

*Government of Southern Sudan  
(GOSS)*

*Office of The President*

*Ref:* GOSS/PD/J/ 003/2011

*Date:* 21<sup>st</sup> Jan. 2011

**GOVERNMENT OF SOUTHERN SUDAN (GOSS)**

Pursuant to the powers conferred upon me by the provisions of section (5) of the Investigation Committees Act, 2006, I, General Salva Kiir Mayardit, President of the Government of Southern Sudan issue a Presidential Decree No. 003/2011.

**1. TITLE:**

This Decree shall be cited as Presidential Decree No. 003/2011 to convene an Investigation Committee to investigate into the incidents that took place in Akot area in Rumbek East County in December, 2009 to January, 2010, Cueibet town in Cueibet County in February, 2010 and Yirol Town in Yirol West County, which resulted to the death of a citizen; Agok Kulang Acinkoc in the hands of private William Wol of Division (5) and another citizen was tortured to death at Agaar cattle camp near Yirol Town in April, 2010.

**2. COMMITTEE:**

By this order, I appoint the following to be the members of the Investigation Committee in the position indicated against each.

S/N	Title/Rank	Name in Full	Position
1	Justice	James Alala Deng	Chairman
2	Maj. Gen.	Dau Aturjong Nyol	Deputy Chairman
3	Brig. Gen.	Majok Wicnyin Agak	Member
4	Col.	Salah Samson Zachariah	Member

5	Col.	Gatkor Gatluak Koryom	Member
6	Lt. Col.	Nhial Nhial Monycol	Secretary
7	Moulana	Sebit Dunia Ali	Member

### 3. TERMS OF REFERENCE:

- (a) The Committee shall investigate into the circumstances which resulted in the death of around seven civilians and around twenty SPLA soldiers in Akot area in the period between December, 2009 and January 2010.
- (b) The Committee shall investigate into the circumstances that resulted in the death of 2<sup>nd</sup> Grade County Judge Jok Dau Kacuol, two chiefs, civilians, two SPLA officers and around eight SPLA soldiers, and the death of one civilian in Yirol Town in April, 2010, and one civilian tortured to death at Akaar cattle camp near Yirol Town.
- (c) Without prejudice to the generality of provisions under (a) and (b) above, the investigation shall determine the following matters:-
  - (i) What caused the incident?
  - (ii) Who were involved in causing the incident?
  - (iii) How many people died and how many people were wounded during the incident.
  - (iv) Who was responsible for causing each particular death and each particular injury?
  - (v) What kind of weapons were used and by whom.
  - (vi) Were there any official directives or orders issued? If so, by whom and why? What were the specific orders?
  - (vii) Was there a threat to public interest and security? If so, how and by whom?
  - (ix) Were there any administrative irregularities? At what level and who is responsible for such irregularities?
  - (x) Was there any damage or loss to property? If so, what kind of properties? Who caused the damage or loss? Whose property? What is the value of the damaged or lost property?

- (d) If upon evidence, the Committee is of the opinion that a crime or an administrative wrong has been committed. It shall make recommendations for criminal procedures and/or administrative disciplinary measures to be initiated against the perpetrators or doers.
- (e) The Committee shall be answerable and report to the Office of the President of GOSS with a copy to the Governor of Lakes State and the Chief of General Staff of the SPLA.

#### **4. POWERS OF THE COMMITTEE:**

The Committee shall exercise the following powers as indicated under section (12) of Investigation Committees Act, 2006:

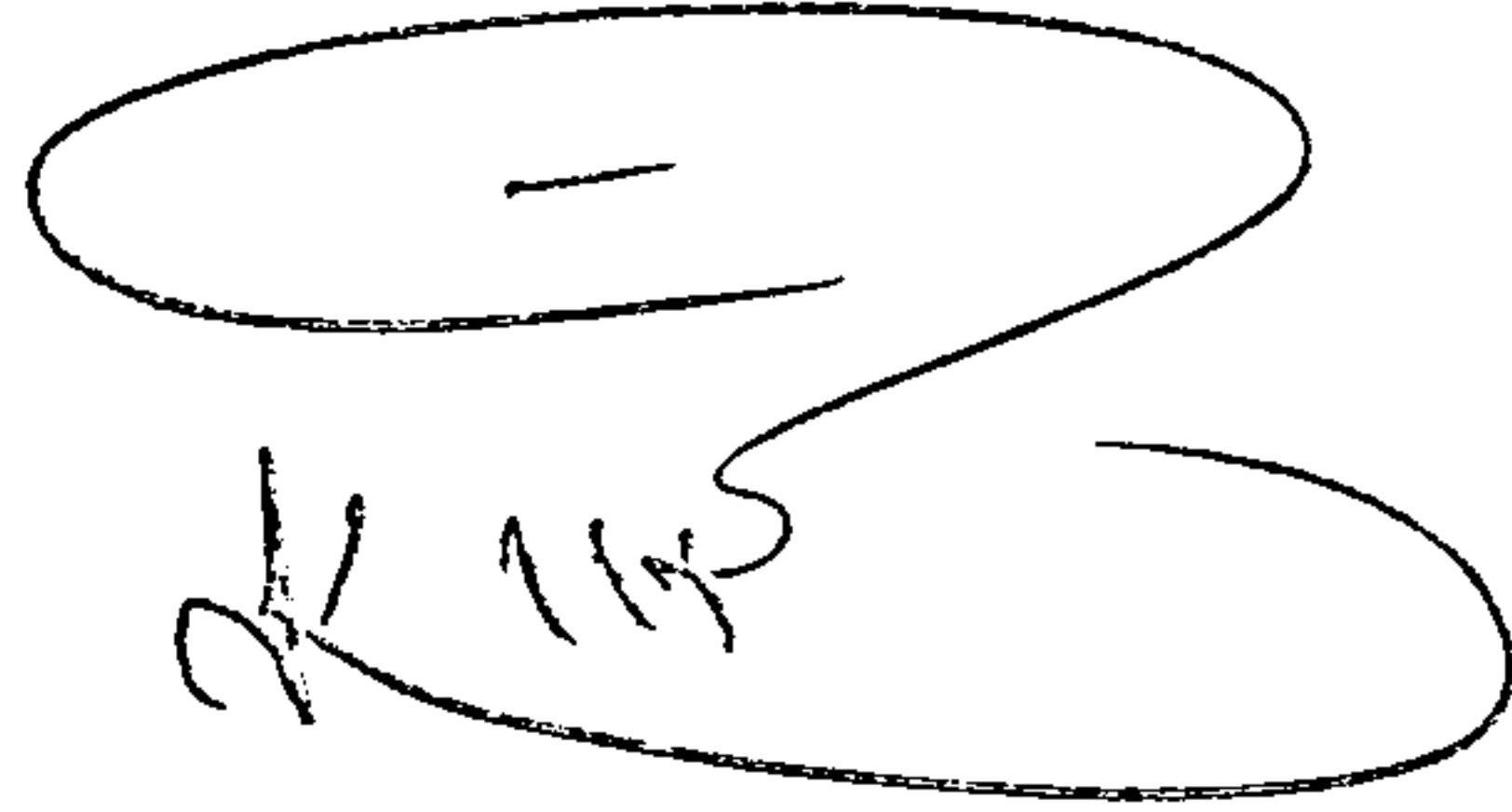
- (a) To interview witnesses who may have relevant information regarding the investigation.
- (b) To issue summons to any person to appear before it, if the Committee deems that there is a reasonable cause for summoning such a person to give evidence under oath.
- (c) Require the production of any document from anybody, anywhere.
- (d) Issue warrant of arrest for any person who refuses to appear before it without a valid reason.
- (e) Seek opinion, help and expertise from any public or private body the Committee believes may be of relevance and benefit to the investigation.
- (f) All the relevant GoSS and State institutions are required to facilitate the Committee to carry out its function and to execute the directives or orders of the Committee as necessity may require.

#### **5. PERIOD OF THE INVESTIGATION:**

The Committee shall carry out its functions and compile its report to the President of GoSS within a period of three months from the date of 21<sup>st</sup> January, 2011.

The Chairperson and the Deputy Chairperson shall prepare a budget for the purpose thereof and present it to the Minister of Finance and Economic Planning for funding.

*Issued under my Hand and Signature in Juba, this Twenty First Day of January, 2011.*

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line through the middle, and a smaller, more complex signature below it.

**General Salva Kiir Mayardit**  
**First Vice President of The Republic,**  
**President of The Government of Southern Sudan and**  
**Commander-in-Chief of Sudan People's Liberation Army (SPLA)**  
**JUBA**

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*The dates, number of human death and property damage may not be accurate. The investigating committee is free to verify any information it deems necessary.*