning and slept in White Nile lodge. When I left the lodge, I heard gunshots and as I continued, I met the police, who asked me to sit down and arrested me. He did not inform me of reasons of my arrest. I do not have any other place in Shirkat where I can sleep. The vehicle belongs to Nyok. I do not know Lual Marine.

- 19) Name: Ayuel Geu Warbek, 17 yrs**  
Resident of Shirkat (Uncle Ayuel Warbek house)

I have been in Juba for 6 months. I woke up on 3 June to buy a spare part for my motor bike. On my way back to the house, I found the police on the way and took the spar part I had and arrested me. I went to Konyokonyo at 7am. My motorbike is in the garage. The house where I live is about 15 minutes' walk from Bor Park. I do not know Lual Marine.

**20) Name: Riak Bol Riak, 19 yrs**  
Senior (3) Student  
Resident of Shirkat (lives with Mother)  
Hometown – Duk, Jonglei

I was arrested on 3<sup>rd</sup> June when I was going back on bus to Gumbo from Konykonyo where I went to send some money. The police stopped the bus before the police office. I also heard the gunshots. They told me to sit down. I heard the gunshots. I do not know Lual Marine. I come from Jonglei.

**21) Name: Leek Deng Kon, 32 yrs**  
Unemployed  
Resident of New Site (lives with Ayen Mading)  
Hometown – Duk, Jonglei

Police got me in Shirkat, I came to shirkat for funeral on 1<sup>st</sup> June 2020. I got out of the house to where I sleep. The police found me on the road and beat me up. There were people demonstrating, but I did not join them. I left the house at 6 am.

I have been here since 2013. I don't know Lual Marine, but I heard about him.

**22) Name: Nyang Ayuen Aluk, 30 yrs.**  
Businessman – Gumbo Bridge

I took my 5 cows to the market at 11 pm and the police caught me at Wunbur petrol station. My shop sells Soda and water. It is not close to Bor park. I did not hear gunshots and I do not know why I am under arrest.

**23) Name: Bol Ajang Achuoth, 38 yrs**  
Student  
Resident of Shirkat (Lives with brother, Makuol Ajang Achuoth)

When I left home wanting to go to town to buy sim cards for my phone. On my way, I heard gunshots and wondered what it was. At this moment, the police came and arrested me.

I came to learn while in custody that the problem was between Lual Marine and other people from Bor.



**24) Name: Nul Atem Kuer, 20 yrs**  
Resident of Shirkat (lives with Deng Manyang)  
Home Town – Bor

I have been living in Juba for one year. I was in Uganda, Kiryandongo .I left Shirkat at 6 am to Konyokonyo to buy boot and while my way returning, I found a policeman who called and arrested me. I tried to inquire why he arrested me but ended up beating me. I know Bor Park, but did not hear of the incident. However, I heard the gunshots.

**DAY (6)**

**Date: 13/6/2020**

**25) Name: R/SM Peter Kur Agou, 37 yrs**  
M.I Operation  
Resident of Shirkat,  
Home town – Gogrial

I was arrested on 3/6/2020. I have been with Lual for 4 yrs.as his bodyguard. I stay in Lual's residence in Shirkat. I do anything for him; anything that he asked me to do I will do. When he got his residence, I was there. He put up a fence around his compound in 2015. Before he put the fence, there was nothing on the land.

On 2/6/2020, we came with Lual to the scene, there were more than 60 people who had removed the fence and Malith was with them. On the same day, Lual reported to the police what people did to his fence but there were no enough police force to solve the problem so were referred to Buluk police. Again, Lual was told to report to Nyakuron Police operations. There, they were given a force to go to Shirkat. We reached shirkat at 7pm, but found few of these people, most of them had dispersed and those few started throwing stones at the policemen. A police captain came but Lual asked police to go back with him because it was already late.

The following morning, Lual took his guards and told them to go back to Shirkat. We went and found Malith but the youth were already demolishing the remaining part of the fence. These youths possessed pangas and sticks. Malith told Lual you will not survive today. As lual engaged in talking to Malith, someone came from behind and hit him on the back head again he was hit on the forehead and fell on his back. We fired guns for defence. A car was brought to take Lual to hospital. 6 of us remained at the scene and one (Ngor) went with Lual.

We all possessed AK47. Names of the guards; **John Monybuny, Harun Mading, Donato Akook, Kon Deng, Kuech Ayii and me.** Six (6) of us shot. I came to know Lual in 2000. Before becoming Lual's guard, I was at Operation, then I asked permission to go home. By the time I came back, I found my name was not in the MI list of soldiers. So, I asked Lual to take me as his guard and he accepted. I do not get my salary; Lual gives me money in mid and end of the month. I shot on that day; I heard some people died but I did not see those people. I got the gun and bullets from Lual. I shot four bullets and my gun number is 696834.

I heard those who died come from Bor, I heard they hail from Bor. I have no idea about how Lual acquired the land. I also do not know whether Lual has documents for this land. Nobody ordered us to shoot, we decided to shoot because our big man was down.

**26) Name: Daniel Kon Deng Wol, 32yrs**  
3<sup>rd</sup> Infantry Division, Brigade 17 Wunyik,  
Gokmachar  
Hometown – Gogrial, Akon

I have been in Shirkat since 2019 and I live in Lual's house. We come from the same home town with him. I was in operation in 2014 and I did not have any chance to attend to my late brother. My brother's wife, too, was living in Lual's house at the time. I was arrested on 3/6/2020. On 3/6/2020, Lual came to Shirkat; there were many people present at the time. There was a problem between Lual and Malith. I was not there when Lual arrived at 7am. Malith came with several people, one of whom hit Lual with a stone on the side of his head.

During the fight, I did not see anybody dead; I heard that 3 people were dead. I normally get the gun from Lual when there is a mission. That day, I shot. Did you shoot that day? I shot during that incident. Kur Agou and I are staying in Lual's house. Lual has many houses in Shirkat; about ten houses. I shot 4 bullets and I had 30 in the magazine. My gun is AK47 No: 52333. I am not sure who of the six of us shot the first bullet, but we all shot.

I know houses of Lual. I get my salary from Div.3 and also get payment from Lual. Lual has 700 goals in Shirkat.

**27) Name: Sgt. Ngor Atem Deng, 36 yrs**  
Miliatry Police  
Resident of Shirkat since 2013  
Hometown – Aweil

One day, I went to Lual's residence in Shirkat and he asked me if I was a soldier or not, I said I was a soldier. Capt. Deng Nhial recommended me to Lual as his guard. I was not officially transferred as Lual's guard; it was a verbal communication.

What happened in Shirkat is that on 2/6/2020 Lual closed the toilet. Lual engaged on phone with someone who claimed to be the owner of the toilet; I do not know his name.

When we came in the following morning of 3/6/2020 at Shirkat, someone hit Lual from behind; another hit him on the forehead and another from the side. I have AK47 No: 580271 with 30 bullets. My gun is with MI. Lual had 2 pistols, one grenade and 2 other more arms. Lual has many houses, but I only know 3. Who has LG Gun Three of us have LG guns and the rest have different types.

**28) Name: Sgt. Harun Mading Mayen, 26 yrs**  
7<sup>th</sup> Infantry Division – Torit  
Resident of Shirkat (lives in Lual's House)  
Hometown – Rumbek

I was given permission to come to Juba for medication. Lual spoke to my boss Nhial to be part of his bodyguards, that's how I came to live with him.

On 2/6/2020, I heard these guys were demolishing Lual's fence. We went to report to police in Buluk and came back at 7pm, but no one. So, we went home. The following day Lual called me; I came with him to the scene and these youths dismantling fence. Lual asked them to stop what they were doing.

While Lual was talking to Malith, someone came and hit him on the forehead. I know the person who hit him but not by name. I shot 2 bullets, AK47 No: 2677, I have 3 magazines, 2 empty and one with 15 bullets. I have no idea when Lual put the fence. There are graves where Lual put the fence; the place is a cemetery.

