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TO: Special Envoys to South Sudan

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

DATE: 14th 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 Unity 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 BENTIU, UNITY STATE

(V028)

PRESENTED TO:

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

14th February 2015



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Executive Summary

On the morning of 10 February 2015 there was a short exchange of indirect fire between SPLM/A-IO Forces and Government Forces in Bentiu. There were no casualties reported.

This was a clear violation of the COHA. However, there is no clear evidence as to which Party initiated the shelling, and therefore responsibility cannot be attributed to either.



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INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN BENTIU, UNITY STATE

1.0 Introduction

- 1.1 Background: As reported in JTC Report V027 there have been ongoing tensions between the Government Forces in Bentiu/Rubkona and the surrounding SPLM/A-IO Forces, with a fatal shelling incident on 1 February 2015 (V027), and also an alleged ambush incident which is still being investigated.
- 1.2 Incident: There was an exchange of indirect fire on the morning of 10 February 2015. No casualties were reported. The exchange lasted about 45 minutes.
- 1.3 Aim: The aim of this report is to provide IGAD Special Envoys with a summary of the incident that took place in Bentiu, Unity State on 10 February 2015, and apportion responsibility for violations of the COHA if appropriate.
- 1.4 Methodology:
- The MVT based in Bentiu reported the shelling by a 'Flash Report' at 09.43 on 10 February, and proceeded to investigate the incident as soon as the all clear was given shortly thereafter. Thy MVT visited the Government Garrison and positions in Bentiu and Rubkona and took statements from witnesses. They were also able to speak with the local commander of SPLM/A-IO Forces.
 - The MVT carried submitted a report to JTC at 10.00 Hrs on 11 February.

2.0 Violations of COHA

2.1 Shelling 10 February 2015:

- At 09.05 the MVT then at their office in the UNMISS camp near Rubkona heard the sound of shelling from the south east. Two members of the team went to listen to it, and heard both incoming and outgoing shells. Calls made to the Government Forces (4th Division) in order to find out what was happening went unanswered, and all personnel in the UNMISS camp were ordered to the bunkers. The all clear was given at 09.51 Hrs.
- The MVT visited HQ 4th Division Government Forces and spoke to Brigadier General Obour, and also an officer who works with the Head of Military Intelligence who stated that the shelling came from a place called Tee (in the Lekenya area, a former barracks) and was directed at the 4th Division area, and Government Forces responded. There were no casualties and no damage reported. The MVT



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interviewed another soldier on the ground who gave the same information.

- The MVT spoke by telephone to Brigadier General Simon Maguek, the local commander of SPLM/A-IO Forces. He claimed that he knew nothing about the shelling.
- The MVT also spoke with UNMISS sources in order to try to discover which Party initiated the shelling, but were unable to get any clear indication.

2.3 Assessment:

- There was an exchange of indirect fire between the SPLM/A-IO and Government Forces on the morning of 10 February. There were no casualties and no damage on the Government side; the effects of the shelling in IO areas is unknown.
- Despite enquiries made by the MVT, there was no impartial evidence to confirm which Party initiated the engagement and were therefore responsible for committing a 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 JTC that due to a lack of clear evidence neither Government Forces nor SPLM/A-IO forces can be held responsible for violating the COHA. However, a violation of the Cessation of Hostilities Agreement (COHA), 23 January 2014 did occur in Bentiu on 10 February 2015:

- 1.1 The Parties hereby agree to cease all military actions aimed at each other

3.2 Recommendations: It is recommended that the IGAD Special Envoys as a matter of urgency urge both Parties to exercise restraint in the Bentiu area and respect the provisions of the COHA.

