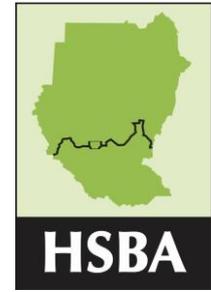




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28 June 2016

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Dear Dr. John Antipas,

Thank you for [your letter](#) to the Human Security Baseline Assessment (HSBA), sent on 15 April 2016, in response to our [Facts & Figures update on Upper Nile](#), published on 8 March 2016.

We welcome the opportunity to engage with you about the HSBA's work in Upper Nile, South Sudan, and in relation to the Padang Dinka community. As you no doubt know, many of the researchers who work for the HSBA have done extensive fieldwork in Padang Dinka territory, in Abiemnom, Abyei, Melut, Pariang, Renk, and elsewhere, and have long valued the friendship of the Padang Dinka community. It is thus with appreciation that we received your letter and the possibility for exchange contained therein.

Since its inception, the HSBA, a multi-year research project administered by the Small Arms Survey, has aimed to provide timely empirical analysis about conflict dynamics in Sudan and in what is now the sovereign state of South Sudan. The HSBA publishes work in three separate formats: Issue Briefs, Working Papers, and Facts & Figures reports, as we detail on [our website](#).

The [Facts & Figures reports](#) are the timeliest of our publications. They are intended to provide focused analysis of current conflict dynamics in given regions in Sudan and South Sudan. The report on Upper Nile that we published on 8 March 2016 was designed to inform readers about an attack on a protection of civilians (PoC) site of the United Nations Mission in the Republic of South Sudan (UNMISS), which the Sudan People's Liberation Army (SPLA) carried out on 16–18 February 2016, and to place that attack in the context of broader conflict dynamics in the state.

We believe that, contrary to the assertions in your letter, the report has not 'dishonestly incriminated Padang community' and that it has no 'specific blackmailing focus on the [Padang] people'. We therefore welcome the chance to address your concerns and would like to take the opportunity to describe our work in South Sudan in greater detail.

We should acknowledge, first of all, that there are many diverging narratives about the conflict that is currently besetting South Sudan, and about the history of the region more generally. We would also like to emphasize that the HSBA is strictly non-partisan; by providing accurate, empirical evidence on South Sudan, it aims to support informed dialogue that is inclusive of multiple perspectives.

In your letter, you claim that the HSBA report on Upper Nile presents a partial view, ‘engineered’ by Shilluk sources to ‘demonize Padang community and its leaders and settle political score’. The HSBA is acutely aware of the partiality of many sources in South Sudan. All our publications are based on extensive field research and undergo rigorous fact-checking. The HSBA report was not ‘engineered’ by the Shilluk community. Indeed, the vast majority of the interviewees and sources used for the report in question come from the Padang Dinka community itself.

Your letter offers a series of examples of our alleged partiality towards the Shilluk community. We can distinguish between two sorts of objection that you make with reference to our report. You accuse us of errors of fact, such as reporting incidents or developments that did not occur; you also argue that we made errors of omission, and that our analysis was consequently skewed. We would like to reply to each of these sorts of claim in turn.

Errors of fact

We will first address some of the alleged errors of fact of which you accuse us.

1. You claim that the following passage from our report contains inaccuracies:

Alongside the SPLA, the government’s forces on the east bank of the White Nile also comprise a series of Padang Dinka militia groups from Akoka, Baliet, Melut, and Renk counties, including those known as Mathloun (Dinka for ‘injustice’) from Akoka and Abu Shoq from Baliet. These militias were created in 2014, and although many of their names were those of SPLA battalions from the second civil war, there is no link between the old battalions and the new militias. This nomenclature is intended to lend a history and legitimacy to new militias, whose activities are very different from the old battalions’ operations.