**29) Name: Sgt. Donato Akook Garang, 30 yrs**  
Administration Battalion  
Rifle No. 31768  
Resident of Shirkat (Stays in Lual's House)  
Hometown – Warrap, Akon

Lual brought me from my village. On 2/6/2020, at 3pm, youths came and demolished Lual's fence; so, Lual went to report in Buluk Police. There were

no enough soldiers so the brigadier referred Lual to Nyakuron where he was given forces. We went back to Shirkat, but found nobody; so, we dispersed and came the following day. We found people armed with pangas and sticks. Lual told us to stay where the car was, there were 3 elders who engaged him in talks and then someone hit him on the head; he fell and those people ran.

I have a gun which was given to me by Lual. Lual has **18** houses.

**30) Name: Mabut Mading Mabut, 26 yrs**

M.I School

Rifle No. 76477

Resident of Gumbo Shirkat since 2017

Hometown – Cueibet

I met Lual in 2016 when we were under late Marial Nuor. This problem started on 2/6/2020, I came to see Lual at the time. I stayed with him till 1pm. These youths came and destroyed Lual's fence. He reported to Gumbo and Buluk police stations but was referred to Nyakuron joint operations. They gave him forces, when he went back to Shirkat, Lual didn't find anyone. So, they left. The following morning, I heard that Lual was beaten because I was not at the scene, so I took motorbike and went to Shirkat. I have a gun, but did not shoot that day. I got the gun from MI unit. I organize cars at petrol station that's what mainly connects me with Lual.

**31) Name: Sgt. Kuech Bol Mayuen Ngot, 23 yrs**

Administration Battalion

Resident of Shirkat since April (Stays in Lual's Shop)

Hometown – Apuk

I have been with Lual since 2019. I was with him at Thongpiny because he's my cousin. On 2/6/2020, I went to tea place, when I came back, there was a problem so I followed Lual who had already left to Gumbo police. There was no enough police force so we proceeded to Buluk and Nyakuron where we finally got enough force.

Upon arriving at Shirkat, we found nobody so we all left. We came back the following day 3/6/2020. Malith who came early to the scene told us that he doesn't have any problem with us but Lual will see today. A few minutes later, Lual showed up and was engaged in talks with Malith, a tall guy came and stood at the back for a while and hit him on the head with panga. It's the same person who beat him with a stick. I shot in the air. I had one full magazine, and I shot 2 bullets. Lual doesn't have an office. I get my salary from Bilpam

**DAY (7)**

**Date: 15/6/2020**

**32) Name: Capt. Michael Manyang**  
Police  
Resident of Shirkat

On 3/6/2020, I heard that those civilians are coming. In a short while, I heard voices nearing as if they were heading to Bor road. They were more than 200 people armed with sticks. They came and entered the telecommunications premises. They sang some songs while in the compound and on the road. Later, I heard gunshots. The road was filled with crowd of civilians. I was with some policemen at the county headquarters. I know Bor Park and the cemetery near the park. I heard there was a problem and heard gunshots in the morning. I know Lual Marine. The civilians entered my premises and broke windshields and windows of 5 vehicles.

**33) Name: 1<sup>st</sup> Lt. Aken Wek Madut, 32 yrs**  
M.I  
Hometown – Tonj North, Kongor

What happened was between Lual and some other people. The issue was about empty land where public toilet was built by Malith and his brother Deng Yol. Lual claimed this place to be his so he told Malith he's going to build shops, he put up 21 shops on one side and 8 on the other side. Lual closed public toilet which belongs to Malith and his brother.

On 4/3/2020 at 4pm ladies aligned to both parties quarreled, these were 3 ladies from Bhar el Ghazal versus 2 from Bor. There were minor injuries. I came and told them not to fight over the issue, and that I will report to SG of county, the SG went to the site and he said that Lual has built shops and they should be destroyed. He came back to the office; all county and state authorities did not go back again. The problem started again on 2/6/2020, Malith Yol and Deng Yol attacked Lual at that place and Head of Bor park was part and Ajith Kuot. Lual went with his soldiers to police to report what has happened between him and those mentioned above. Lual was injured on his wrist by Ajith Kuot. I called sector commander Brig. John Uyual. Uyual said I'm tired of Lual's act of land grabbing. Let them solve it whatever means they wish. I gave the phone to Niaba Uyual repeated same statement. I went to Lual and told him to go home and he left.

When I went to the site, I found more than 50 people of both sexes destroying what Lual has built. On 3/6/2020, Lual left his house straight to the site, when he was there, he found several people waiting armed with pangas and sticks. As Lual was talking to Sultan Deng Dau, those other

people surrounded him. Malith Yol hit Lual at the back, when Lual turned to see who hit him, Ajith hit him on the front head, he fell at the back and hit his back head on the lying stone. Sultan said what are you still doing yet you have killed the person. They dispersed but moved towards Lual's house and burnt it down to ashes. They also took his goats. Before they left, his guards opened fire. MI operation came and took Lual's guards.

**Deaths:** Magot Arok Maketh, Agau Chol Malual , Jok Thokbor and Deng Thon Deng was shot at payam.

**Injured:** Anyieth Panchol Anyieth, Deng Garang Reech, Deng Yol Deng and Akol Nhom Mabor.

I have been in Gumbo Shirkat for 1 yr. and 6 months. I know one house for Lual and this same place that has caused problem. None of the organized forces came because the sector commander did not give orders.

There are organized committees of Sultans who sell land in Shirkat. These include soldiers and civilians. Our work is to report any problem to the higher authority and if they don't act, we have nothing to do.

After they burnt Lual's house, they started demonstrating with slogan "Kiir Must Go". When they reached payam, the sector commander arrived and told him this's what I reported to you yesterday. they entered the compound and broke 5 cars and destroyed computer, they also took a phone that was in charging. David's (MI) car windshield was broken. So, he made a U-turn and went back. There, one person called Garang Akook said he would talk to them.

**34) Name: Philip Anyang Alier**  
Artillery  
Resident of Shirkat

On 3/6/2020, I was at ministry of telecommunications, in the premises. The demonstrators came in large numbers, so I ran and closed the entry gate. They came to the premises, I told them to leave the compound and they left. They did not break or take anything from the ministry. It's the astray bullet that broke the window.

**35) Name: John Garang Tiop, 46 yrs**  
Grade (4) Ambassador  
Resident of Shirkat

I came to know Lual Marine here in Juba. One day, I saw him putting up shops in the cemetery, I told him to stop what he was doing but he did not agree with my advice. He later closed the public toilet were a lot of people

ease themselves, including myself. Kuot (the Bor park chairman) organized a meeting in which I was invited to be part of. On that day of the incident, I heard gunshot and came to see what it was, I found dead people on the ground

**DAY (9)**

**Date: 17/6/2020**

**36) Name: Maj. Gen. Majier Deng Kur, 61 yrs**  
Director of JBVMM/JVMM  
Resident of Giyada

We were in the office with Gen. Jok. I told Gen. Riny that there was a problem in Shirkat that needed to be addressed and he said he was aware. We went to Shirkat but my car broke down. So, we walked and when we reached Wunbur petrol station, we asked Gen. Riny to remain in Wunbur and we continued to the scene of the incident. While there, the civilians were furious and hostile, saying they wanted justice.

The protestors claimed that those who killed our people were not arrested but Gen. Riny had already told us that the culprits were under arrest. They said they wanted to witness their arrest, so they went along with me and confirmed that they were arrested. I was there to rescue the situation, but the situation turned against me. The family of the late wrote something against me and the document is here. Garang Akook joined us later. I know 3 youth leaders Majur Achol, Ajang Diing and Jima Arok Maketh who went with us to MI custody.

**37) Name: Maj. Gen. Garang Akook Adut, 66 yrs**  
Resident of Shirkat

About the Shirkat incident, in fact I have lived in Shirkat since I was placed in the reserve list of SSPDF. I solve problems in Shirkat. On 2/6/2020, I was told someone by name Lual Marine has a problem with some people. The morning of the incident, I went to Bilnyang but I was called that Lual shot people in the same area people fought yesterday. I came and found civilians have already filled the streets, demonstrating. I saw they burnt a motorbike. It happened when I was away at Bilnyang so I have no connection with the incident.

