

SSLA Captured Nhialdiew and Warned UNMISS to Stay Neutral

For Immediate Release
South Sudan Liberation Movement/Army (SSLM/A)
Mayom, South Sudan
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Today on November, 3, 2011, the gallant forces of South Sudan Liberation Movement/Army (SSLM/A) captured Nhialdiew (35 km from Bentiu town) after battling 5,000 SPLA forces for the last three days. The town is completely liberated and 125 SPLA soldiers, with one Colonel and five Captains, voluntarily joined the SSLA. Around 50 SPLA soldiers have been killed and thirty wounded. The wounded SPLA soldiers are under the custody of the SSLA and are being accorded the protection of international laws of war which obligate the SSLA to treat war prisoners humanely. After the complete liberation of Unity State, the ICRC would be allowed to visit the POWs to check whether they are humanely treated as per the rules of international law.

Our forces are now approaching Rupkona town with a clear intention of liberating it from Gov. Taban Deng Gai. As part of SSLA's policy, we warn all the civilians, UN and NGOs to vacate the area as soon as possible. Civilian protection is our number one priority in this war because we are fighting to liberate our people from corruption lords in Juba who are oppressing them on a daily basis. Moreover, the SSLA has an international obligation to warn all UN personnel and NGOs to leave the area of danger so that no UN member would get hurt. It came to our attention, after liberating Mayom town, that the SPLA is deliberately engaged in using civilians as human shields in contravention of international law and the UN Security Council Resolution 1996 which created UNMISS and called all parties in South Sudan to protect civil population. The practice of targeting civilians is a culture of the SPLA; however, the UN Security Council should enforce the terms of the Resolution 1996 to ensure that the SPLA army does not use civilians as human shields in war in violation of the laws of war.

The SSLA is deeply troubled by persistent violation of Resolution 1996 by nobody other than the UNMISS in Unity State. We observed instances in which the UNMISS personnel in Unity State are deliberately contravening the terms of the resolution by aiding and abetting the SPLA army in fighting the SSLA. The UNMISS in Unity State has lend its vehicles to SPLA army in order to be used to attack the SSLA. Again, the UNMISS gives fuel and accommodation to SPLA officers in UN compounds in violation of the rules of engagement. In Bentiu town,

Gov. Taban Deng Gai spends night everyday in UNMISS Compound. The worst part of it all is the deliberate use of UN helicopters to transport SPLA soldiers to attack SSLA forces.

The SSLA is well aware that the UN Representative in South Sudan, Hilde Johnson, is a longtime friend of Gen. Salva Kiir Mayardit. Their friendship dated back to the time Norway took part in mediating the peace-talks between the SPLM/A and the then Government of Sudan which led to signing of Mechakos Protocol. However, we couldn't fathom that her friendship with Gen. Salva Kiir would go as far as letting UNMISS personnel to violate the letter and the spirit of Resolution 1996. We would like to remind Hilde Johnson that the mandate of UNMISS, as per Resolution 1996, is to consolidate peace and security, and to help establish the conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of the Republic of South Sudan to govern effectively and democratically and establish good relations with its neighbors.

Consolidation of peace and security stipulated in Resolution 1996 does not mean aiding and abetting the SPLA army to fight the SSLA. Such a move is a political opinion of Hilde Johnson and it has no justification under the same resolution or principles of peacekeeping practiced by the UN all over the world. It is the first time that the UN forces could favor one side in violation of the principle of neutrality.

Under international law of peacekeeping, the UN forces have the right of self-defense if they are attacked. They are also authorized to use all necessary means, within the limits of their capacity and in the areas where UN units are deployed, to carry out civilian protection mandate. Instead to protect civilians, the UNMISS forces in Unity State have become a mercenary force of Gov. Taban Deng Gai who directs them to fight his adversaries at will in violation of the international law.

The use of UNMISS by the SPLA was reiterated by the SPLA Spokesman Philip Aguer Parnyang, who said on November, 1st that the government of Gen. Salva Kiir requested the UNMISS officially to deploy its forces to fight the SSLA. Resolution 1996 called on all parties in South Sudan to allow the full, safe and unhindered access of relief personnel to all those in need of humanitarian assistance, especially internally displaced persons and refugees. There is no article in the said resolution which authorized the UNMISS to fight South Sudan rebels to protect the regime in Juba.

As Resolution 1996 states, all parties, including the SSLA, have international law obligations to ensure civilian protection and the safety of UN personnel and NGOs

operating in war zones. For that matter, the SSLA risked the lives of its own soldiers by warning the UN, NGOs and civilians to leave Unity State and Warrap on October, 27, 2011 before attacking Mayom, Nhialdiew and Warrap. It is not part of military practice to alert your enemy ahead of time that there is an impending attack. However, our adherence to the spirit and the letter of Resolution 1996 led us to violate military secrecy because the safety of civilians is paramount. The SSLA is fighting to liberate the poor majority of the people of South Sudan and has a strict policy of avoiding civilian casualties by all means possible.

