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TO: Special Envoys to South Sudan
FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mechanism,
Juba, South Sudan
DATE: 4th February 2015

SUBJECT: Report on Violations of the Cessation of Hostilities Agreement

Your Excellences,

Please find attached the Joint Technical Committee (JTC) report on violations of the Cessation of Hostilities Agreement (23 January 2014) in Upper Nile State.

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



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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN RENK COUNTY, UPPER NILE STATE
(V026)**

PRESENTED TO:

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

4th February 2015



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Executive Summary

On 17 January 2015 the MVT based in the UNMISS camp in Melut heard that there had been some fighting north of Renk, Upper Nile State. There were also rumours of shelling against Renk itself. This information came from the UNMISS MLO's and the MVT's Community Liaison Officers (CLO's).

Over the next few days the MVT continued to receive information about clashes in the area north of Renk and the mortaring of Renk itself. There were also reports in the media, and then information about further clashes on 25 and 26 January.

After some delays caused by the security situation on the ground the MVT from Melut deployed to Renk from 29 to 31 January, and were able to visit some of the areas allegedly affected by the clashes.

Whilst the MVT was not able to visit all the areas affected, it is the opinion of the JTC that SPLM/A-IO did carry out offensive operations in northern Upper Nile State during the period 17 to 26 January 2014, and in doing so clearly violated the COHA.



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INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN RENK COUNTY UPPER NILE STATE

1.0 Introduction

1.1 Background: Tension in northern Upper Nile state has been high for some time. When the MVT from Melut visited the area in December 2014 whilst verifying Disputed Areas (DAs) there were rumours of clashes and reports – albeit from the Government Forces – of expected attacks by SPLM/A-IO forces.

1.2 Incident:

- On 17 January 2015 it was reported to the MVT at Melut that there was a clash Umduluz north east of Renk.
- On 18 January there were reports of shelling allegedly by SPLM/A-IO forces against a village called Abhukhadra 3 km north of Renk and subsequently against Renk itself.
- On 25 to 26 January the MVT was informed that SPLM/A-IO forces allegedly attacked the village of Imtidad which is about 47 Km north east of Renk.

1.3 Aim: The aim of this report is to provide IGAD Special Envoys with a summary of the incidents that took place in Renk County, Upper Nile State between 17 and 26 January 2015, and apportion responsibility for violations of the COHA.

1.4 Methodology:

- Following initial reports from the MVT based at the UNMISS camp in Melut on 17 January of incidents in Renk County, and subsequent reports in the press and from other sources, the JTC started planning to deploy the MVT to Renk in order to investigate the situation.
- A subsequent deterioration in the security situation resulted in a delay to the deployment to Renk. However, the MVT was able to travel to Renk on 29 January



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and with assistance from UNMISS (Force Protection and MLO liaison) and undertake an investigation into the alleged events. The MVT visited Renk, Abukhadra and Imtidad, but were unable for reasons of security to get to Umduluz.

- The MVT conducted investigations in accordance with the instructions given. They were able to meet with first-hand witnesses from the UN and the local population. They also met with Government Forces and civilian authorities (including the Government Forces 1st Division Commander Brigadier General Stephen Buoy Rolnyang), but were unable to speak with representatives of the SPLM/A-IO. An Investigation and Verification report was submitted during the morning of 2 February 2015.

2.0 Violations of COHA

2.1 Alleged incident at Umduluz: As already stated the MVT was unable to visit Umduluz, and therefore the only information they were about what allegedly happened came from Government Forces. The UNMISS MLO had not visited the site and also had information only from the Government Forces. It is highly likely that there was some sort of clash between SPLM/A-IO forces and Government Forces in the area on 17 January, but there is insufficient evidence to apportion responsibility for the incident. Umduluz is in what is effectively a 'no-mans-land' between the opposing forces.

2.2 Alleged shelling of Abukhadra and Renk:

- Abukhadra: The MVT visited Abukhadra (N 11° 48' 51.48", E 32° 47' 33.48") where there is an 'NCO' battalion of 1st Division Government Forces. The commanding officer of the battalion reported that shelling had taken place on the evenings of 16 and 17 January. Because the mortar rounds allegedly landed in soft ground, the MVT saw no physical evidence of a mortar attack.
- Renk:
 - The MVT visited the site in Renk of alleged shelling that took place on 18 January 2015. There were some damaged buildings which the team photographed. Government civil authorities described what had happened.
 - The UNMISS MLO Team Leader reported clearly that he and his team had witnessed the shelling of Renk from the west bank of the Nile on 18 January.

2.3 Alleged attack on Imtidad (N 12° 09' 13.92"; E 32° 47' 97").

- The MVT visited Imitdad which is a market village, and witnessed a number of burnt-out tukuls and shop. They were met by the Government Forces 2nd Brigade Commander, Colonel James Gatjath Choung and the commander of



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104 Battalion, Lieutenant Colonel Thon Lual Agui. They also met the Government Forces Company Commander who was responsible for Imitdad, Lieutenant Johnson Nyith and so they were able to get a full account of what happened from the Government Forces point of view.

- Government Forces told the MVT that Imitdad was attacked by an unknown number of SPLM/A-IO forces at about 18.30 on 26th January 2015. They burnt houses and shops and looted money and goods. They left on the 27th January, allegedly moving north.
- The MVT corroborated this account by talking to a selection of citizens, mainly traders. They all confirmed the details of the attack, and that the aim seemed to have been looting. All those interviewed by the MVT reported losses of some kind. All the citizens interviewed by the MVT were able to escape and return after the attack was over. There were no reports of casualties.
- Four out of six citizens interviewed at random by the MVT confirmed that the attackers were from the SPLM/A-IO. The other two were not sure because they fled as soon as they heard the first shot.

2.5 Assessment:

- The JTC cannot draw any conclusions about the alleged incident at Umduluz.
- Given the number and reliability of the witnesses to the mortaring of Renk on 18 January, the JTC considers it to be beyond any reasonable doubt that this did indeed take place, and that the mortars were fired from an area on the west bank of the Nile where SPLM/A-IO forces are present. However, without any corroboration the JTC cannot verify the alleged mortaring of the NCO barracks at Abhukhadra on or around the 16th and 17th January.
- There is no doubt that there was an attack on Imitdad on the evening of 26 January, which resulted in theft and looting, and that those responsible came from areas under the control of the SPLM/A-IO.
- It is the assessment of the JTC that SPLM/A-IO forces were involved in aggressive acts against areas under the control of Government Forces between 17 and 26 January 2015, and were therefore in violation of the COHA.

3.0 Conclusion

3.1 As a result of investigations, and the weight of evidence collated it is the opinion of the



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JTC that SPLM/A-IO forces violated the following articles of the Cessation of Hostilities Agreement (COHA), 23 January 2014 in Renk and Imitdad:

- 1.1 The Parties hereby agree to cease all military actions aimed at each other
 - 3.1 The Parties shall refrain from attacks on the civilian population
- 3.2 Recommendations: It is recommended that the IGAD Special Envoys take the appropriate action in response to these violations of the COHA.