Arol Gau Arol (Greater Bahr el Ghazal) and Kuol Kuan (Greater Bor) are the chiefs in Shirkat. I am not a Sultan in Shirkat, Garang Mach is another Sultan who solves minor problems amongst Bor people. We were given a land to settle in from small bridge on Bor road by the county.

In 2008, Shirkat was a bush and I came and cleared it, but people came and settled. Both Lual and the owner of the toilet built in the cemetery and I told them that they had done something bad. I was not around when Lual's house was burnt, I was at Bilnyang.

**38) Name: Brig. Gen. John Wiyual Koc, 51 yrs**  
Tiger Division  
Resident of Tongpiny

The time I went to Shirkat, I was the sector commander so my soldiers were there deployed. On 2/6/2020 at 4pm, there was a problem between Lual Marine and Ajith who is responsible for Bor Park. I sent Capt. Manyang. On the following day, I was on my way to Shirkat and at Kator, I was informed about the issue.

By the time I arrived, I found that Lual was not in a position to be arrested as I was instructed. So, he was taken to hospital. There, I was with Gen. Azuma and by the time we reached Wunbur, Garang Akook told us to stop and said he would go and talk to those civilians. Was there any problem before this incident? No report came to my office of any problem before.

On 2<sup>nd</sup> June 2020, after Lual built shops at Bor park, I told him not to go back to that place. This was after the evening fight of 2/6/2020. Maj. Machol, Ayuel, capt. Manyang and Ayuel's guards were together when this soldier shot Manyang.

I cannot talk about land grabbing now because I was summoned to explain about the incident on 2 and 3/6/2020.

**DAY (10)**

**Date: 18/6/2020**

**39) Name: Akol Anyai Mabior, 54 yrs**  
Resident of Shirkat (In Chol Anyai's house)

I was a soldier in Koriom 2 and I quit in 1992. On 3/6/2020, the bullet hit me in my stomach while taking tea. I do not know where the bullet came from nor do I know who shot me. I went to Giada hospital.

**40) Name: Ajith Jok Yoor Leek, 34 yrs**  
Businessman in Shirkat  
Resident of Shirkat since 2010



On 2/6/2020, I went to open my public toilet, which Lual closed for 4 months. When I arrived, I opened it for the public to use and get some money from it. Lual came from behind me and caught me so I turned and caught him too by his shirt collar. We ended fighting that evening around 3 pm. He left with his guards and I continued removing the fence he had put up. I left for a short while and when I came back, I found Lual with several other soldiers he deployed and arrested some of them. Lual did not leave that evening, he closed again what I had cleared earlier. Kuot Gai called Majier Abdalla who, in turn, called Lual's brother Akot Lual. Akot Lual talked to Lual to release 3 people whom he arrested.

On the following day, I woke up knowing that my problem with Lual ended yesterday. I came with the intention to clean my place, I saw several people, including himself. When he saw me, he called my name and say you have come? He asked his guards to cork their guns. I ran because his guards started shooting.

I came back and found he had killed people. I do not know who hit Lual's head. I do not have papers for the land on which I have built the public toilet. I pay Bor Park chairman who pays the owner of the land. I have owned the toilet since September 2014. Many people came with me to the toilet, may be 10 people.

Current Chairman of Bor Park, Kuot Gai Kuot gave me the land and I rented the toilet to an Ethiopian who has been running it for one year and he pays SSP 100,000. This problem started in March 2020, Lual built Shops in the cemetery. I reported to MI and my elders, Abuoi Akech and Guet Guet Arek. I continued and reported to the Shirkat Sultan Arol Gau. I also reported to Majier Abdalla. Majier asked Lual why he closed the public toilet, he said he would open it. He brought people to clean for his interest. I called I Akot Lual but the whole effort failed. The Bor park management formed a committee to solve the problem but nothing worked. I reported to former CDF on 24 April 2020. CDF on 29 April 2020 wrote to A/CDF Santino Deng Wol who again wrote to CMI on 30 April 2020. I followed it to CMI office and the office manager verbally told me that they have called Lual to leave the place. Malith Yol is my cousin, but I did not see him on 2<sup>nd</sup> and 3<sup>rd</sup> June 2020. Building of the toilet cost SSP 8 million. When I removed the fence, I was with some other people who use that toilet. I do not remember their faces. I Know Deng Yol, he's my cousin, a brother to Malith.

On 8 April 2020, I came from Bor, I approached Lual while they were there. Malith contributed to our talk, but they ended up quarrelling because Lual is a violent person. The toilet is not built in in the cemetery, but close to it. Lual shot at me with his pistol and soldiers started shooting too. I did not see a hit on Lual's head, I saw it on social media was at home when Lual's house was burnt and I did not participate in the demonstration.

**41) Name: 1<sup>st</sup> Lt. Malith Yol Deng, 44 yrs.**  
Wounded Heroes  
Resident of Juba (2), Shirkat

On 3/6/2020, the owner of the toilet, Ajith, called me at 6 am that he opened his toilet yesterday. I found him at the toilet armed with pangas and sticks. I asked them why they were armed, "why do you asked", they replied. I also found two armed soldiers near that area. four other soldiers sat far. I went to urinate at cemetery that's when I heard gunshot. I did not know what happened there.

On 15/4/2020, Ajith and I met with Lual. Ajith is my cousin. I quarreled with Lual on 2/5/ 2020, when he put up his fence while Ajith was in Bor. Two days later, I opened a case with Payam county and State authorities. We also reported to police and to the owner of the Land Wani, who subsequently reported to payam, county and State. I called Majier and told him what Lual was doing because he had already put toilet in his use. I asked Ajith what we can do about this. Ajith said let's wait for the response from the authorities.

On 3/6/2020, I come prepared to fight him, I was armed with spear and stick. I did not see anything in Ajith's hand.

Agok Deng Arek was hit on the head. I did not see him Deng Yol, but I later learned that he was hit by bullet on his foot and hand.

**42) Name: Sultan Mayen Dau Deng, 52 yrs**  
Resident of Shirkat

Arol and I are sultans of A-court since 2008. We solve problems among people if any arises. I was summoned yesterday, and I'm here to listen as to why you summoned me. tell us what you know about incident in Shirkat. Sultan Deng Dau Deng is in B-court. I was at home when I heard gunshots.

**DAY (11)**

**Date: 19/6/2020**

**43) Name: Deng Yol Deng, 29yrs**  
Teacher in Bor  
Resident of Juba (2), Shirkat with brother (Malith Yol)

I came from Bor to Juba on 12/5/2020 to look for a job with Rhino company. They told me there were no vacancies maybe I could wait till July. While here

in Juba, the head teacher called me that I should come back and give the document that contains girls' names.

I wanted to travel on 3/6/2020. While in the park, I heard gunshots and was shot on my ankle and finger. I came to the park at 7:40am and shot at 8am. I did not meet my brother Malith that morning. I do not know who shot me. Ajith is my cousin. I was not aware of about the problem between Malith and Lual Marine. I do not know the location of cemetery and public toilet because I left Juba when Bor Park was not there.

**44) Name: John Deng Garang Reech, 45yrs**  
Trader in Shirkat  
Resident of Shirkat

When the problem started, I was quite far from the scene in my shop. So, I closed the shop but since there were several gunshots and was hit on my right foot, I ran through Nile Pet building. My items are all okay. I do not know why that shooting happened because I am 2months here. My shop is about 30 meters away from the toilet. I was shot at 8:30 am and by 8:35 am, I had already vacated the area. I know Lual; when he built his shops, I was interested to rent those shops near Nile Pet. I don't know Ajith or anything related to toilet.