Unfortunately, the SPLA army does not operate within an international standard which states that the lives of civilians are more important than winning battles. The SSLA believes that the warring parties in South Sudan are not in 1944 but in 2011 era where international law demands that all warring parties should strictly avoid civilian casualties by any means possible. We thought that Hilde Johnson would adhere to the principles of civilian protection to condemn Gov. Taban when he ordered the SPLA soldiers to arrest chiefs in Bul Nuer counties after illegally divorcing the wives of SSLA fighters by confiscating their cattle. Although UNMISS took over from the UN Mission in Sudan, which was created following the signing of the 2005 Comprehensive Peace Agreement (CPA) that ended the north-south civil war and that paved the way for the independence of South Sudan, the UN didn't condemn the burning of 8,000 homesteads by the SPLA army in May in Mayom County. This incident was admitted by the former Commissioner of Mayom County and Maj. Gen. Koang Chuol Ranleak to have taken place. One of the reasons Gov. Taban Deng removed former Commissioner Charles Machieng Kuol Wur was because he condemned the SPLA deliberate burning of homesteads and the execution of over two hundred civilians.

We warn the UNMISS to desist from taking part in the war in South Sudan because it is the violation of UN Security Council Resolution 1996 for UNMISS forces to be used by Gov. Taban Deng as mercenaries to fight South Sudan freedom fighters. If UNMISS would continue transporting the SPLA army to fight the SSLA in contravention of international law, we would exercise the right of self-defense which will have serious consequences on the lives of UNMISS personnel who are actively taking part in the conflict. We seriously advise the UNMISS to stay within the parameters of Resolution 1996. Failure to do so would strip the UNMISS of its mandate and will then become a legitimate target of SSLA.

We would like to remind Hilde Johnson that the UN Security Resolution 1996 authorized UNMISS to help establish the conditions for development in the Republic of South Sudan, with a view to strengthening the capacity of the Government of the Republic of South Sudan to govern effectively and democratically. Unfortunately, the regime of Salva Kiir is doing the opposite. As

Johnson herself noted in September, billions of dollars have been looted by Gen. Salva Kiir and his clansmen between 2005 and 2011. On Nov, 1st, the government of South Sudan's Auditor General, Ambassador Stephen Wondu, presented his Report to South Sudan Legislative Assembly which admitted that \$4.5 billion dollars is unaccounted for between 2005 and 2011. After hearing the Report, three members of parliament shed tears and one was admitted to hospital for suffering a heart attack after learning that such amount of money was stolen by Gen. Salva Kiir and his clansmen.

The SSLA is fighting to free the South from corruption and institute liberal democracy modeled after Westminster parliamentary democracy. The Report of Auditor General confirmed the reason why we took up arms to remove Salva Kiir from power. Since 2005, the SPLA forces received salaries twice a year despite the fact that the South Sudan Legislative Assembly allocated half a billion dollars to the army. The bulk of the army budget goes to the pockets of SPLA generals, Salva Kiir and his family. The gap between supper rich clique and the poor majority of the people of South Sudan could be easily seen in Juba where Gen. Salva Kiir's clansmen drive luxurious cars that nobody can drive in Washington, DC, or London.

As stated in Resolution 1996, the job of Hilde Johnson is to seek ways to bring peace between the regime of Salva Kiir and the rebels. The job of UNMISS is not to become part of the conflict but to establish conditions to achieve peace in South Sudan. The threat to peace in the South is Salva Kiir who started independence of South Sudan with wrong policies. Instead to work towards securing peace with neighbors, he is spending the lives of South Sudanese in Nuba Mountains and Blue Nile states of North Sudan. Until then, more than three thousands South Sudanese died assisting SPLM-North to overthrow the government of Omer Bashir.

South Sudan is the most blessed country in Africa because it achieved independence in 2011 at the time the rest of the countries in the world experimented many policies of nation-building that could have assisted South Sudanese not to repeat the same mistakes committed by African dictators. Sadly, Gen. Salva Kiir is worse than African leaders who gained independence from Europeans in 1960s. Since 2005, he has presided over looting of \$4.5 billion dollars which could have been used for alleviating poverty in South Sudan. Besides, he rejected democracy and rigged 2010 election and established a tribal state where his clansmen dominated power in a way worse than Arab domination of the old Sudan. Experience from Africa attests that South Sudan under Salva Kiir will never survive as a viable nation-state unless he is removed from power.

Because of his tendencies to abandon democracy and respect for human rights, Gen. Kiir and his clansmen are getting closer to China hoping that it would assist

them to stay in power. His government signed deals with Chinese including granting China the right to build Ramciel city. Moreover, his government signed a secret military pact with Cuba to send weapons and trainers to South Sudan. Gen. Kiir's change of policy came about because the Western countries have expressed disappointment with the rate of corruption in South Sudan. Besides, no country in the West would support establishment of one-party state and abuse of basic human rights.

The SSLA is also alarmed by the fact that the Somalis who shared businesses in South Sudan with Gen. Kiir's family are financing Al-Shabab that is fighting AU forces in Somalia. The job of the UNMISS in South Sudan is to stop the funding of Al-Shabab from Somalis residing in South Sudan. In Juba, most gas stations are owned by Somalis who share them with Kiir's clansmen. Those Somalis have links with Al-Shabab fighting AU forces in Somalia and are part of international network of Al-Qaeda. After liberating Juba, the SSLA will ensure that South Sudan is free from any Somali who has links to Al-Shabab and Al-Qaeda.

Therefore, we call upon UNMISS to stay neutral and investigate the Somalis residing in South Sudan who have businesses to fund Al-Shabab fighting AU forces in Somalia. It is the duty of the UN to protect civilians from SPLA army which is engaged in using civilians as human shields.

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