Initially formed to protect the oil fields at Paloich, and relied upon by the Padang Dinka for community defence during the current civil war, these militia forces rapidly became the central actors in an offensive struggle waged against the Shilluk for control of the east bank of the White Nile. The militias operate outside of the SPLA’s military command structure—although they often act in concert with the SPLA—and receive their ammunition and weaponry, including Israeli ACE rifles, from the Internal Security Bureau of the National Security Service, under the command of Akol Koor; funding is provided by the Greater Nile Petroleum Operating Company, in which China has a 40 per cent stake, and is administered by Stephen Dieu Dhau, the Padang Dinka minister of petroleum and mining.

You respond to this text by denying that such militias exist and by claiming: ‘In a sovereign country such as South Sudan, there is no room for government officials forming and funding their own militias using government and people’s resources.’

You are correct that, ideally, in South Sudan, as a sovereign country, government officials should not form their own militias. However, as multiple reports and statements have indicated, the reality is otherwise. The existence of government-sponsored militias in South Sudan is mentioned by the following sources, among others:

- The [Final Report](#) of the African Union Commission of Inquiry on South Sudan (15 October 2014), which documents the existence of militia forces organized and trained by President Salva Kiir of South Sudan.

- Statements by Salva Kiir himself (such as on 15 February 2014, to the youth wing of the Sudan People’s Liberation Movement), acknowledging the formation of militias whose organization and funding are distinct from that of the SPLA.
- The [Final Report](#) of the United Nations Security Council Panel of Experts on South Sudan (22 January 2016), which describes the government’s backing of a variety of non-formal (non-SPLA) armed groups in the country, including Salva Kiir and Paul Malong Awan’s recruitment and support of the Mathiang Anyoor militia that the African Union Commission of Inquiry on South Sudan said was involved in the killings in Juba in December 2013, and that was trained on Kiir’s farm in Luri, Central Equatoria state (see p. 15 of the [Panel’s report](#)).

Many more sources corroborate the existence of such militias. There is overwhelming evidence that the Government of the Republic of South Sudan has extensively recruited, trained, and armed militia groups operating outside of the formal command of the SPLA.

In relation to Upper Nile, you deny that there are any Padang Dinka militia groups operating in the state, contending that our claims are ‘absolutely untrue’.

Your claim is contradicted by the [Final Report](#) of the United Nations Security Council Panel of Experts on South Sudan, which states (p. 22):

The Government has armed and used militias in Upper Nile State, most notably the Shilluk Agwelek (until the defection of Major General Johnson Olony in April 2015), the Maban Defence Forces and *the Dinka Padang militias from Akoka, Melut and Renk* [our emphasis].

Multiple other sources, from NGOs to journalists and from witnesses of militia violence to militia members themselves, confirm our account.

Our claims about the presence and activities of Padang Dinka militias in Upper Nile were based on careful field research. Most fundamentally, your claim that there are no Padang Dinka militia forces in Upper Nile is contradicted by the testimony of members of Padang Dinka forces in Upper Nile, many of whom were interviewed for the HSBA report on Upper Nile to which your letter refers. Militia commanders and members provided many of the facts detailed in our report.

2. You contest the assertions made in the following passage from our report:

Stephen Buay, a Bul Nuer[,] was subsequently redeployed to lead the SPLA’s 4th Division in Rubkona, Unity state. He was reassigned after months of rumours that he was planning to desert and join the SPLA–IO, following tensions with the Padang Dinka administration in Upper Nile. The status of his troops in a planned Padang Dinka-dominated Eastern Nile state is uncertain [...].

During 2015, the Padang Dinka militia forces experienced a dual set of tensions. First, they perceived Puoch’s administration—which the governor had largely filled with expatriate South Sudanese returnees with a limited local power-base—as a block on their control of the east bank of the White Nile. Second, the militias had drawn the rancour of the largely Nuer 1st Division for attacking Shilluk in Renk county. At the Independence Day rally in Renk on 9 July 2015, these frictions erupted into the open. Stephen Buay, then commander of the 1st Division, warned the crowd that the people shooting in Renk were not the 1st Division, but the Padang Dinka militias, and that they would be punished for attacking civilians inside

Renk town. Militia commanders, including Chol Ayiik Dau, expressed their anger at Buay's remarks.

