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TO: Special Envoys to South Sudan

FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mechanism,
Juba, South Sudan

DATE: 24 September 2014

SUBJECT: Report on Violations of the Cessation of Hostilities Agreement

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report referring to on going violations of the Cessation of Hostilities Agreement (23 January 2014), in Bentiu and Mayom, Unity State (V014).

Mohammad Amin
Major General
For the Chairman, Joint Technical Committee

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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF
HOSTILITIES AGREEMENT IN BENTIU AND MAYOM, UNITY STATE
(V014)**

PRESENTED TO:

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

24 September 2014



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Executive Summary

- Following the receipt of reports that inferred potential on going violations of the Cessation of Hostilities Agreement (COHA), in Bentiu and Mayom (Unity State), the JTC initiated formal investigation and verification processes. The results of the investigations are contained in this report.
- Reports indicate that forces loyal to the Government of the Republic of South Sudan (GRSS) are recruiting child soldiers in Unity State and using them for military operations in Bentiu and Mayom.
- As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that Government Forces are violating the following articles of the Cessation of Hostilities Agreement (23 January 2014), in Bentiu and Mayom (Unity State):
 - *3.4 The parties shall cease all acts of violence including summary executions, displacement of populations, all forms of torture, destruction of property, attacking civilian aircrafts, vehicles or riverboats, **recruitment of child soldiers** or any other acts as prohibited by applicable national, continental and international instruments.*



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INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN BENTIU AND MAYOM, UNITY STATE

1.0 Introduction

1.1 The scope of this report covers on going violations of the COHA in Bentiu and Mayom, Unity State.

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 JTC initiated the investigation / verification sequence on 21 August 2014, following the receipt of a report from the Monitoring and Verification Team (MVT) based in Bentiu referring to the recruitment and use of child soldiers by Government Forces. Subsequently, the JTC formally issued Investigation and Verification Orders to the Monitoring and Verification Team (MVT) based in Bentiu.

2.2 The MVT conducted investigations in accordance with the orders, in order to augment the information already provided and corroborate reports received from other sources. The results of investigations conducted are contained in a number of MVT Daily Situation Reports over the period 21 August – 22 September 2014. This report is based on the combined analysis of all reports and evidence received by the JTC until 1200hrs on 24 September 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

3.0 On going Violations of the COHA in Bentiu and Mayom¹

3.1 Reports indicate the following evidence of on going violations of the COHA:

- **21 August:** MVT Bentiu reports that soldiers of secondary school age (below 18 years), based at the Government Forces 4th Division Headquarters, request how to enter the UNMISS Protection of Civilians site in Rubkona in order to continue with schooling.

¹ Daily Situation Reports 136,156,165 and 168 (MVT Bentiu), plus additional email information from the MVT sent to the JTC from 22-24 September 2014



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- **19 September:** MVT Bentiu reports sighting a group of at least six soldiers in Bentiu that are suspected to be under the age of 18 years. The representative of the Government Forces, assigned to the MVT, confirms that the soldiers are underage and were recruited following orders from Major General Matthew Pul Jang (the Deputy Commander of the 4th Division and a former commander of the South Sudan Liberation Army (SSLA) currently being integrated into Government Forces in Unity State). Further investigations indicate that although the underage soldiers are assigned operational military duties, they are not fully integrated into Government Forces and therefore are not on the payroll. Instead, they only receive food as repayment for services.
- **22 September:** MVT Bentiu reports sighting a group of soldiers in Mayom that are suspected to be underage. The soldiers are providing protection to senior Government Force officers in the Mayom headquarters, commanded by Major General Matthew Pul Jang.
- **24 September:** MVT Bentiu confirms that child soldiers are currently visible at the 4th Division Headquarters in Bentiu, at the Rubkona market, the judiciary roundabout and offices (also reported on 10 September), on patrol with older soldiers, and have been assigned to protection duties in Bentiu and Rubkona.

4.0 Assessment

4.1 Reports indicate that Government Forces and forces loyal to GRSS are deliberately recruiting and assigning child soldiers to military duties in Bentiu and Mayom.

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 are violating the following articles of the Cessation of Hostilities Agreement (23 January 2014), in Bentiu and Mayom (Unity State):

*- 3.4 The parties shall cease all acts of violence including summary executions, displacement of populations, all forms of torture, destruction of property, attacking civilian aircrafts, vehicles or riverboats, **recruitment of child soldiers** or any other acts as prohibited by applicable national, continental and international instruments.*

5.2 It is therefore recommended that the IGAD Special Envoys take the appropriate action against GRSS in response to the violations of the Cessation of Hostilities Agreement and encourage Government Forces to immediately cease the recruitment of child soldiers, and demobilize all underage soldiers in their units.