**45) Name: Mariak Maluk Bol, 20yrs**  
Student of City View School, Shirkat  
Resident of Highland, Shirkat  
Hometown – Duk, Bor

On 3/6/2020, I woke up and came to my work place in Bor bus park around 7am. I was taking tea at the workplace. When this shooting erupted, I tried to get my speaker inside but I was shot twice on my left leg. Someone took me to hospital (JTH) but the doctors refused to admit me; so. I called my uncle. He came and took me to Lou Clinic. I have worked in the center since 2016. I know the public toilet, but I do not know the owner, it is close to the cemetery.

I know Lual Marine; I heard about him that he beat certain lady in 2018.

**46) Name: Kuot Gai Kuot, 50yrs**  
Chairman of Bor Bus Park  
Resident of Shirkat since 2014

Lodule is the owner of the land of Bor bus park, though his brother David Gore Faustino signed the documents of the contract. Rent was at 18,000 SSP and now at 45,000 SSP. the Toilet is on the same land where Bor park is. Akot Lual, Majier Abdalla Mabior and I asked both parties to solve this issue the following day 10 am 3/6/2020. This was initiated by Majier Abdalla Mabior. Instead the problem erupted before this hour.

When Lual's fence was demolished, I heard he went and reported to the police. I do not know who burnt his house, but I heard there was a demonstration. Machuei was shot and he went to Bor and came back when I asked his relatives to bring him.

Piot Deng Agok and Majok Benypiny, the colleagues to Lual still come to the park armed with pistol. Size of the plot is 118mx80m.

## **DAY (12)**

**Date: 22/6/2020**

**47) Name: Brig. Gen. Majier Abdalla Mabior, 48yrs**  
South Sudan Embassy, Kampala, Uganda  
Currently Residing at Panaroma Hotel

During the lockdown I have been in Juba and made use of it. I have a piece of land that I am constructing since March. It is a routine that I go to Jebel Lemon to supervise the land. While I was there, I heard that there was a problem in Shirkat. People always mention Lual's name who's my maternal uncle. One day I spoke to Garang Deng Aguer and Akot Lual Areech to speak to Lual, but instead, both told me to speak to Lual because he respects me.

I spent one week before talking to Lual. On 12/5/2020, a group of 4 people came to me to report that Ajith Jok yoor, Kuot Gai Kuot and 2 others came and said that there was an issue between Lual and Ajith. They said that Ajith owns a public toilet the entry to which Lual had blocked. On the same day I called Lual and put the phone on loud speaker. He said he was in town and he would get back to me and he called later at 5:10pm. I asked him to also meet with Ajith, Kuot and others for discussion.

When they met, Ajith started the talk by urging Lual to open a way to Cesspool. Lual said he wanted the key for the toilet and I got the key from Ajith and gave it to Lual. Lual said he would not open the side of the fence Ajith wanted which Ajith did not like. Lual said he would solve the problem after 2 days but did not till Ajith complained on the 21/5/2020. I asked Ajith to be patient.

Ajith again called on 27 but was a missed call. On the 1/6/2020, Lual called and said Ajith had called earlier today and insulted me. I called Ajith but his

number didn't go through. Lual called the following day and said Ajith had demolished his fence at 8:50Am. I later called Ajith at 9:26am and asked him why he had demolished Lual's fence yet this was to be solved amicably. Ajith said he had waited enough but Lual didn't want this problem to be solved. **"In fact, I wanted to fight Lual if it means death, I am ready"**.

At 17:32pm, Ajith called and said Lual came with his guards and beat people. I called Lual but did not pick my call. I called Akot Lual immediately and told him about what Lual's guards had done that day. Akot called Lual and asked if his soldiers had beaten people and he said, instead, that those people had looted and destroyed his shops. Akot Lual initiated that we should meet the following day, 3/6/2020 at 10am. I called Kuot Gai and told him about the meeting scheduled for the said date.

The following day at 9:12am, Kuot Gai called and said there is a problem and someone has been shot in the hand. I immediately called Achiech Kuot and told him that there was a problem in Shirkat that needed to be solved before it escalates but he said: "Lual is from MI so inform anybody from MI". I called Maj. Gen. Tut Jok, Director for MI administration.

In short, while Kuot called and said "you need to save the situation", 2 people were shot dead. I told Akot that I was coming. I came to MI and asked them to give me one guard. So, I went to the park and the situation was hostile. They even told me to leave, so I had to leave and headed to Garang Akook's house. All this I was with Majur (the Bor youth leader). At Wunbur, former CDF Jok Riak, Gen. Malual Majok, Kulang Mayen, Majier Deng Kur, Bior Ajang Duot, Duot Ajang Duot and Professor Ajuoi Magot (Bor County chairman) were present. Someone came and said that 3 kids in Lual's house were killed. So, we left to confirm this information at Lual's house and we found the information was false.

When we came back, the people said they wanted to see if those culprits were arrested in MI custody. So, we told them to choose representatives and they chose 2 people while demonstration was on. Someone told me these demonstrators wanted to attack me so I had to enter the Nile Pet building. Later I left the place till then, I don't have any information I can provide. I heard that this issue was reported to former CDF, who in turn forwarded it to current CMI.

Regarding how I got the land, all what I know is that there are only few places with proper documents but you can excuse me, I don't need to answer questions regarding land. I saw Lual's house burnt but I do not know who burnt it.

**48) Name: Lt. Col. Arol Dau Arol, 47yrs**  
Air Defence

## Sultan/Chairman of Shirkat Suburb

We started settlement in Shirkat in 2005 with only 4 military units which were Joint Integrated unit, Air Defense, Artillery and Armory. There was no system of settlement until 2013. In 2014, we formed a committee to organize election. The community chose me to run for this position, this was Deng Madhang Kuach who spoke to me, so I contested and won the election by 3750 votes. Till now, I am still the overall chairman in Shirkat.

On the day of the incident, I was at Hai kasafa near Kator. Brig. Gen Uywal called me at 8am but I was in bathroom. When I came out, I found his miscall; I called him and he said there was a problem in Shirkat. I went but I was stopped not to go because the situation was bad. They were armed with guns, sticks and machetes. I came back with MI since those demonstrators were hostile.

In April, Kuot Gai Kuot reported a case that Lual had closed the route to toilet and there was no way cesspool could be emptied. I called Gen. Akot Lual and told him that Lual had closed someone's route to the toilet. I do not know Mayen Dau. In 2017 April, Garang Akook toppled me and formed greater Bor and greater BG.

- 49) Name: Jacob George Ladu, 44yrs**  
D/Executive Chief Gumbo Boma (Sub-Chief)  
A Community Leader and a Builder

Pitia Mordo, Rajaf county, is my leader. I am the representative of David Gore Faustino. Total size of the land, 115x 284=32660 sqm First Class, Tokiman East on which Bor Park ,115x60=6,900 sqm is situated. One day, Lual asked me to give the grave yard but I said it is for the government and I don't have authority over it.

When Lual leveled the grave yard, he was with another captain from the army. I reported to Payam authority and then payam authority reported to State level. Lual closed the fence that included cesspool. There was no way to empty full septic tank of the toilet belonging to Ajith, which led to dispute between him and Lual.

We have 8 different tribes living in Gumbo. To my understanding, the land in Shirkat Tokiman East payam is registered in the names of indigenous families.

- 50) Name: Sultan Deng Dau Deng, 53yrs**  
Sultan 'B' Court  
Resident of Shirkat

I have been 3 months in B-court and I worked in A-court since 2018. I have been in Shirkat since 2014. My office is near Juba Stadium. What I saw in Shirkat is that Lual built shops in the cemetery and closed the route to the public toilet belonging to someone. This happened about one month ago.

When the problem started, I left my house going to office, I heard that Lual killed people and were taken to hospital. on my way, I found people crying because they lost their relatives. Sultan Magot was killed in this fight. Our court is under Kator.