You claim that there was no tension between Stephen Buay and Padang Dinka militias in Upper Nile. This claim, we understand, is consonant with your prior claim that there are no Padang Dinka militias in Upper Nile. For indeed, if there were no militias, how could there be tension between them and Stephen Buay?

Your objection, however, is at odds with what Stephen Buay himself said on 9 July 2015, at an Independence Day rally in Renk town, where he criticized the very Padang Dinka militias whose existence you question. HSBA researchers who were present in the stadium in Renk heard his speech; a few days later, on 14 July, [Radio Tamazuj](#) reported on the speech.

In subsequent interviews with the HSBA, Padang Dinka militia commanders criticized Buay for his remarks. This is ample indication of the tension to which our report refers.

You further contend: 'We expected HSBA to know that SPLA does not assign its commanders on the advice or pressure from any community and Padang is no exception.' While, once again, we can agree with you that, ideally, the replacement of commanders ought to be a purely 'administrative move' determined by the SPLA in Juba, this notion is not consistent with the history of South Sudan, which has seen repeated shifts of personnel due to reasons of communitarian pressure. Our reporting on Buay's replacement and movement to Rubkona was based on extensive interviews with SPLA personnel, whose statements diverge from your claim.

Our aim is not to fault the SPLA. The reality of South Sudan is that it is riven by community-level and political tension, and the army is the major institutional force. In such an environment, it is only to be expected that army personnel are moved according to a political and communitarian calculus. We believe that it is better to acknowledge this fact than to try to conceal it.

3. You dispute our account of the attack on the UNMISS PoC in February 2016. You aver: 'Although your report has vindicated them (the inciters of violence), the world must know that the fighting that occurred in Malakal POC is absolutely 100% their [the Shilluk's] making, not Padang Jieng, as your report purports.'

While you take issue with our account of conflict dynamics in Upper Nile as being partial, your rebuttal is extremely partial. Neither the UNMISS report into the events in Malakal, nor journalists' accounts of the fighting, support your contention that the conflict that led to the almost total destruction of the Shilluk areas of the PoC was due to Shilluk aggression.

4. You claim: 'Never in history has Padang community attacked or raided its neighbors for political or tribal reasons.'

We would like to stress that the HSBA is aware of the complexities of the situation in South Sudan, and of the difficulties inherent in analysing the conflict in a nuanced, yet accessible fashion. We thus avoid making categorical claims about any community *as such*. In our view, such short-sighted, simplistic claims would only reduce South Sudan's inhabitants to a series of ethnic actors, as though there were unanimity within communities. The resulting analysis, we feel, would not only be destructive and contribute to an ethnic essentialization of the conflict, but would also produce an empirically inaccurate account of power dynamics on the ground and within communities.

If your argument is that the Padang Dinka community *as such*—encompassing the Ngok Dinka of Abyei and the Dinka of Abiemnom and Pariang, along with all other members of the community in its totality—has never attacked its neighbours, we would agree.

But that is not the contention in the report to which your letter refers. Instead, we assert:

This attack [on the Malakal PoC] was not an isolated event, but part of a concerted campaign by the Padang Dinka military and political elite of Upper Nile to push the Shilluk off the east bank of the White Nile, which is contested by both groups, and to cement control of an area that is to be called Eastern Nile state, in line with Kiir’s decree.

If your claim is actually that no part of the Padang Dinka community has ever, at any time, attacked its neighbours, then we must respectfully disagree, in keeping with the UN Panel of Experts [report](#) of January 2016, which details a series of land disputes between the Padang Dinka and the Shilluk (see p. 22). Our report is based on first-hand interviews with individuals who suffered from Padang Dinka militia attacks as well as Padang Dinka militia members who participated in attacks on other communities in Upper Nile. Furthermore, even a cursory analysis of the history of southern Sudan indicates that the claim that members of the Padang Dinka have *never* attacked neighbouring communities is not in line with overwhelming historical evidence.

