

CTSAMM Headquarters

CEASEFIRE AND TRANSITIONAL SECURITY ARRANGEMENTS MONITORING MECHANISM



TO: The Chairman, JMEC

FROM: The Chairman, CTSAMM

DATE: 7 February 2017

SUBJECT: CTSAMM report 031 – Fighting in Nassir, Upper Nile State

Excellency,

Please find attached a CTSAMM report on violations of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 26 August 2015) that took place in Nassir, Upper Nile State.

This report was discussed at the CTSAMM meeting on 25 January 2017.

Major General Molla Hailemariam
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 031
FIGHTING IN NASSIR

Executive Summary

Tensions have been high in the Nassir area since the start of the current conflict. There have been numerous clashes between Government Forces in Nassir and SPLM/A-IO forces holding the surrounding villages.

From late November to late December 2016 a series of clashes took place between the Parties. Then from 26 December to 5 January Government Forces undertook a series of offensive operations directed at SPLM/A-IO positions surrounding Nassir, including those south of the Sobat River.

Helicopter gunships and an aircraft dropping bombs were deployed by the Government during operations south of the Sobat River. The Government Forces commander in Nassir stated clearly that his troops had attacked and taken SPLM/A-IO positions.

It is the opinion of the CTSAMM that by prosecuting offensive operations against SPLM/A-IO forces in the Nassir area, Government Forces have been in clear violation of the PCTSA.

FIGHTING IN NASSIR, UPPER NILE STATE

1.0 Introduction

1.1 Background:

- Tensions have been high in the Nassir area throughout the current conflict. There have been numerous outbreaks of fighting; the last two major incidents reported by CTSAMM concerned offensive operations by Government Forces in March 2016 (report # 12) and an attack by SPLM/A-IO at the end of July 2016 (report #26).
- In late November 2016 the situation in the Nassir area once again became violent, and through December and into January there have been clashes between Government and Opposition Forces, and from 26 December 2016 significant offensive operations by Government Forces.

1.2 Incidents: The incidents covered by this report are as follows:

- Clashes between Government and Opposition Forces 22-26 November 2016
- Clashes between Government and Opposition Forces 9-22 December 2016.
- Offensive operations by Government Forces 26 December 2016 - 6 January 2017.

1.4 Aim: The aim of this report is to outline the details of the incidents for JMEC with assessments and recommendations.

1.5 Methodology: The ongoing violence in the area during these incidents has so far made it impossible for the MVT based in the UNMISS compound to visit the

scene of the fighting; however, the MVT was able to witness some of the fighting from the UNMISS base. They have also spoken with Government Forces commanders and obtained information from local sources and UNMISS. The MVT has tried to get information from SPLM/A-IO commanders but with only limited success.

2.0 Fighting in Nassir

2.1 22-26 November 2016:

- On 22 November a helicopter arrived in Nassir with supplies for the Government Forces garrison. It was accompanied by two helicopter gunships which bombarded SPLM/A-IO positions south of the Sobat River. This led to a heavy exchange of fire. Further firing was heard later that day to the west of Nassir.
- On 25 November there was a significant clash between Government and SPLM/A-IO forces. This apparently happened because the Government Forces took 63 cattle from civilians who crossed the Sobat in the area of Nassir town. In the afternoon about 100 armed civilians and SPLM/A-IO soldiers were seen advancing towards Nassir from the east before withdrawing. Clashes continued on 26 November. The Government Forces commander in Nassir confirmed that his troops had taken the cattle. The MVT and UNMISS personnel tried to negotiate the return of the cattle by speaking with both parties, but without success.

2.2 9-22 December 2016:

- On 9 December there was an exchange of fire between Government and SPLM/A-IO forces to the west of Nassir town. The Government Forces commander claimed that the SPLM/A-IO had initiated the engagement by opening fire on his positions from south of the Sobat River.
- There were further exchanges of fire on 22 December to the east of Nassir, when SPLM/A-IO forces allegedly opened fire on Government Forces soldiers who had gone fishing. At a meeting the next day the Government Forces commander agreed that his soldiers would no longer fish in that area. The cattle impounded by the Government Forces had still not been released at this time.

2.3 26 December 2016 – 6 January 2017:

- On 26 December there were heavy clashes between Government and SPLM/A-IO forces. About 100 Government soldiers and three vehicles were seen advancing from their base, past the UNMISS base and towards the SPLM/A-IO positions in Kedbeck to the east of Nassir. Heavy fighting was heard.
- There was renewed fighting on 2 January. Government Forces again attacked and this time took Kedbeck. They also attacked northeast towards Kuatt, north towards Haimajak and reportedly east towards Ebone. On 5 January two Government Forces helicopter gunships from Malakal bombarded SPLM/A-IO positions south of the Sobat. An aeroplane was also seen dropping bombs. Heavy fighting was heard.

- On 6 January the Government Forces commander in Nassir attended a meeting with the MVT and UNMISS where he confirmed that Government Forces had crossed the Sobat to attack SPLM/A-IO positions at Nordeng and Kuetrengke. He stated that the SPLM/A-IO had withdrawn and these positions were now under control of the Government.

2.4 Since the events described above there have been sporadic clashes in the Kedbeck area, but so far as the MVT has been able to discover those areas taken by the Government remain in Government hands and the SPLM/A-IO has withdrawn.

3.0 Assessment

3.1 CTSAMM has in the past recommended many times that there should be some sort of local agreement in the Nassir area to allow the Parties to coexist peacefully until a political solution is implemented. There has been no agreement, and since the events of July 2016 tensions have increased.

3.2 CTSAMM understands that the close proximity of SPLM/A-IO forces are seen as a threat by the Government Forces in Nassir, and it is probable that on several occasions it was the SPLM/A-IO which initiated some of the clashes that took place. However, Government Forces actions from 26 December to 5 January show all the characteristics of planned offensive operations, especially given the deployment of valuable and expensive air assets and the deliberate crossing of the Sobat River. The Government Forces commander himself clearly stated that his troops had crossed the river to take SPLM/A-IO positions.

3.3 It is the opinion of CTSAMM that by mounting deliberate offensive operations against SPLM/A-IO forces around Nassir, Government Forces were in clear violation of the PCTSA.

4.0 Conclusion

4.1 It is the clear opinion of CTSAMM that in Nassir on several occasions between 22 November 2016 and 5 January 2017 Government Forces violated Article 1.7 of the PCTSA, particularly:

- Article 1.1 of the COHA: “The Parties hereby agree to cease all military actions aimed at each other....”

5.0 Recommendations and observations

5.1 CTSAMM recommends that a strong message be sent to the Parties that offensive operations of this nature must stop if the peace process is to proceed. The blatant employment of helicopter gunships and air-dropped bombs provides highly-visible evidence that in the Nassir area at least the Government is ignoring the provisions of the PCTSA.

5.2 To date the MVT has been unable to get clear evidence of any civilian casualties. There are few civilians in the area, but the use of aerial bombardment must put their lives civilians at considerable risk.