

## 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: 12 December 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 Nassir, Upper Nile State.

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



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### **JOINT TECHNICAL COMMITTEE (JTC)**

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN NEW FANGAK, JONGLEI STATE**

**(V021)**

**PRESENTED TO:**

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

**12 December 2014**



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### Executive Summary

On 10 December 2014 there was a significant exchange of fire between Government Forces from the garrison at Nassir and fighters loyal to the SPLM/A-IO in the area of Kedbeck village.

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 Nassir on 10 December 2014

- 1.2.b Refrain from taking any actions that could lead to military confrontations.



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### INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN NASSIR, UPPER NILE STATE

#### 1.0 Introduction

1.1 Background: There has for some time been tension between the Government Forces garrison in Nassir and the inhabitants of the surrounding area. On 20 November 2014 there was an exchange of gunfire between a Government Forces patrol and alleged members of the Sudan Peoples' Liberation Movement/Army – In Opposition (SPLM/A-IO) which resulted in the injury of one Government Forces soldier. This incident was investigated by the MVT based at the UNMISS Camp in Nassir, but insufficient evidence was found to be able to apportion blame and issue a Violation Report.

1.2 Incident: On 10 December heavy small-arms fire and some explosions from Rocket-Propelled Grenades (RPG's) were heard to the east of Nassir following the start of what had been assumed was a routine Government Forces patrol.

1.3 Aim: The aim of this report is to provide IGAD Special Envoys with a summary of the incident that took place in Nassir on 10 December, and where relevant apportion responsibility for violations of the COHA.

#### 1.4 Methodology:

- Employing Monitoring and Verification Mechanism (MVM) Standard Operating Procedures, the JTC initiated the investigation / verification sequence on 10 December 2014 following reports of the incident from the MVT based in Nassir. Investigation and Verification Orders were immediately issued to the MVT by the Chairman.
- The MVT conducted investigations in accordance with the orders, accessing as much information as possible from a variety of sources including UNMISS, the Commanding Officer of the Government Forces and local people (including low-level members of the SPLM/A-IO) in the area of the incident through the MVT Community Liaison Officer (CLO). The MVT was unable to get any comment from senior SPLM/A-IO officers. The MVT submitted an Investigation and Verification Report on the evening of 11 December 2014.





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### 2.0 Violations of COHA – NASSIR

2.1 At about 10.40 Hrs on 10 December 2014 the Commanding Officer of the Government Forces in Nassir (Brigadier Peter Oyual Khor) arrived at the UNMISS camp for a routine meeting with UNMISS officials and the IGAD MVT. Previously at approximately 10.10 Hrs a 50-60-strong Government Forces patrol had passed by the UNMISS camp and moved to the east. This was entirely normal, as Government Forces deployed a security force whenever the Commanding Officer visited the UNMISS camp for meetings, and they usually took up position about 300m to the east of the camp by the hospital buildings.

2.2 At about 10.50 Hrs heavy gunfire was heard to the east of the UNMISS camp. This consisted of small arms fire and explosions from RPG's, and it went on until 12.20 Hrs.

2.3 The MVT investigation resulted in the following observations and information:

- The engagement took place to the east of the UNMISS camp, between the camp and the village of Kedbeck. Kedbeck is considered to be in SPLM/A-IO controlled territory.
- From the watchtowers at the perimeter of the UNMISS camp MVT and UNMISS observed Government Forces soldiers about 500m beyond (to the east) of the hospitals. The Commanding Officer of the UNMISS battalion confirmed that this was well beyond the usual limit of their routine patrols.
- Once the firing had started UNMISS personnel observed approximately 70-80 Government Forces soldiers joining up with those already engaged in the firefight. They also reported seeing about 23 non-uniformed and unidentified armed men exchanging fire with the Government Forces in the area to the east of the UNMISS camp.
- Following the incident the Commanding Officer of the Government Forces claimed that the patrol to the hospital area was routine, and that it had been seen and engaged by 'armed youth'. He said that the patrol returned fire to defend itself, and that he was unable to give any estimate of the number of SPLM/A-IO combatants involved as long grass made it difficult to see the enemy. He just said "there were many". One Government Forces soldier was wounded in the engagement.
- The MVT sent their senior Community Liaison Officer (CLO) to the village of Kedbeck a few hours after the firing ceased. He spoke with some local armed youths and also one man known to be an SPLM/A-IO soldier called Lok Both. These people claimed that the Government Force patrol moved towards Kedbeck and split into 3 groups heading for villages 500-1000m east of the hospitals (and one village reported to be much further than that). When they were observed approaching the 'youth' fetched their weapons and claimed they were then fired upon by the Government Forces and returned fire in order to defend themselves. It should be noted that many Nuer villagers are armed, and many SPLM/A-IO are without uniforms which makes it difficult to distinguish whether or not SPLM/A-IO "official" forces are involved or not. The one man known to be a SPML/A-IO soldier arrived too late to take part in the action. One person was injured in the exchange of fire.



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2.4 **Assessment** There is no doubt that the Government Forces patrol went much further than is usual, and that it entered an area considered to be held by the SPLM/A-IO and that this would be seen as a provocation to both the local people and by any SPLM/A-IO forces in the area.

### 3.0 Conclusion

3.1 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 (COHA), 23 January 2014 in Nassir on 10 December 2014.

- 1.2.b Refrain from taking any actions that could lead to military confrontations.

3.2 Recommendations: It is recommended that the IGAD Special Envoys take the appropriate action in response to the violation of the Cessation of Hostilities Agreement.

