

SITUATION UPDATE

August 2023



The Body Count: Controlling Populations in Unity State

KEY FINDINGS

- Governor Nguen Monytil Wejang has entrenched his control of Unity state by assembling a coalition across party and ethnic lines. He has also replaced opposition administrators with his own cadres and convinced a number of commanders to defect.
- Despite his success in the state, Nguen faces a challenge from Tut Kew Gatluak, President Salva Kiir's influential security advisor, while the Bul Nuer—the group from which both men hail—are split internally.
- The Sudan People's Liberation Movement-in-Opposition (SPLM-IO) deputy governor, Tor Tungwar, is unpopular with the military wing of his own party, which is attempting to unseat him. Opposition control of Panyijar county, one of the last strongholds of the Sudan People's Liberation Movement/Army-in-Opposition (SPLM/A-IO) in Unity state, is increasingly tenuous. Despite this political weakness, the population of Unity state still overwhelmingly backs Riek Machar's SPLM/A-IO.
- The Sudan People's Liberation Movement (SPLM) is preparing for 2024 elections in Unity by fragmenting opposition political blocs and competing for political constituencies. The internally displaced person (IDP) camps in Rubkona county are central to this competition: attempts to control populations—and attendant humanitarian resources—are one of the primary ways in which political struggle occurs in Unity state.
- Nguen is using returnees fleeing the war in Sudan to consolidate control of contested territory on the border with the Ruweng Administrative Area, with the acquiescence of humanitarian agencies.

Context

Unity is the only mono-ethnic Nuer state in South Sudan and the birthplace of Riek Machar, the leader of the SPLM/A-IO. During the 1990s, amid the horrors of the second Sudanese civil war (1983–2005), a series of Bul Nuer commanders fought against (and sometimes with) Riek Machar for control of the state (Craze and Tubiana, 2016, pp. 22–28). In this conflict, all sides received backing from Sudanese president Omar al-Bashir. Among those coordinating relations between the Bul Nuer militias and their Khartoum handlers was Tut Kew Gatluak, Bashir's adopted son (Young, 2020, p. 62). Thirty years on, Bul Nuer militias remain in control of Unity state, except that the capital on which they now rely for support is Juba, not Khartoum, and Paulino Matiep, the Bul Nuer militia leader, has been replaced by Nguen Monytil, who was once Matiep's personal doctor. Tut Kew Gatluak remains their handler.

During the South Sudanese civil war (2013–18), southern Unity was the wellspring of support for the opposition movement. All the state's Nuer sections—with the exception of the Bul-backed Machar. Since the signing of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in 2018, the SPLM/A-IO's control of the state has eroded, while Nguen, one of the longest serving governors in South Sudan, has increased his grip on power, at the expense of the beleaguered deputy governor, Tor Tungwar.

Prospective elections have the capacity to totally disrupt this continuity. In the former Protection of Civilians (PoC) site in Rubkona county, IDPs talk about taking revenge against the Bul Nuer. Nguen knows that survival requires staying in power, and an election risks throwing open the political situation. In this context, Nguen and Tut Kew would rather delay elections. South Sudanese president Salva Kiir, however, is set on a vote, and the loss of his party's political control of Unity state, and the likely ensuing violence, could be a price that the president is willing to pay for the legitimacy he hopes elections will bring.

In Nguen's long shadow

Nguen uses a variety of strategies to maintain his rule. His political coalition has spread itself across the putative divisions of South Sudan's political parties, allowing him to maximize the positions he can control under the technocratic terms of the R-ARCSS (Craze and Marko, 2022). His brother, Bapiny Monytil, is formally part of the South Sudan Opposition Alliance (SSOA), but substantively loyal to the government. Gatluak Nyang Hoth, the Mayendit county commissioner, is in theory a member of the National Democratic Movement (NDM) (which is part of the SSOA), but is actually an ally of Nguen, and on 21 June 2023 simply refused an order from the NDM to step down.