**DAY (13)**

**Date: 23/6/2020**

**51) Name: Anyieth Maker Anyieth, 23yrs**  
Student of Don Bosco Vocational School  
Resident of Shirkat since 2011

When the problem started, I was at my phone charging place near Bor Park. I was going to the park to buy airtime; near park. I was shot on my right hand at 8am. I ran with others and I gave my keys to Nhial Panchol. I was first taken to MCC in Shirkat for first aid and later transferred to Giada hospital at 2pm. I was again referred to MCC clinic for treatment. They prescribed 5 antibiotic injections. Nevertheless, I did x-ray at Mobil and the results revealed there is a broken bone. I sought for local healer who is a bone expert. I did not know root cause of the problem. I do not know Ajith.

**52) Name: 1<sup>st</sup> Lt. Thon Deng Duot, 38yrs**  
Prisons Officer  
Resident of Shirkat

I left my house around 7:30 am to the park wanting to travel to Bor for wedding. At about 8:30am, I heard gunshots and I was shot on my right hand. I went to clinic and then later the same day, I traveled to Bor because the injury was not serious.

While in Bor, I went to police to take form 8 and went to certain clinic, but I did not undergo any treatment. I came back home to Juba on 11/6/2020 where I had treatment. I do not know what caused the problem. I know the cemetery.

**53) Name: Pvt. Luka Mayen Guet, 31yrs**  
Tiger Division – Gorom Training Center

Resident of Gumbo

I was in training in Gorom and given permission to visit my family on 26/5/2020. I did not come with gun, I stayed for 4 days before the incident. On the day of the incident, one Capt. told me to stay in the Tiger unit and another Brig. Gen told us to go to the scene.

We went and these people were hostile and we could not manage till military police came. We went for curfew at night and I have no idea how my gun corked itself, I was seated with the captain on my right. Someone told us to leave. I unintentionally triggered the gun that shot Capt. Manyang. I did not injure anybody else. Before all this, I heard that Lual Marine had a problem with other people. Did you meet Lual before? I met Lual before; he came to Akol Yak and I and said he wanted to go to solve the problem that happened in the evening before the date of the incident. Sometimes Lual would ask me to do some work for him as a bodyguard. I am from Tonj. Lual is now dead and I heard it while in custody. I did not have any problem with captain Manyang before. Someone from Tiger Div told us that you shot Manyang because you can't find those you can revenge, is it true? I didn't say that I shot captain Manyang because I could not find anybody so that I could revenge Lual.

**54) Name: Maj. Machol Yol Ajak, 62yrs**  
Tiger Division, Joint Ops Shirkat  
Resident of Gudele

I am the head of the joint operations in Shirkat. That day, I was in Gumbo Radio station and was called that there was a problem. I called my soldiers and we went to the scene to control the situation, but found it difficult because those civilians were hostile. They had already barricaded the road. Nobody was going or coming; they controlled the road. Brig. Uywal and I discussed what to do because there were few soldiers. Uywal told me to organize those who were present and that they would be picked by a pickup.

It was 10pm when someone called and said captain Manyang was shot dead. I asked how this could be allowed to happen. I told them to fire squad on spot. Nobody agreed to my orders. I am under custody because I am the Major of the operations. Maj. Ayuel Cyer and Maker were together with captain Manyang at the time he was shot. I know Lual Marine. I do not know who gave. The gun was given to Luka Mayen by Captain Lony Ruot present at the military camp.

**DAY (14)**

**Date: 24/6/2020**



**55) Name: Sultan Monydeeng Akook Wol, 34yrs**  
Executive Chief – Kuajok, Warrap  
Younger brother to Lt. Col. Lual Akook Wol  
Resident of Tongpiny

On 2/6/2020, Lual called me and said his items in the shops were stolen; bags of cement and iron sheets. He added the actors were Ajith and Malith who claimed public toilet next to the cemetery. So, Sultan Mayen Dau said he will solve the problem between both parties and Akot Lual would also be part in solving the issue. Akot Lual called Majier Abdalla to come and solve the problem. On the same morning, Majier called Akot and said "the issue is now bigger we can't manage it so stay home". A while later I was called that my brother was beaten. I kept checking on him through captain who was with him because he wasn't picking his phone. he was taken to Giada hospital but some people followed him and he had to be taken to Ayii hospital. At this time, I called Ngor and asked whether Lual was dead or still breathing, he said his situation was bad.

By 1pm of the same day, I came to Juba. In his house in Shirkat, there are many people who live with him. People came and burnt Lual's house. Garang Akook was present at the scene. He shot 3 bullets in the air and said "you guys have done something good by killing and burning Lual's house". When I arrived at 4pm he was at Aspen hospital. I talked to police to vacate. The 20 people who were in Shirkat house were brought to the house in Thongpiny. At 8:50PM, Lual died. I took the body to Giada Hospital same night. At that time after I left, some people came and said they wanted to take the body but I was not told their names. On Saturday, I went to police to report but they do not work on Saturdays. So, I went to police on Monday to report. Post mortem was done and the results indicated that he was hit on the head 3 times by Malith and Ajith.

When they hit him on the head, he fell and he did not remove any arm he had. I live here most of the time because I have a house here. He got this land in 2010. Apugic knows better how he got it; the cost of this land was 5,000 SSP each piece and there are 10 plots put together. I know other land for him but not all of them. I wrote a statement in the press. Akook Deng witnessed everything that happened in the house because he stays with Lual's family in Shirkat.

**56) Name: Sgt. Peter Paulino Ladu, 28yrs**  
Police Forensics  
Resident of Kator

I heard that there was a problem in Shirkat, Gumbo. We went by 2 cars to Gumbo at 12pm. We found there was a demonstration on the road. As the driver reversed, I was hit on the right side of the head by glass bottle. I do not know who hit me till now. I was admitted and given treatment at JTH and later transferred to Ayii hospital for surgery. The doctor said there is internal bleeding.

**DAY (15)**

**Date: 25/6/2020**

**VISIT TO RAJAF COUNTY HEADQUARTERS, JEBEL AMIANIN, THE CEMETERY AND LT. COL. LUAL AKOOK'S HOUSE**

**57) Name: Mr. Francis Luwala**  
Secretary General, CES Government

Your Excellency the Hon. Minister, members of the committee, you're are all welcome to Rajaf county headquarters. I received information yesterday that you'll visit us to get briefings as you mentioned above. The incident that happened was unexpected one. We received information from several sources about what happened.

Rajaf has a lot of problems especially land grabbing. The former governor tried to address this but now it's at its worse. We have written letters to national government, including IGP. Most of these land grabbers are associated with army personnel. I am happy that you are here today to listen to some of these issues. The area near grave yard is grabbed and built on. This is one ethnic group who is Bor community. We have suggested for demolition to be done, especially where people have grabbed lands. In regards to the question you asked during your first visit, we could not find the exact number of people buried there in that particular cemetery. According to our report, what happened has nothing to do with two communities of Bor and BG; rather, it was a misunderstanding between Lual and that who runs the toilet. We have at our capacity reported to former CDF and IGP and the IGP wrote that Lual is from the army so the only solution is to stop land grabbing.

One thing I need to bring to your attention is that sector commanders face challenges from senior commanders who are part of this act of land grabbing. So, they undermine efforts of junior sector commanders. IGP has cooperatively worked with us in this regard.

**58) Name: Mr. Martin Morris Gore**  
Executive Director, former Rejaf County

Tokiman west/east Payams, Logo and Kansuk Payams constitute former Rajaf. These 4 payams have their administration at all levels. This issue of land grabbing is something that started earlier and it is ongoing even as we talk. **Maker** is one of those involved in land grabbing. Chiefs are also part and parcel of this act.

In March, I got a report that Lual had built shops in the cemetery. Again, I got similar report on 2/4/2020 that he has built 18 shops. I reported to SG the issue. We went to Jebel Amianeen and we witnessed similar situation of land grabbing. We suggested that demolition should be done.

On 2/6/2020, Payam director called me that Lual and toilet owner at Bus Park had a problem and Lual was beaten and his shops were destroyed. And that he went to police to take form 8 and proceeded to hospital. The following day, I was called again that yesterday's problem had resulted into fight and shooting. I went and there, I found Gen. Azuma Mangar, we talked to them to calm down, but the situation was alarming, so we came back to the HQs. In a short while, several people followed us armed with sticks. They entered these premises and broke cars' wind shields and windows of offices. Bor Park, size 75x224m=32660sqm, belongs to David Gore Faustino who leased it to Kuot Gai Kuot on 5<sup>th</sup>/9/2019. Ajith rented a piece of land next to the cemetery where he built his public toilet.

