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TO: Special Envoys to South Sudan

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

DATE: 16 March 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 Nassir, Upper Nile State.

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



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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN NASSIR, UPPER NILE STATE
(V032)**

PRESENTED TO:

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

16 March 2015



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Executive Summary

There have been further clashes in Nassir. This reports covers a series of incidents from 6 to 7 March 2015.

The incidents started with heavy shelling on the night 6 March. It was not possible to confirm which of the Parties initiated the exchange. On the following day there was an incursion by up to 500 SPLM/A-IO troops, although as many of them were not in uniform and not all were armed they were probably affiliated 'White Army' groups. The SPLM/A-IO forces advanced past and close to the UNMISS base and towards Government Forces held positions.

It is the opinion of the JTC that SPLM/A-IO Forces were in violation of the COHA for their advance towards Government Forces positions.



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

1.0 Introduction

- 1.1 Background: Nassir has been the site of numerous violations, with continued clashes between Government Forces in based on the northern bank of the Sobat River and effectively in occupation of the deserted town of Nassir, and SPLM/A-IO forces in the surrounding area. The Government Forces garrison is re-supplied by air, and in recent week the frequency of resupply flights has increased.
- 1.2 Incidents: The series of incidents covered in this reports started with heavy shelling on the night of 6 March, which continued into the early hours of 7 March. On 7 March there was an incursion by up to 500 SPLM/A-IO forces which resulted in a clash with Government Forces.
- 1.3 Aim: The aim of this report is to provide IGAD Special Envoys with a summary of the incidents that took place in Nassir 6 and 7 March 2015, and where possible apportion responsibility for violations of the COHA.
- 1.4 Methodology:
- Reports were received from the MVT based in the UNMISS CSB in Nassir starting with a Flash report sent at 20.15 on 6 March. The MVT then monitored the situation reporting where necessary before submitting a final Investigation and Verification report as instructed by JTC on 11 March 2015.
 - The MVT was not able to leave the UNMISS base during the incidents; however by going to the watchtowers they were able to physically see what was happening and then interview other witnesses.

2.0 Violations of COHA – NASSIR

- 2.1 6 March 2015: At about 19.35 Hrs a heavy exchange of indirect fire started. This continued throughout the night. It sounded to the MVT that most, if not all, of the fire was from Government Forces positons, but it is not possible to confirm this. It is also not possible to confirm which side initiated the shelling.
- 2.2 7 March 2015:
- The shelling which started on the evening of 6 March intensified in the early hours of the morning (about 04.00 Hrs). It sounded as though some of this shelling was impacting in Government Forces positions (IE fired from SPLM/A-IO positions), but

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this cannot be confirmed.

- Just before 0600 heavy fire from automatic weapons and machine-guns was heard, suggesting close contact between the warring Parties. This lasted for about 10 minutes.
- At approximately 07.45 Hrs scores SPLM/A-IO forces, some armed and some unarmed, advanced past the northern perimeter of the UNMISS base towards the airstrip and Nassir Town. Many of these forces were in civilian clothes and appeared to be youths aged from 13 to 16 years. Some estimates from UNMISS observers suggested as many as 500 opposition personnel were involved. Sporadic and at times steady gunfire continued throughout the early morning.
- The gunfire intensified again at about 10.45 Hrs when a Government Forces supply aircraft landed. All firing stopped at about 12.45 Hrs, and the rest of the day remained quiet.

2.5 **Assessment:**

- Tensions in Nassir continue, with repeated clashes between the Parties.
- There is no doubt that armed SPLM/A-IO forces, albeit probably local 'White Army' personnel, approached Government Forces positions on 7 March, and entered ground that is under the accepted control of Government Forces. This constituted a clear violation of the COHA which was witnessed by the IGAD MVT.

3.0 **Conclusion**

3.1 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 Agreement (COHA), 23 January 2014 in Nassir on 7 March 2015:

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

3.2 Recommendations:

- The JTC recommends that the Special Envoys put pressure on both Parties to respect the COHA in Nassir in order to stop any further deterioration of the situation there.

