

## 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: 21 August 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 Rubkona County, Unity State on 15 and 18 August 2014 (V012).

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 RUBKONA COUNTY, UNITY STATE  
(V012)**

**PRESENTED TO:**

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

**21 August 2014**



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### Executive Summary

- Following the receipt of Monitoring and Verification Team (MVT) reports that described potential violations of the Cessation of Hostilities Agreement (COHA) in Rubkona County (Unity 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 the area of Rubkona and Bentiu towns, Rubkona County (Unity State), on 15 August. Reports also indicate that Government Forces indiscriminately fired at the civilian population in Rubkona on 18 August 2014.
- On 15 August SPLM/A-IO Forces conducted an attack on Government Forces in Rubkona and Bentiu towns, claiming they were provoked by Government Force advances in Mayom and Guit counties. Reports indicate that SPLM/A-IO Forces were repelled in Rubkona, but unconfirmed information suggests that SPLM/A-IO Forces captured areas to the south of Bentiu town. Government Forces continue to defend their positions in Rubkona and Bentiu.
- 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 15 August 2014, in Rubkona and Bentiu towns, Rubkona County (Unity State):
  - 1.0-1.2 (inclusive) *Declaration of Cessation of Hostilities*
- 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, on 18 August 2014, in Rubkona town, Rubkona County (Unity State):
  - 3.1 *Protection of Civilians*



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### INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN RUBKONA COUNTY, UNITY STATE

#### 1.0 Introduction

1.1 The scope of this report covers violations of the COHA in Rubkona County, Unity State on 15 and 18 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 JTC initiated the investigation / verification sequence on 15 August 2014, following the receipt of a Flash Report from the MVT based in Bentiu.<sup>1</sup> Subsequently, the JTC formally issued Investigation and Verification Orders to the MVT based in Bentiu, 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 conducted over the period 15-20 August is a series of Daily Situation Reports, Incident Reports and an Investigation and Verification Report. This report is based on the combined analysis of all reports and evidence received by the JTC until 1800hrs on 20 August 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

*Note: Over a five-day period (15-20 August), Government Forces hindered the freedom of movement of MVT Bentiu during its conduct of investigations into these violations.*

#### 3.0 Violations of COHA – Rubkona and Bentiu Towns, 15 August 2014<sup>2</sup>

3.1 Reports indicate the following main events took place relating to COHA violations in Rubkona and Bentiu towns on 15 August:

**Approximately 0620hrs:** SPLM/A-IO Forces initiate an attack against the Government

<sup>1</sup> MVT Bentiu Flash Report, 15 August 2014

<sup>2</sup> MVT Bentiu Daily Situation Reports 130 and 131, and Violation Update 15 August 2014.



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Force's positions from the south / east towards Bentiu, and from the west towards Rubkona, near the airfield.

**Approximately 1000hrs:** The fighting subsides with SPLM/A-IO Forces being repelled from Rubkona, but unconfirmed reports indicate that SPLM/A-IO Forces captured Government Force defensive positions south of Bentiu. Government Forces withdraw to new positions on the outskirts and in the center of Bentiu.

### 3.0 Violations of COHA – Rubkona Town, 18 August 2014<sup>3</sup>

3.1 Reports indicate the following main events took place relating to COHA violations in Rubkona town on 18 August:

**Approximately 0940hrs-1000hrs:** Government Forces begin sporadic fire, followed by heavy, sustained fire, on/around Rubkona airfield. The small arms and medium caliber fire results in injured civilians, damage to the UNMISS camp (including the MVT accommodation), and dispersal and panic among IDPs. Government Forces claim multiple excuses for the indiscriminate fire, including forces were ordered to fire warning shots to prevent IDPs from moving towards Bentiu, that forces were test firing weapons, and that forces were conducting a demonstration of celebratory fire for journalists.

### 4.0 Assessment

4.1 Reports indicate that SPLM/A-IO Forces deliberately attacked the Government Forces defensive positions in Rubkona and Bentiu towns on 15 August 2014. On 18 August, Government Forces fired their weapons indiscriminately in Rubkona, thus injuring and endangering civilians, and damaging UN / MVT facilities.

4.2 Major General Peter Gadet Yak is the commander of SPLM/A-IO Forces in Unity State, but he claimed to be in Mayom County during the time of the attack. He further claimed the attacks on Rubkona and Bentiu were in response to Government Force advances in Mayom and Guit counties. Major Generals Tayiib Gatluak and Matthew Puljang, the commander and deputy of Government Forces in Unity State, were not observed in Rubkona / Bentiu during the violations on 15 and 18 August 2104.

4.3 The forces of both parties are now in very close proximity around Rubkona and Bentiu, and unless they disengage and separate it is highly likely there will be further violations of the COHA, thus endangering civilians and preventing humanitarian support to the area.

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<sup>3</sup> MVT Bentiu Daily Situation Reports 133 (plus annex: Incident Report 18 Aug 14), and Investigation and Verification Report 007 (Bentiu) 20 August 2014



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### 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 violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, on 15 August 2014, in Rubkona and Bentiu towns, Rubkona County (Unity State):

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

5.2 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, on 18 August 2014, in Rubkona town, Rubkona County (Unity State):

- 3.1 *Protection of Civilians*

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, and urge the SPLM/A-IO and GRSS to disengage and separate their forces in areas around Bentiu and Rubkona as soon as possible.