Nguen's approach to governance combines technocratic subtlety with violent brutality. During the South Sudanese civil war, the government launched a series of offensives in southern Unity that were designed to remove the capacity of populations putatively loyal to the opposition to sustain life (Craze and Tubiana, 2016, pp. 52–94; Amnesty International, 2018). The signing of the R-ARCSS did not lead to an end to such assaults. In February 2022 a government offensive conducted by forces under the control of Gordon Koang Biel, the Koch county commissioner, overran the SPLA-IO cantonment site at Mirmir (OHCHR, 2023, pp. 12–13). Then, following a meeting between the commissioners of Mayendit and Koch, and with the agreement of Nguen Monytil and Tut Kew Gatluak, government-backed militias conducted a campaign in Riek Machar's home county of Leer from February to May 2022.¹ The attackers killed hundreds of civilians, engaged in extensive sexual violence, looted, and destroyed property (CTSAMVM, 2022; UNMISS and OHCHR, 2022; OHCHR, 2023). The UN Mission in South Sudan (UNMISS) did not intervene to prevent the attacks. In May 2023 the commander of Division 4 of the South Sudan People's Defence Forces (SSPDF), William Manyang Mayak, a Nguen loyalist, commended UNMISS for protecting civilians in Unity state (Radio Tamazuj, 2023).

¹ Author telephone interviews with Bul Nuer politicians, names withheld, locations withheld, dates withheld; author interview with National Security Service officer, Juba, date withheld.

For a decade, Nguen's forces have attacked southern Unity with total impunity, without facing any legal sanction. Such assaults are a means of rewarding Nguen's supporters (with looted livestock, humanitarian supplies, and captured women), eliminating supposedly hostile populations, and weakening the SPLA-IO. While the opposition struggles with an acute lack of finance, Nguen has access to the state's tax revenue and strong connections to the political elite in Juba via Tut Kew Gatluak, who, like Nguen, is a Bul Nuer from Mayom county. Since 2018, a number of opposition commanders and political figures have defected to the government, including Lok Tang Ret (November 2022) and Tito Biel Wiec (February 2022), who was the last major Bul Nuer commander in the SPLA-IO. Tito claimed to be joining the Kitgwang faction, although he actually joined the government. Tito's rhetoric enabled the government to chalk up the 2022 offensive to intra-opposition clashes between the SPLA-IO and the Kitgwang faction—a claim without factual support.

Nguen and Bapiny are the sons of Monytuil Wejang, who was one of the most important Bul Nuer paramount chiefs, and many of Nguen's most important supporters are Bul, including the commander of SSPDF Division 4, William Manyang Mayak, and the head of the special operations division in Mayom, Makal Kuol. However, Nguen has also built an intersectional coalition, fragmenting the constituencies of his rivals. Malual Tap, the state minister of finance, is from Koch county, and the chairman of the Jagei Nuer community. Salam Maluit, his security advisor, Stephen Malek, the executive director of Rubkona county, and Lam Tungwar, a state minister, are all Leek Nuer. These three figures allow Nguen to try to fracture opposition support in Rubkona county, which would nominally be the heartland of support for the SPLM-IO deputy governor, Tor Tungwar. In commanding Lam Tungwar's loyalty, Nguen also splits the Tungwar family: Lam is Tor's brother.

Nguen has also extended his reach by unilaterally appointing customary authorities and payam

administrators.² The SPLM-IO has attempted to retain former administrators, largely opposition loyalists, leading to rival administrations across much of the state. Those given positions are rewarded with entrepreneurial licences. Gordon Koang Biel, for instance, uses his position as commissioner of Koch to tax the population under his control and acquire resources during frequent sorties into southern Unity. It is notable that it is the militias of Mayendit, Mayom, and Koch that are the effective government fighting forces in Unity state, not the SSPDF, and it is the militia commanders who are rewarded with licences to plunder (Craze, 2023).

