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TO: Special Envoys to South Sudan

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

DATE: 12 August 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 on 10 August 2014 (V009).

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

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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF
HOSTILITIES AGREEMENT IN NASSIR COUNTY, UPPER NILE STATE
(V009)**

PRESENTED TO:

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

12 August 2014



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Executive Summary

- Following the receipt of reports from the Monitoring and Verification Team (MVT) based in Nassir that described 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) on 10 August 2014.
- Reports indicate that Government Forces and forces loyal to SPLM/A-IO have repeatedly exchanged indirect fire in the area of Nassir town since the last violation report on 25 July 2014. Exchanges of indirect fire intensified on 8 and 9 August and subsequently forces loyal to SPLM/A-IO conducted a direct attack against Government Forces in Nassir, on 10 August 2014. Government Forces responded, and repulsed the attack, forcing the withdrawal of the SPLM/A-IO Forces. Following the repulsed attack, indirect fire exchanges between the parties continued on 11 August.
- As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that forces loyal to SPLM/A-IO violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, on 10 August, 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 on 10 August 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 CSB in Nassir town initiated the investigation / verification sequence with a series of reports beginning on 10 August 2014.¹ Subsequently, the JTC formally issued Investigation and Verification Orders to the MVT in Nassir, following direction from the JTC Chairman.

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 is contained in MVT Daily Situation Reports from 10-11 August 2014, and Investigation and Verification Report 06 (11 August 2014). This report is based on the combined analysis of all reports and evidence received by the JTC until 1800hrs on 11 August 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

3.0 Violations of COHA – Nassir County²

3.1 Since the last report on COH violations in Nassir town, MVT Nassir has witnessed sporadic indirect fire exchanges, by both parties, in and around the outskirts of the town. The following occurrences serve as the background to events on 10 August:

- **08/09 August:** 82mm mortar exchanges by both parties: Government Forces increasing the intensity of indiscriminate fire during the early morning and early evening to deter potential attacks.

¹ MVT Nassir emails, MVT Nassir Daily Situation Report 69, on 10 August 2014.

² Ibid and MVT Nassir Daily Situation Report 70 and Investigation and Verification Report 06, 11 August 2014.



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- **09 August:** At approximately 2100hrs unconfirmed information suggested boats carrying White Army personnel, loyal to SPLM/A-IO, moved down the River Sobat towards Nassir and Government Force positions. MVT Nassir subsequently identified five boats approaching Nassir from the east carrying at least 15 personnel each.

3.2 Reports indicate that a deliberate assault on Government Forces headquarters in Nassir town took place on 10 August 2014, by forces loyal to SPLM/A-IO advancing from the south and east. An approximate timeline of events is shown below:

- **10 August:** SPLM/A-IO Forces begin an attack on Government Forces in Nassir town.
 - *0605hrs:* Small arms, automatic and mortar fire exchanges are heard close to Government Force positions in Nassir town. Intense firing continues for approximately 90 minutes.
 - *0730hrs:* Firing subsides as the forces loyal to SPLM/A-IO withdraw from Nassir carrying their wounded, with Government Forces in pursuit.
 - *1110hrs:* Government Forces return to Nassir town having cleared the area of SPLM/A-IO Forces, as far as Ketbek.
 - *2020-2040hrs:* Government Forces fire indiscriminately (machine guns and mortars) towards likely assault positions around Nassir, in order deter further attacks.
- **11 August:** Random indirect fire continues from both parties. Unconfirmed reports suggest that between 15 and 40 SPLM/A Force personnel were killed and over 40 injured during the attack on 10 August.

3.4 The commander of the Government Forces in the Nassir area is currently Brigadier Jildo Oling Baranya. The leader of the forces loyal to SPLM/A-IO in/around Nassir town is unknown. Unconfirmed reports indicate that the White Army in the area of Nassir is operating independently, without the oversight of SPLM/A-IO military leadership. However, further unconfirmed reports suggest the White Army continues to be resupplied by SPLM/A Forces based in Pagak.

4.0 Assessment

4.1 Reports indicate that SPLM/A-IO Forces deliberately attacked Government Forces in Nassir on 10 August 2014. Government Forces subsequently responded and repulsed the attack, forcing the withdrawal of the forces loyal to SPLM/A-IO. Both parties continue to endanger the safety of all personnel in the UNMISS CSB because of the effects of crossfire.

5.0 Conclusion

5.1 As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that SPLM/A-IO Forces violated the following articles of the Cessation of Hostilities



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Agreement, 23 January 2014, on **10 August 2014**, in Nassir County (Upper Nile State):

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

5.2 It is therefore recommended that the IGAD Special Envoys take the appropriate action in response to the violations of the Cessation of Hostilities Agreement, and continue to urge the parties to disengage and separate forces in close proximity, as well as cease hostilities in and around Nassir town.

