

IGAD JTC MVM

INTERGOVERNMENTAL AUTHORITY
ON DEVELOPMENT

AUTORITÉ INTERGOUVERNEMENTALE
POUR LE DÉVELOPPEMENT



TO: Special Envoys to South Sudan
FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mechanism,
Juba, South Sudan
DATE: 7 November 2014

SUBJECT: Report on Violations of the Cessation of Hostilities Agreement

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report on violations of the Cessation of Hostilities Agreement (23 January 2014) in Malakal and Panyikang Counties, Upper Nile State and Peji County Jonglei State from 2 November to 4 November 2014

Major General (Retired) Negash Dagnev Ayele
Chairman, Joint Technical Committee

IGAD CONFIDENTIAL (HIGHLY SENSITIVE) REPORTS ARE NOT FOR REPRODUCTION OR
ONWARD DISTRIBUTION WITHOUT THE AUTHORITY OF THE CHAIRMAN JTC



IGAD JTC MVM

JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF
HOSTILITIES AGREEMENT IN PANYIKANG AND MANYO COUNTIES
UPPER NILE STATE**

(V017)

PRESENTED TO:

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

7 November 2014



IGAD JTC MVM

Executive Summary

- Following the receipt of a Flash Report on the morning of 3 November 2014 from the MVT based in the UNMISS Camp in Malakal which described violations during the previous night of the Cessation of Hostilities Agreement (COHA) in the area south of Doleib Hill, Panyikang County, the JTC initiated formal investigation and verification processes.
- Reports indicate that hostilities between SPLM/A-IO and Government Forces took place in Peji County, Jonglei State on 4 November 2014. There is evidence to suggest that these hostilities are ongoing. Reports further indicate that there were violations of the COHA in Malakal and Payikang Counties, Upper Nile State concerning reinforcement and resupply of military forces.
- 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 (COHA), 23 January 2014 in Malakal and Panyikang Counties, Upper Nile State and Peji County, Jonglei State:

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



IGAD JTC MVM

INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN PANYIKANG AND MANYO COUNTIES, UPPER NILE STATE

1.0 Introduction

1.1 The scope of this report covers violations of the COHA in Malakal and Panyikang Counties, Upper Nile State and Peji County, Jonglei State during the period 3-4 November 2014.

1.2 The aim of this report is to provide IGAD Special Envoys with the information acquired by the MVM about the incidents.

1.3 This report outlines the investigation and verification methodology. It summarises 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 Camps in Malakal town initiated the investigation / verification sequence with a series of reports beginning with a flash report on 3 November 2014. Subsequently, the JTC formally issued Investigation and Verification Orders to the MVT in Malakal.

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 result of investigations into the incident was an initial MVT Investigation and Verification Report submitted on 7 November which summarised earlier reports and was then followed up by a more detailed report later that day. All relevant MVT reports are referenced in this document and available for additional scrutiny if required.

3.0 Violations of COHA – Malakal and Panyikang Counties, Upper Nile State and Peji County, Jonglei State

3.1 Monday 3 November 2014:

- In the morning the MVT were informed by the Government Forces that shelling had been heard from the Dolieb Hill area. Government Forces later claimed that this was shelling by the SPLM/A-IO Forces against the Government Force positions on Dolieb Hill. The Government Forces also claimed later that they had been attacked, but at no time did they make an official complaint to the MVT.



IGAD JTC MVM

- Later in the morning the MVT observed Government reinforcements arrive by aeroplane at Malakal Airport. It was difficult to ascertain numbers, but other observers suggested about 300.

3.2 Tuesday 4 November 2014

- The MVT observed heavy weapons and ammunition arriving at Malakal brought in aboard a civil AIR ARMENIA aircraft Tail no. EK72928.
- The MVT received numerous reports that Government Forces had crossed the Sobat River and engaged SPLM/A/IO Forces in Peji County.
- MVT tried to contact SPLM/IO but with no success.
- Government Forces remained across the Sobat River and reports indicate they are still there. Unconfirmed reports suggest large numbers of civilians have moved south from the area of conflict towards Ayod County.

3.3 Assessment

- Reports from Government Forces that SPLM/A-IO forces engaged Government Forces with indirect fire weapons on the night of the 1-2 November, and that they attacked Government Forces positions in the Doleib Hill area were unconfirmed.
- The weight of evidence suggests that Government Forces reinforced their units in Malakal County and Panyikang County and carried out a deliberate attack over the Sobat River into Peji County on 4 November, and still hold positions in the Khorflus area in Peji County.
- Government Forces showed no restraint, and made no formal complaint to IGAD MVM about the alleged SPLM/A-IO attacks against their positions on Doleib Hill, Panyikang County.



IGAD JTC MVM

4.0 Conclusion

4.1 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 **2-4 November 2014** in Malakal and Panyikang Counties, Upper Nile State, and in Peji County, Jonglei State.

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

-

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