The relationship between Bus Park and the local authority is that local authorities organize transport system in the area and also the bus park gives taxes to local authority, and local authorities keep law and order.

**59) Name: Joseph Loro Tombek**  
Director of Tokiman East Payam

I have a report that Lual has built 24 shops and I forwarded this report to higher authority. We report to higher authority if the case is not something we can solve. I recommended Garang in B-court to solve petty issues within the community. There are 13 demarcated areas in Gumbo sub-divided into classes.

**60) Name: John Garang Mach**  
Community Leader in Gumbo – Bor Community

What happened in Shirkat was abrupt, I heard gunshots and when I came, I found Lual had already left and dead bodies on the ground. Lual closed entry to public toilet belonging to Ajith; I do not know other names of Lual, I only know him as Lual Marine. I found Magot near Bor bus Park. My office is near to park.

**61) Name: Elijah Biar**  
Community Leader in Gumbo – Bor Community

By the time this problem erupted, I was in Jebel Lemon. Someone called me and said there was a fight that had claimed lives of people. The problem of this country is that it does not operate on what is in the law.

**62) Name: John Acuoth Arop**  
Community Leader in Gumbo – Bahr el Ghazal Community

The problem that happened between Lual and the owner of the public toilet is something most do not know; it was only between the two. For some of us who live here in Shirkat, we were settled by government under 4 army units, these include Air defense, armory, JIU and artillery.

**63) Name: Ayong Dut Kiir**  
Community Leader in Gumbo – Bahr el Ghazal Community

When the problem happened, I was not in the area, I later heard about it. What I can say is the government of this Republic works hard to bring strong decision on land policy so that people do not clash in land ownership.

**64) Name: Hassan Moga**  
Community Leader in Gumbo – Bari Community

I heard the gunshot and I did not bother what it was until I learned later that it claimed lives of people. This issue of land grabbing is something rampant in this suburb of Juba especially Gumbo. The government needs to intervene in this issue; we must respect local communities and their land. We as Bari community have no problem with anybody or anything related to tribalism.

**65) Name: Marino Pitia Marcelino**  
Head Chief (Bari)

I am the Sultan in Rajaf County. We don't have a hand in what has happened. On 3/6/2020, I came here to headquarters but all I heard was gunshots and did not bother. In the early years, Joint Integrated Unit was given land in Gumbo, they later took ownership. This land grabbing issue should be addressed by the government.

### **AT JEBEL AMIANEEN**

Land grabbing activities were conspicuously seen as there were excavators and a military pickup vehicle parked nearby.

### **CEMETERY**

Sketch map of toilet entry was drawn. Traces of zinc shops destroyed seen on the ground with part of the cemetery where shops were constructed leveled.

### **LUAL'S HOUSE**

There are 5 houses in the compound burnt. Land size: 220x100=22,000 sqm

## **DAY (16)**

**Date: 26/6/2020**

**66) Name: Akook Deng Geng, 30yrs**  
Soldier in Bilpam  
Resident in Shirkat

Lual requested me from the Administration and I have been with him for 4yrs. I was there during the problem between Lual and Ajith.

On 2/6/2020, Lual came home and went to the market where his shops are and I went with him. He parked his car and went to his shops. At the shop, Malith, Majier Abdalla, Garang Akook, Magot and Mayen were present. Malith had a stick in his hand. Lual told Malith to stop destroying his shop. Malith rather slapped Lual on the face and those who were present all ran to the park. I was beaten too. So Lual took me to nearby clinic. Lual then went to police to report the case. At about 8:00am, the following morning, I came to the same clinic that had put me on drip the other day. I heard gunshots while on drip, someone told me they killed Lual so I removed the drip and went to the scene and back home but found number of people led by Garang Akook in the compound. He took his guard's gun and shot three bullets in the air as sign of victory. These people also took money 15 million SSP and 100,000 USD and 2,010 goats, 4000 bags of cement, 5 drums of fuel. They took

500,000 SSP in my room. The protesters were carrying text "Kiir must go". I have known Garang Akook for 4yrs. Keys of the metallic box where Lual kept his money were with Lual.

#### **IV. FACTS & ANALYSIS**

The land dispute that flared into crisis began as an individual dispute involving certain AJITH JOOK YOR, a civilian who constructed and operated a public toilet in the vicinity, and Lt. Col LUAL AKOK WOL (popularly referred to as LUAL MARINE). The latter was an SSPDF military officer in (M.I.) Unit who randomly chose a piece of land to erect two rows of iron-sheets shops next to Ajith's already existing public toilet. Ajith's facility was built in the compound of Bor Bus Station referred to as 'Bor Bus Park'. The land on which this dispute happened is allotted to and registered in the name of Mr. DAVID GORE FAUSTINO at Tokeman East Payam. The landlord then leased his property to the management of Bor Bus Park. The management sub-leased a limited space in the compound to Ajith to construct a toilet for public use. But part of the land was used for burial over the time. Eventually, the local authority marked the graveyard then fenced and closed down that limited area. The same local authorities had promised to compensate the landlord for that lost piece of land which was part of his registered property.

At a later stage, Lual Marine came in to the area and raised his construction on the closed graveyard. The fence that he drew around his shops was extended to

enclose part of the toilet's driveway reserved for sewage-tanks (vehicles) to occasionally empty the septic pit. The fence extension therefore put the public toilet out of use and halted Ajith's business completely. Ajith failed to persuade Lual Marine to remove his fence from the toilet building and the obstruction continued for a couple of months. The toilet's owner complained in writing against Lual Marine taking his petitions to the local authority and SSPDF HQs.

The local authority took note of that complaint and proceeded to form an investigation committee to visit the area. The committee inspected the site on 01/4/2020. It then made the recommended that Lual Marine's ongoing unauthorized construction should cease and the erected structures to be removed. Instead, the recommendation was not heeded or implemented. The shops construction on the graveyard continued unabated

On 2<sup>nd</sup> June 2020, Lual Marine arrived to his shops to find that Ajith had mobilized many people and all were busy pulling down the shops and fence using hand-tools. Lual Marine and Ajith were then engaged in a heated argument and Lual Marine was quoted to have been physically assaulted by the mentioned group. He therefore proceeded to the nearby Rajaf Police Station to report the incident against three specific individuals namely Ajith, Malith Yol and Deng Yol. He secured a warrant of arrest that was issued against those three individuals. But the arrest could not be carried out on the same day, because it was late in the evening and the crowd, including the three suspects, had already scattered and left the scene before the police arrived with the arrest warrant.

On 3<sup>rd</sup> June 2020, Lual Marine left from his house in Juba town and proceeded to Gumbo/Shirkat early in the morning. He was accompanied in the short trip by his six body-guards. It was later mentioned in the hearings that Lual Marine had also expected to hold a meeting with Ajith on arrival to Gumbo/Shirkat to discuss their land dispute. The meeting was proposed on the earlier day by the area Chief Mayen Dau. On arrival, Lual Marine discovered that a large crowd armed with sticks and hammers gathering in the compound and busy dismantling his property as it was done on the previous day. When he tried to talk to them Ajith and two others proceeded to slap him on the face, hit the back of his head with a hammer and beat him on the forehead with a steel bar. Immediately, Lual Marine fell down unconscious before he could even utter a word or show any resistance to the attack. At that point his panic-stricken body-guards, who claimed to have also been under attack, began shooting randomly leading to the killing and injury of a number of people that were in the bullets range. The crowd ran around in a rampage.

