

## IGAD JTC MVM

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TO: Special Envoys to South Sudan  
FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mechanism,  
Juba, South Sudan  
DATE: 28 June 2014

**SUBJECT: Report on Violations of the Cessation of Hostilities Agreement**

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report on the continuing violations of the Cessation of Hostilities Agreement (23 January 2014) in Nassir County, Upper Nile State over the period 16-26 June 2014 (V007).

Gebre Egziabher Mabrahtu  
Major General (Retired)  
Chairman, Joint Technical Committee

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**JOINT TECHNICAL COMMITTEE (JTC)**

**INVESTIGATIONS INTO CONTINUING VIOLATIONS OF THE  
CESSATION OF HOSTILITIES AGREEMENT IN NASSIR COUNTY,  
UPPER NILE STATE**

**(V007)**

**PRESENTED TO:**

**THE SPECIAL ENVOYS TO THE REPUBLIC OF SOUTH SUDAN  
INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT (IGAD)  
ADDIS ABABA, ETHIOPIA**

**28 June 2014**



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### Executive Summary

- Following the receipt of reports from the Monitoring and Verification Team (MVT) based in Nassir, which implied the probability of violations of the Cessation of Hostilities Agreement (COHA) in Nassir County, Upper Nile State, the JTC initiated formal investigation and verification processes. The results of the investigation and verification process are contained in this report.
- Reports indicate that hostilities between Government Forces and forces loyal to Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) took place in Nassir County (Upper Nile State) from 16-26 June 2014.
- Reports indicate that Government Forces in Nassir fired indiscriminately, without provocation or retaliation from SPLM/A-IO Forces, on a number of occasions over the period 16-25 June 2014. Reports also indicate that Government Forces targeted a World Food Program (WFP) helicopter resupply mission in Mandeng on 25 June, which also jeopardized the safety of internally displaced people (IDPs).
- Reports indicate that SPLM/A-IO Forces initiated a small arms engagement with Government Forces in the area of Ketbek, Nassir County, on 26 June 2014.
- As a result of investigations, and the weight of evidence collated it is the opinion of the JTC that Government Forces violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, over the period **16-25 June 2014**, in Nassir County (Upper Nile State):
  - 1.0-1.2 (inclusive) *Declaration of Cessation of Hostilities*
  - 3.1 *Protection of Civilians*
  - 4.1 *Humanitarian Access*
- As a result of investigations, and the weight of evidence collated it is the opinion of the JTC that SPLM/A-IO violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, on **26 June 2014**, in Nassir County (Upper Nile State):
  - 1.0-1.2 (inclusive) *Declaration of Cessation of Hostilities*



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### INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN NASSIR COUNTY, UPPER NILE STATE

#### 1.0 Introduction

1.1 The scope of this report covers violations of the COHA in Nassir County, Upper Nile State over the period 16-26 June 2014.

1.2 The aim of this report is to provide IGAD Special Envoys with an analysis of the issues surrounding the violations. And, where relevant, apportion responsibilities for violations of the COHA to either of the parties.

1.3 This report outlines the investigation and verification methodology, citing key documents in the process. It summarizes the main events surrounding the potential violations and makes an assessment based on the evidence gathered. It concludes with the JTC's opinion on the attribution of responsibilities for the violations.

#### 2.0 Investigation / Verification Methodology

2.1 Employing Monitoring and Verification Mechanism (MVM) Standard Operating Procedures, the MVT based in the UNMISS camp in Nassir town initiated the investigation / verification sequence with a series of reports beginning on 16 June 2014.<sup>1</sup> Subsequently, the JTC formally issued Investigation and Verification Orders to the MVT in Nassir, following direction from the JTC Chairman.