The rewards from Rubkona county are even more alluring. Since 2018, Nguen's circle has been acquiring land in the state capital, often via illegal land grabs. In one confirmed case in 2020, a man who had the temerity to protest the expropriation of his house by John Bol Mayik, then the state police commissioner, made the mistake of trying to take Mayik to court. Mayik never appeared; the man disappeared.³ Members of Nguen's inner circle also own hotels in Bentiu, and earn further revenue from renting rooms for international NGO (INGO) and UN workshops.⁴

Rubkona has the largest tax base of any county in the state by some margin. It contained a PoC site that was redesignated an IDP camp in 2020, with peacekeepers replaced by a police service under the control of John Bol Mayik, who led the Bul Nuer Terschuong militia that raped and rampaged through southern Unity in 2015, sending thousands in flight to the PoC site whose security UNMISS handed over to their principal tormentor (Craze and Tubiana, 2016, pp. 81–97; Craze and Pendle, 2020). As of March 2023, the Bentiu IDP camp has 102,436 residents (IOM, 2023), and represents a lucrative resource for Nguen's cadres, who can tax traders and workers in the camp, including those selling firewood in the market and fishing in the floodwaters, as well as taxing local humanitarian workers' salaries.

² The payam is South Sudan's third administrative level, under state and county.

³ Author interview with informant from Rubkona county, September 2022, location withheld.

⁴ Multiple author telephone interviews with international and national informants, August–December 2022.

Opposition attempts to assert economic control over the IDP camp have been unsuccessful. In January 2023 Salva Kiir appointed a new SPLM-IO county commissioner for Rubkona, Dhoal Koryom Lingling, a former supporter of vice president Taban Deng Gai. Lingling has been effectively frozen out of power, just as the former opposition county commissioner, Gatluak Wichar Nyak, was before him; Apollo Manyang, then the executive director of Rubkona county, had effective power in the state, and when Nyak attempted to contest Manyang's control of tax collection, he was suspended. Lingling is close to Tor Tungwar, but unpopular with the Leek Nuer SPLA-IO military leadership, who had selected another candidate for his position. He has little support on the ground and is powerless to wrest control of Rubkona county from Nguen.

Nguen is using his success against the opposition to mount a challenge against his major rival for power among the Bul Nuer: Tut Kew. Kiir's security advisor faces a straitened situation, with Bol Mel recently replacing him in important negotiations, and his main political strength—his close links to the security apparatus in Khartoum—whittled down by the uncertainty in Khartoum produced by the conflict.⁵ In this uncertainty Nguen sees an advantage. Following the killing of Tut Kew's brother—the Mayom county commissioner—by the forces of Stephen Buay, head of the South Sudan People's Movement/Army, Nguen appointed John Bul Mayik—a Nguen loyalist—as acting county commissioner. In May 2023, Bapiny Monytuil, in his function as first deputy speaker of the council of state, recommended removing several SSOA appointees loyal to Tut Kew, who tried to block their removal. The only thing preventing these tensions exploding is that both Nguen and Tut Kew are very aware of the unpopularity of the Bul Nuer in the state and fear that a split between them would leave the Bul open to attack.

Nguen, like Salva Kiir, has proved a master of splitting the opposition and maintaining power. He is, however, deeply unpopular in Unity. For a decade his militia forces have raped and pillaged,

predating on the civilian population. Only military force and the legitimating function of the state in Juba keep Nguen in control; he has power, but no legitimacy. In this context, elections pose a threat to his rule. Despite his best efforts, Rubkona and much of southern Unity remain loyal to the SPLA-IO. Nguen would prefer elections to be delayed, but Kiir is set on a vote, which he believes will confer much-needed legitimacy on his regime. This, though, might mean his party losing political power in Unity: an acceptable prospect for Kiir, but a potentially disastrous one for Nguen and the Bul Nuer.

The opposition vanishes

Unity state's deputy governor, Tor Tungwar, is in trouble. His nominee for commissioner, Dhoal Koryom Lingling, is unpopular with the SPLA-IO military command. The SPLA-IO Division 4 commander, Turuk Khor, the deputy sector one commander, Gatthuoy Thaak, and the head of military intelligence, Kuer Puot, all oppose Tor, and accuse him of diverting SPLM/A-IO funds into his own pockets. On 2 June 2023, they wrote a letter to Riek Machar under the auspices of the Leek Council of Elders demanding Tor's resignation. However, Tor is closely linked to Angelina Teny, the former South Sudanese minister of defence, and his removal will be resisted.