The incident resulted in the death of six (6) people, injury of eight (8) others and destruction of public and private property. Some sporadic demonstration erupted shouting political slogans against the government in the vicinity. The growing

and rowdy mob proceeded to loot and burn down Lual Marine's nearby house, destroy government vehicles, obstruct traffic on the main road and vandalize property

The escalation was eased and calm restored to Gumbo/Shirkat area on the same day following the intervention of various security elements and the goodwill efforts exerted by some dignitaries and community leaders.

The dead, injured and damaged property were considered and determined during the hearings and site visits that were organized by the investigation committee. Various charges were levelled against the arrested persons.

The reported cases came under sections **48** (acts committed by several persons of common intention), **79** (public violence), **177** (public nuisance), **80** (participating in gathering with intent to promote public violence), **81**(Obstructing or endangering free movement of persons or traffic), **83** (disorderly conduct in public place) and **95** (public servant disorderly receiving money or property not due) of the Penal Code Act 2008.

Others had been charged under sections **48** (acts committed by several persons of common intention), **224** (force and criminal force), **223** (assault), **245** (criminal intimidation), **315** (mischief), **235** (causing grievous hurt) in addition to **206** (murder) and **236** (voluntarily causing grievous hurt on provocation) of the Penal Code Act, 2008.

**a) Names of the dead:**

S/NO	RANK	NAME IN FULL	SEX	REMARKS
1.		Magot Arok Majieth	M	
2.		Agau Chol Malual	M	
3.		Deng Thon Deng	M	
4.		Jok Thok-Buor	M	
5.	Lt. Col.	Lual Akook Wol Kiir	M	
6.	Capt.	Manyang Chol Manyang	M	

**b) Names of the injured:**

S/NO	RANK	NAME IN FULL	SEX	REMARKS
1.		Anyieth Panchol Anyieth	M	
2.		Deng Garang Reech	M	
3.		Deng Yol Deng	M	
4.		Akol Ngong Mabior	M	
5.		Mariak Maluk Bol	M	
6.		Anyieth Maker Anyieth	M	



7.		Thon Deng Duot	M	
8.	Cpl.	Peter Paulino Lado	M	

**c) Names of those under M.I Custody (Lual Marine's Bodyguards)**

S/NO	RANK	NAME IN FULL	SEX	REMARKS
1.	R/SM	Peter Kur Agau	M	
2.	SM	Daniel Kon Deng Wol	M	
3.	SM	Ngor Atem Ngor	M	
4.	SM	Harun Mading Mayen	M	
5.	SM	Donato Akook Garang	M	
6.	SM	Mabut Mading Manut	M	
7.	SM	Kuch Bol Mawien	M	

**d) Names of those under Police Custody (Demonstrators)**

S/NO	NAME IN FULL	SEX	REMARKS
1.	Paul Logeyo Lochai	M	
2.	Maker Ayuel Riak	M	
3.	Stephen Chol Akuei	M	
4.	Anyieth Mach Anyieth	M	
5.	Kiir Deng Anyieth	M	
6.	Deng Gai Chol	M	
7.	Yak Dau Aguer	M	
8.	Machiek Bol Deng	M	
9.	Ayuel Gau Warabek	M	
10.	Riak Bol Riak		
11.	Leek Deng Kau	M	
12.	Nyang Ayuen Aluk	M	
13.	Bol Ajang Achuoth	M	
14.	Nunl Atem Kuir	M	

**e) Names of those under Tiger Custody**

S/NO	RANK	NAME IN FULL	SEX	REMARKS
1.	Pvt.	Luka Mayen Guet	M	

**f) Damaged property**

(List Attached)

A cursory examination of the facts might lead to the conclusion that the dispute was basically between two individuals namely Lual Marine and the

owner of the public toilets. Both of them have their separate private residence and different geographical and communal group in Gumbo/Shirkat. In reality the conflict had resulted in some communal mobilization reflected in the character and sentiments of the group that gathered at the scene during the incident and proceeded to grow in size and led the ensuing demonstrations on the main road heading to Rajaf County Offices and Police Station. Both communities are relatively new in the area in relation to the length of the period of stay in the area along other communities that were mainly affected by displacement and migration.

The investigation process revealed the complexity of land related conflicts, in context, and their likely negative impact on the communal relations in the area. That was much clearer when officials of the local administrative authority emphasized that the existence of massive land grabbing in the area undermined the access and control by the rightful owners whose traditional livelihood depend on the land. The local authority is overwhelmed and the rampant land grabbing may lead to further communal conflict and violence.

Besides, those officials conclude that strict administrative measures and departmental collaboration are needed to avoid creating a climate of extreme communal tension and address the land grabbing activities before their violent consequences explode.

The positive contribution of the new communities to the economic and social life was acknowledged by the host traditional community of Gumbo/Shirkat area. Such contribution and acceptance should be coupled with accommodating the needs those new communities for access to land and housing rights. Additionally, the customary rights of the host communities are widely viewed as integral part of economic, social and cultural rights stipulated in the international and regional human rights instruments. The international standards governments to avoid discrimination that may favour one and marginalizes another group from full participation in the society. Such action creates a climate of suspicion and intolerance. Governments therefore are urged to observe their obligations towards all communities in the country that are enshrined in national legal systems and domesticated international and regional instruments.

Articles 170 & 171 of the National Transitional Constitution, 2011 expressly guarantee the citizens' rights to land. They detailed those rights and their realization under three categories of public land, customary land and private land.

The provisions of the Land Act 2009 elaborately explained the guiding principle to land rights thus:

*(1) Right to land and shall not be denied by the Government of Southern Sudan, State Government or community on the basis of sex, ethnicity or religion.*

*(2) Every person shall have access to land for housing, cultivation, pasture, grazing, or fishing as shared resources as shall be regulated by this Act, rules and regulations.*

*(3) Any person may have access to land for investment purposes under this Act and the investment law.*

*(4) Women shall have the right to own and inherit land together with any surviving legal heir or heirs of the deceased as stipulated in Article 20(5) of the Constitution.*

The legal framework establishing International Standards as applicable to Land and housing rights should also be observed at different levels of government, as practically as possible, once they are ratified by the competent authority. Those rights entail that:

Everyone has the right to an adequate standard of living for himself and his family, including food, housing and water, and to the continuous improvement of living conditions. *(Universal Declaration of Human Rights, art. 25; International Covenant on Economic, Social and Cultural Rights, art. 11.1)*

In the context of women's right to nutritious and adequate food, women shall have the right to equal access to housing and to acceptable living conditions in a healthy environment. To ensure this right, States shall grant to women, whatever their marital status, access to adequate housing. *(Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, art. 16, read in conjunction with art. 15).*

Everyone has the right not to be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence. *(International Covenant on Civil and Political Rights, art. 17.1)*

Everyone has the right not to be forcibly evicted from his or her housing, land, and property and shall be protected against arbitrary displacement. *(African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), art. 4)*

States shall provide all displaced persons with adequate humanitarian assistance. Regarding housing, the State shall accord to refugees lawfully staying in their territory treatment as favourable as possible and, in any

event, not less favourable than that accorded to aliens generally in the same circumstances. (African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), art. 9.2; Convention relating to the Status of Refugees, art. 21)

The international Covenant on Civil and Political Rights (ICCPR) (1976) adopted by all States including South Sudan, States at Article 17:

(1) No one shall be subjected to arbitrary or unlawful interference with his (or her) privacy, family, home or correspondence, nor to unlawful attacks on his (or her) honour and reputation.

(2) Everyone has the right to the protection of the law against such interference or attacks.

Similarly, the International Covenant on Economic, Social and Cultural Rights (ICESCR), of 1966, now ratified by almost 150 States recognizes the right to housing:

The hearings have shown the urgency for the government varied authority levels to develop methods and plans for preventing tragic individual land conflicts of the sort under this investigation or the outburst of much worst communal violence. It is vital to co-operate, at relevant government levels, with UN agencies to raise awareness among concerned communities and government officials on land issues and disseminate international legal standards, along the national standards, on land and human rights applicable to them.