2.2 The MVTs conducted investigations in accordance with the orders, in order to augment the information already provided and corroborate reports received from other sources. The result of investigations was an initial MVT Investigation and Verification Report on 19 June, followed by additional reports on 25 and 26 June. This report is based on the combined analysis of all reports and evidence received by the JTC until 1200hrs on 27 June 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

#### 3.0 Violations of COHA – Nassir County<sup>2</sup>

3.1 MVT reporting indicates that hostilities took place in Nassir County when Government Forces fired at targets to the south of Nassir town, on:

- 16 June between 1510-2130hrs
- 17 June at approximately 1935hrs

<sup>1</sup> MVT Nassir Team Leader emails to the JTC on 16,17 and 18 June, supported by MVT Nassir Daily Situation Reports on 16, 17, 18 and 19 June 2014

<sup>2</sup> Ibid and Investigation and Verification Report (Nassir) 02, 19 June 2014: MVT Nassir Daily Situation Reports on 25 and 26 June 2014.



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- 18 June beginning at 0600hrs
- 19 June between 1500-1550hrs
- 25 June at approximately 1140hrs
- 26 June between 1115hrs-1200hrs

3.2 Reports indicate that deliberate but indiscriminate indirect and direct fire by Government Forces took place on 16, 17, 19 and 25 June at the times recorded above. However, an exchange of fire between both parties took place on 18 and 26 June, which resulted in at least four Government Force casualties.

3.3 On 25 June, reports indicate that Government Forces based in Ketbek (2-3km southeast of Nassir) fired indiscriminately, and without provocation or retaliation from SPLM/A-IO Forces, towards the area of Mandeng (10-12km south of Nassir). Government Forces claim that SPLM/A-IO Forces were receiving aerial resupply in this area. The only helicopters flying to the area around Mandeng, where there are more than 19,000 IDPs, are from the World Food Program (WFP). Reports indicate that Government Forces claimed that WFP were resupplying SPLM/A-IO Forces and therefore they deliberately fired BM21 rockets and heavy machine guns during the resupply mission, and at suspected SPLM/A-IO positions south of the River Sobat.

3.4 Reports of a small arms engagement around Ketbek on 26 June suggest SPLM/A-IO Forces numbering 10-12 provoked the engagement.

3.5 The commander of the Government Forces in the Nassir area is currently Brigadier Jildo Oling Baranya. He has repeatedly told the MVT that he suspects WFP aircraft of deliberately resupplying SPLM/A-IO Forces and hence the reason for the indirect and direct fire when a helicopter or fixed-wing aircraft is sighted. The commander of Government Forces in Nassir made this comment on 16 June, following the visit of General Paul Malong Awan (Government Forces Chief of General Staff), Lieutenant General Johnson Gony (Commander of Government Forces in Upper Nile State) and Lieutenant General James Ajongo Mawut (Deputy Chief of General Staff for Operations), the previous day.

### 4.0 Assessment – Nassir County

4.1 JTC assessments indicate that Government Forces used indirect and direct fire indiscriminately, and without provocation or retaliation, in Nassir town and Ketbek (Upper Nile State) on 16,17,19 and 25 June 2014, and, as such, failed to cease all military actions in accordance with the COHA. Furthermore, Government Forces failed to refrain from taking actions that could lead to military confrontations, in violation of the COHA.

4.2 JTC assessments indicate that Government Forces failed to refrain from attacks on the civilian population by firing deliberately, but indiscriminately, towards the area of Mandeng where it is known there are significant numbers of IDPs.

4.3 JTC assessments indicate that Government Forces failed to support all humanitarian assistance by deliberately firing at WFP helicopters that were conducting humanitarian



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resupply missions around Mandeng.

### 5.0 Conclusion

5.1 As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that Government Forces violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, over the period **16-25 June 2014**, in Nassir County (Upper Nile State):

- 1.0-1.2 (inclusive) *Declaration of Cessation of Hostilities*
- 3.1 *Protection of Civilians*
- 4.1 *Humanitarian Access*

5.2 As a result of investigations, and the weight of evidence collated it is the opinion of the JTC that SPLM/A-IO violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, on **26 June 2014**, in Nassir County (Upper Nile State):

- 1.0-1.2 (inclusive) *Declaration of Cessation of Hostilities*

5.3 It is therefore recommended that the IGAD Special Envoys take the appropriate action in response to the violations of the Cessation of Hostilities Agreement.