The SPLA-IO military leadership is also not in a strong position. Having been routed from the Mirmir cantonment site in 2022, the opposition waits futilely for the formation of the Necessary Unified Forces (NUF) called for by the R-ARCSS. While 2,838 members of the NUF were graduated in Bentiu in January 2023 (R-JMEC, 2023), they have not been deployed, and remain in their cantonment sites, where they have no food or medical supplies and receive no wages. The opposition forces feel abandoned by both Kiir and Machar. They are also increasingly fractious, with violent clashes between SPLA-IO forces in February 2023 over tax collection at Adok port (one of the few sources of income for

5 Author telephone interview with Bul Nuer politician, name and location withheld, April 2023.

the opposition in Unity, along with taxing fishermen at Barjuoth in Guit county).⁶

With government appointees or commissioners loyal to the government in control in Koch, Leer, and Mayendit counties, only Panyijar remains an SPLM-IO political stronghold. Even there the SPLM is attempting to establish a foothold, inadvertently aided by the SPLM-IO, which has chosen a series of unpopular Machar loyalists as commissioners. In June 2023 clashes broke out between Gabriel Majok Bol, the current commissioner, and the popular politician Michael Lot Gatluak, who had previously been proposed as commissioner by the customary authorities in the county, but was rejected by Machar, who considered him a threat. In June 2023 the deputy speaker of the state, John Gatluak Doar, a Nyong Nuer from Panyijar, who is an ally of Nguen, was also warned not to come to Panyijar: the opposition fear that he would mobilize support for the SPLM if he were to do so.

The war of the camps

Since the signing of the R-ARCSS, both parties have engaged in recruitment in Unity state (Craze, 2020, pp. 79–90). In January 2023 the SPLA-IO forcibly recruited more than two hundred youth in Panyijar county, as rumours circulated that Kiir would unilaterally replace Majok Bol with an SPLM commissioner. The government has also been on a series of recruitment drives. The terrible floods that have devastated Unity state in recent years displaced people into Bentiu town, providing the government with waves of new recruits. In January 2022, for instance, the Joint Police Force, formed with UNMISS's support, forcibly recruited men outside the Bentiu IDP site. Another such recruitment occurred in January 2023. Such recruitment drives are also a revenue source for Nguen. In January 2023 conscripted traders were allowed to buy their freedom if they purchased a trading licence from the government for SSP 15,000–20,000 (USD 15–20).

While the Bentiu IDP camp is a source of revenue for Nguen, it is also a source of opposition, with much of its population composed of those who fled government assaults on their homes. As such, the IDP camp constitutes a valuable political constituency for Tor Tungwar. Flood-related displacement beginning in August 2021 offered an opportunity to Nguen to create his own IDP camps and position himself as a benefactor of displaced Leek Nuer populations, as a way of trying to undermine Tor's support base.

In August 2021 Nguen moved IDPs from Nhialdiu in southern Rubkona county to IDP sites in Bentiu; government forces then prevented these IDPs from leaving, creating a captive population that was assisted by INGOs. Not to be outdone, Taban Deng Gai also gave supplies to further IDP camps for Jikany Nuer displaced by flooding in Guit county.⁷ In each case an elite politician manipulated population movements to create captive constituencies, and then called on the humanitarian sector to support these politically induced settlements. The sector acquiesced.

Assault by other means

In 2020, President Kiir issued a decree returning South Sudan to ten states and three administrative areas. This left a number of territorial disputes unaddressed. One such dispute is over a narrow triangle of land connecting the counties of Abiemnom and Pariang, without which the Ruweng Administrative Area (RAA) would not constitute a contiguous territorial area. This triangle, which includes what used to be a major SPLA-IO base at Panakuac and lucrative oil fields, as well as an area called Rotriak, is claimed by both the RAA and Rubkona county. Tensions over the area have increased since the flooding of 2020–21, because Leek Nuer cattle herders who customarily went south to Guit and Koch have started to come to higher land on the border of the RAA, including at Panakuac.

⁶ Author telephone interviews with informants, Unity state, January–June 2023.

⁷ Author telephone interviews with international humanitarian staff and local informants, April–June 2023.