## **V. FINDINGS**

1. The incident in Shirkat was marked by high degree of criminal violence which caused the loss of lives of six (6) people and injury of eight (8) people. It was characterized by rioters' protest which resulted in damage of public and private property.
2. The death and injury in all cases were a result of gunshot, except for two cases where heavy blunt object and a sharp-cutting weapon were used.
3. The incident resulted from a dispute over a piece of land by two parties; one a military officer and the other a civilian. The Public Toilet owner had a legal basis for the claim of the land.
4. The dispute over that particular land and between the particular claimants was reported to the Local, State and National authorities who were aware of the risk of potential violent confrontation involved but those authorities failed to intervene effectively.
5. One of the parties to the dispute was a military officer who had a senior rank of Lieutenant Colonel and who unprocedurally mobilized some soldiers and used them as bodyguards for selfish interest outside the military command.
6. The dispute was aggravated by the community sentiments of sympathy and involvement of the respective communities of both parties.

7. The slogans denouncing the government that were displayed and shouted during the protest and targeted attacks on public structures indicate that the incident had turned political.
8. There is no evidence of a group plan conspiracy to cause the attack on Lt. Col. Lual Akook, as there is no evidence that Lt. Col. Lual Akook had prepared and ordered his guards to shoot at the people. It seems some elements used the strong tension and turned it into the violent and tragic encounter.
9. Some officers from the South Sudan Peoples Defence Forces (SSPDF) are working as local Chiefs for their communities, other than indigenous community residing in the area and are involved in land issues.
10. The value of damaged and lost properties claimed by the affected bodies:
  - i. Former Rejaf County, Defunct Jubek State the sum of 1,906,400 SSP (equivalent to USD 5,865)
  - ii. Transporters at Bor Bus Park the amount of 9,815,000 SSP (equivalent to USD 54,527.7)
  - iii. The family of the late Lt. Col. Lual Akook Wol the sum of 131,617,850 SSP AND the amount of 1,854,500 USD.

## **VI. RECOMMENDATIONS**

The Committee recommends the following:

- a) All the suspects should be expeditiously tried in open civilian courts rather than military courts and preferably in Gumbo.
- b) Those who committed bailable offences should be released on bail pending their trials.
- c) All relevant authorities should collaborate in stopping current land grabbing activities within Juba and its surroundings.
- d) The same relevant authorities in collaboration with local communities should develop mechanisms to satisfy the needs of the affected people in issuing land for settlement in an equitable manner.
- e) The government to develop policies and legislative measures that promote equitable land tenure and strengthen other human rights related to land access.
- f) Calling the Judiciary to expedite resolution of land cases and the relevant authorities to execute the decisions of the Courts accordingly.

- g) The government to seek collaboration with UN and Regional agencies to disseminate guidelines and sensitize officials and local communities on State obligations and human rights related to land access and control.
- h) The government should call for and organize a National Land Conference to review the laws and policies that govern land issues in the country.
- i) The government to direct State authorities and Local Government Board to issue guidelines to reorganize issues of Chieftaincy and the structures of traditional authorities.
- j) The government to direct the Military and other Organized Forces to ensure discipline in the rank and file and curb the activities of some of their personnel who are posing as Chiefs and involving in local government administration.
- k) The government to direct the Peace Commission to organize a community dialogue particularly in Gumbo Shirkat and across the country.
- l) The Committee recommends that this report be made public to reinforce the seriousness and commitment of the national leadership to peace and reconciliation.

**THE COMMITTEE:**

- |    |  |             |
|----|--|-------------|
| 1. | Hon. Justice Ruben Madol Arol Kachuol,<br>Minister of Justice and Constitutional Affairs | Chairperson |
| 2. | Gen. Johnson Juma Okot,<br>Chief of Defense Forces of the SSPDF                          | Member      |
| 3. | Gen. Majak Akec Malok,<br>Inspector General of the Police (IGP)                          | Member      |
| 4. | Gen. Akol Koor Kuc,<br>Director General of the Internal Security Bureau, NSS             | Member      |
| 5. | Lt. Gen. Rin Tueny Mabor,<br>Chief of Military Intelligence, SSPDF                       | Member      |
| 6. | Filberto Mayuot Mareng,<br>Director of Public Prosecutions, MoJ&CA                       | Member      |
| 7. | Advocate. Monyluak Alor Kuol   | Member      |

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|-----|---|-----------------|
| 8.  | Lt. Gen. Biar Atem Ajang (RSV),<br>Ministry of Defence & Veterans affairs | Co-opted Member |
| 9.  | Hon. Anne Lino Abyei<br>MP, TNLA  | Co-opted Member |
| 10. | Maj. Gen. David Ohucholi Lemuny,<br>DMI-Combat Operation, SSPDF           | Co-opted Member |
| 11. | Maj. Gen. John Daniel Kipa,<br>Chief Community Intelligence Division, ISB | Co-opted Member |

## **VII. ADDENDUM**

- 1) Republican Order Number 15/2020 that formed an Investigation Committee on the Incident at Shirkat in Juba on 3<sup>rd</sup> June 2020 in Gumbo Shirkat.
- 2) State Investigation Report on the recent shoot-out in Gumbo Shirkat of former Rajaf County.
- 3) Special Security Report on Gumbo incident.
- 4) C.I.D Special Report concerning the Shirkat incident addressed to IGP.
- 5) Legal Administration Report on Gumbo incident of 3<sup>rd</sup> June 2020 addressed to the Chairperson of the Committee.
- 6) Special Report on Land Dispute that caused killings in Gumbo Shirkat Area; addressed to Director General for Internal Security Bureau/NSS.



- 7) Special Report on Land Dispute that caused killings in Gumbo Shirkat addressed to Chief of Central Security Division.
- 8) Complaint against Lt. Col. Lual Marine addressed to the Office of the CDF/SSPDF, HQs/Bilpam.
- 9) Statement of the Family of Akook Wol Kiir on the death of Lt. Col. Lual Marine.
- 10)Warrant of Arrest against Ajith Kuot and Others issued on date 02/06/2020. The Complainant was Lt. Col. Lual Marine.
- 11)Photos showing the Cemetery, Public Toilets and Shops of Lual Marine.
- 12)Lease Agreement between the Landlord David Gore and Bor Bus Park represented by Kuot Gai Kuot.
- 13)Properties lost during the Bor Bus Park incident on 3<sup>rd</sup> June 2020; addressed to the Chairman of the Investigation Committee.
- 14)Power of Attorney to Jacob Lado.
- 15)Medical Reports on death of six (6) people.
- 16)List of Estimated Prices to meet the Cost of Items destroyed by the protestors on the day of strike.
- 17)Police Form (8) issued to the injured persons on date 03/06/2020.
- 18)Sketch Map showing shops destroyed and the toilets at the graveyards in Gumbo Shirkat
- 19)Sketch Map showing the houses of Lt. Col. Lual Marine that were burnt by the protestors on date 03/06/2020.

Signed on this **07<sup>th</sup> day of July 2020** by the respective members of the investigation Committee as hereunder:

.....  
**Hon. Justice Ruben Madol Arol**  
 Minister of Justice and Constitutional Affairs

.....  
**Gen. Johnson Juma Okot**  
 Chief of Defence Force, SSPDF

**Chairperson**

.....  
**Gen. Majak Akec Malok**

Inspector General of Police (IGP)

**Member**

.....  
**Lt. Gen. Rin Tueny Mabor**

Chief of Military Intelligence, SSPDF

**Member**

.....  
**Lt. Gen. Biar Atem Ajang (RSV)**

Ministry of Defence & Veterans Affairs

**Co-opted Member**

.....  
**Maj. Gen. David Ohucholi Lemuny**

Director for M.I Combat Operation

**Co-opted Member**

**Member**

.....  
**Gen. Akol Koor Kuc**

Director General of ISB, NSS

**Member**

.....  
**Filberto Mayuot Mareng**

Director of Public Prosecution,  
Moj&CA

**Member**

.....  
**Hon. Anne Lino Abyei**

MP, TNLA

**Co-opted Member**

.....  
**Maj. Gen. John Daniel Kipa**

Chief Community Intelligence  
Division

**Co-opted Member**