We do not wish to overwhelm you with point-by-point refutations of all your allegations of errors of fact related to our report. Thus, in the above examples, we have responded to what we felt to be the most pertinent points. If you have detailed objections to claims we made in our report aside from the above—or, indeed, further claims about the rejoinders made above—we would be happy to sit down and discuss them with you.

The HSBA does not claim to be above reproach, and we always welcome the opportunity to improve the accuracy of our work. If something we have written is found to be incorrect, our policy is to correct the errors immediately and issue an apology. Since errors of analysis are particularly problematic in a situation as tense as that of South Sudan, we continually strive for accuracy in everything we publish.

Errors of omission

More generally, your letter claims that our report does not pay sufficient attention to the wrongs suffered by the Padang Dinka. You write: ‘Although Padang has always been victims, our neighbors continue to manufacture lies against us, to which agencies like HSBA have been trapped into.’

We cannot agree with a simplistic analysis of the situation in South Sudan that essentially turns one side into victims, and the other into aggressors. We are fully aware that the Padang Dinka community has suffered immensely during this conflict, as have all the communities in South Sudan.

The HSBA is not an advocacy organization and does not present political stakeholders with recommendations or suggested courses of action. Our aim is focused on providing the most accurate empirically grounded information on conflict dynamics in the country. We trust that such information can support effective violence-reduction initiatives, including disarmament, demobilization, and reintegration programmes, incentive schemes for civilian arms collections, and security sector reform and arms control interventions across Sudan and South Sudan.

Thus, our mandate is not to record each and every wrong done to each community in South Sudan. Such a list would sadly be very long. Rather, in the work that we do, we aim to offer accurate, analytically pertinent analysis of conflict dynamics.

The Facts & Figures reports, including the one to which your letter refers, are not designed to be all-encompassing analyses—not at the national, nor at the local level. Such analysis would require a multi-volume book. In the Facts & Figures report to which you responded, we aimed to provide readers with details that are most pertinent to the conflict in Upper Nile, so that they might gain a balanced understanding of the current situation within a set number of pages. The report is focused on events following the Comprehensive Peace Agreement, in light of the campaign unfolding in the state. Undeniably, since the beginning of the conflict in December 2013, large numbers of Shilluk have been displaced from the east bank of the White Nile, largely due to attacks by the SPLA and the Padang Dinka, as is documented in multiple reports, including that of the UN Panel of Experts on South Sudan. Our report provides a comprehensive background to these events, in light of Kiir's 28-state decree and the attack on the Malakal PoC.

As noted above, we also produce Working Papers. These publications are longer than the Facts & Figures reports and are thus able to provide a fuller account of any situation in a given region, including extensive historical background. Later this year, we will release a Working Paper on Upper Nile, which will analyse many of the events to which your letter refers, and which you feel were omitted from our Facts & Figures report. We believe that some of your criticism of our report was due to a misunderstanding of the nature of a Facts & Figures report. We hope to engage with you further over our Working Paper on Upper Nile, which we believe will respond to many of your criticisms.

Moving ahead

Let us reiterate our gratitude for your letter, and for the chance it presents to engage with you regarding the situation in Upper Nile. We hope that our response has cleared up many of the points of disagreement raised in your letter.

Finally, let us respond to your invitation to visit Padang Dinka areas. While HSBA researchers have, over the last year, visited almost all the Padang Dinka areas in South Sudan, we would be delighted to visit again, and to familiarize ourselves with your perspective. HSBA strives to present as complete and accurate a picture of South Sudan as possible, and we are sure that further engagement with you, and the opportunity to obtain a full description of life on the ground in Padang Dinka areas, would promote our aim of providing a detailed, non-partisan account of conflict dynamics in the state.

We look forward to hearing from you.

Yours sincerely,

Yodit Lemma



Project Coordinator

HSBA