Until July 2021, the disputed area was under the control of the RAA.⁸ In the second half of 2021, however, troops under the command of Carlo Kuol Ruai, a Jikany Nuer commander historically close to Taban Deng Gai, occupied the site, pushing out the RAA officials and securing the territory for Unity state, and effectively cutting the RAA in two. Rotriak, a site in the contested area, had been raised as a possible contingency site for IDPs if the Bentiu IDP camp flooded back in 2021, but humanitarian organizations were cautious about supporting movement to the area, given its controversial and contested status. Nevertheless, the Unity state government encouraged the movement of IDPs to Rotriak, and as of June 2023, the site has a population of 60,000 people (UNOCHA, 2023).

The conflict in Sudan has caused widespread displacement into South Sudan. This has largely centred on Renk in Upper Nile state, but as of 12 July 2023, some 19,702 people fleeing the fighting in Sudan had arrived at Panakuac, where they were registered by the International Organization for Migration and UN High Commissioner for Refugees, in collaboration with other INGOs and NGOs.⁹ South Sudanese who had fled were then transported to Rotriak, while refugees (largely Sudanese) were taken to the Ajuong Thok camp in the RAA. Both the RAA and the Unity state administration are effectively competing for the political and humanitarian benefits that come with those exiled from the north.

The conflict in Sudan comes at a good time for Nguen. While he has political control of Unity, he is enormously unpopular, and postulated elections in December 2024 threaten his domination of the state. The returnees constitute a valuable political constituency if they can be won over. Thus, the creation of an IDP population at Rotriak accomplishes two purposes: it creates facts on the ground by creating a durable Nuer population that entrenches Nguen's control of a contested territory, and it allows him to try and build up a base of popular

support. He visited Rotriak on 21 May 2023, after having sent police units and SSPDF forces to ensure that no RAA officials were present in the area—which they did, by beating such officials.¹⁰ The humanitarian community is split, with some agencies acquiescing to government demands to move assistance to Rotriak, while others insist that IDPs must go to Bentiu to receive assistance.¹¹

Implications for the international community

Humanitarian assistance has become a central part of the government's strategy to control the population of Unity state. The humanitarian sector has obfuscated the political dimensions of such assistance. The UN Office for the Coordination of Humanitarian Affairs report on the inter-agency assessment conducted in Rotriak on 13 May, for instance, contains absolutely no conflict-sensitivity analysis or assessment of the political situation, and is narrowly focused on a needs-based evaluation of the situation (UNOCHA, 2023). While the IDPs in Rotriak are in a penurious state, an overly formal obsession with needs enables the political elite to all too easily instrumentalize humanitarian support, sowing the seeds for future conflict and exacerbating politically determined inequality (Craze and Luedke, 2022).

Such faux neutrality, which fails to address the political dimensions of population movement, is also apparent in a donor push to support government roads currently under construction from Rotriak to Kaikang, and Bentiu to Mayom. These roads would establish a path from the government's centre in Rubkona county to its military bases in Mayom county, and enable troops to move into a contested territory (Rotriak), potentially inflaming tensions with the RAA, and permit the passage of Bul Nuer forces into Rubkona county, from where they could

8 Author interviews with RAA officials, Pariang, September 2021.

9 Figures are from IOM (n.d.).

10 Author telephone interviews with international humanitarians and local informants, June 2023.

11 Author telephone interviews with international humanitarians, June 2023.

attack into southern Unity. It is, of course, true that improved roads allow improved humanitarian assistance as well as military assault. In this way the goals of the political elite that support Nguen and the humanitarian sector are consonant. ●

Abbreviations and acronyms

IDP	Internally displaced person
INGO	International non-governmental organization
NDM	National Democratic Movement
NUF	Necessary Unified Forces
PoC	Protection of Civilians
RAA	Ruweng Administrative Area
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
SPLA-IO	Sudan People's Liberation Army-in-Opposition
SPLM	Sudan People's Liberation Movement
SPLM/A-IO	Sudan People's Liberation Movement/Army-in-Opposition
SPLM-IO	Sudan People's Liberation Movement-in-Opposition
SSOA	South Sudan Opposition Alliance
SSP	South Sudanese pound
SSPDF	South Sudan People's Defence Forces
UNMISS	UN Mission in South Sudan
USD	United States dollar

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