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TO: Special Envoys to South Sudan

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

DATE: 25 April 2014

SUBJECT: Report on Violations of the Cessation of Hostilities Agreement

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report on the violations of the Cessation of Hostilities Agreement (23 January 2014) committed in Bor, Jonglei State, South Sudan on 17 April 2014 (V002).

Mohammad Amin
Major General
For the Chairman, Joint Technical Committee

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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF
HOSTILITIES AGREEMENT IN BOR (JONGLEI STATE)**

17 APRIL 2014

PRESENTED TO:

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

ADDIS ABABA, ETHIOPIA

25 APRIL 2014



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Executive Summary

- Following the receipt of flash reports from the Monitoring and Verification Team (MVT) based in Bor, which implied a violation of the Cessation of Hostilities Agreement (COHA) in Bor, Jonglei State on 17 April 2014, the JTC initiated a formal investigation and verification process on the same day. The results of the investigation and verification process are contained in this report.
- Reports indicate that hostilities between armed demonstrators, loyal to the Government of South Sudan, and internally displaced people (IDPs) began at the UNMISS Protection of Civilians (POC) site in Bor at approximately 0930hrs on 17 April 2014. The hostilities resulted in the death of 58 people inside the POC site, with over 100 injured. One of the dead attackers was reported as wearing a security force uniform (South Sudan National Police Service). There were also reports of dead bodies outside the perimeter of the POC site, which were removed by the government authorities by 18 April.
- The leader of the demonstrators (turned attackers) is not known. Although military forces loyal to the Government of South Sudan were sighted in the vicinity of the UNMISS camp as demonstrators converged, there is no evidence to suggest they were directly involved in the attack.
- As a result of ongoing investigations, including the first-hand accounts from the Monitoring and Verification Team (MVT) based in the UNMISS compound in Bor, it is the opinion of the JTC that armed personnel, loyal to the Government of South Sudan, violated the following articles of the Cessation of Hostilities Agreement, 23 January 2014, on 17 April 2014:

3.1, 3.3 and 3.4 *Protection of Civilians*



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INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN BOR, JONGLEI STATE (17 APRIL 2014)

1.0 Introduction

1.1 Demonstrators from the mostly Dinka Bor community in Bor Town attacked the UNMISS POC site, killing unarmed IDPs on 17 April 2014. The scope of this report covers the hostilities that took place in POC site, and in the vicinity of the UNMISS camp in Bor, from approximately 0930-1230hrs on 17 April.

1.2 The aim of this report is to provide IGAD Special Envoys with an analysis of the events surrounding the hostilities in Bor Town on 17 April 2015. 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 outlines the main events surrounding the incident, and makes an assessment of possible violations of the COHA. Based on evidence gathered, the report concludes with the JTC's opinion on the attribution of responsibilities for the COHA violations.

2.0 Investigation / Verification Methodology

2.1 Employing Monitoring and Verification Mechanism Standard Operating Procedures, the MVT based in UNMISS compound in Bor initiated the investigation / verification sequence with a Flash Report at 1245hrs on 17 April 2014. Subsequent to the Daily Situation Report on 17 April, the JTC formally issued an Investigation and Verification Order at 0930hrs on 18 April, following the approval of the JTC Deputy Chairman.¹

2.2 MVT Bor conducted investigations in accordance with the order, in order to augment the information already provided and to corroborate reports received from other sources. The result of initial investigations was an MVT Investigations and Verification Report on 18 April 2014. This report is based on the combined analysis of all reports and evidence received by the JTC up until 0900hrs on 19 April 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

3.0 Main Events

3.1 MVT reporting suggests that youth demonstrators gathered in Bor Town on the morning of 17 April, with the aim of marching to the UNMISS compound to handover a letter of protest. Similar demonstrations against UNMISS in the past have been peaceful and therefore violence was not anticipated. Although government security forces were seen among the demonstrators during the march towards the UNMISS camp, they were not visible when the crowds advanced towards the POC Site. Shortly after a protest letter was handed over by two

¹ Investigation and Verification Order 002 (Bor), 17 April 2014



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demonstrators at the UNMISS compound gate, shots were heard in the area of the eastern gate of the POC site. Reports subsequently indicate that, following an exchange of fire between UNMISS forces and the youth demonstrators, the POC site was breached and the attacks on civilians began.²

3.2 MVT reports indicate that during fighting inside the Bor POC site, civilians were deliberately targeted by armed youth from the Bor community, resulting in multiple deaths and injuries among IDPs, mostly from the Nuer ethnic group. The hostilities resulted in the death of 58 people inside the POC site, with over 100 injured.³ There is some evidence to suggest that security forces, loyal to the Government of South Sudan, took part in the attack on the IDPs (photograph 1).

Photograph 1



Photographs of some of the IDPs killed during the attack



² MVT Investigation and Verification Report 001 (Bor)

³ UNMISS reports, 22 April 2014



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4.0 Assessment

4.1 JTC assessments indicate that armed youth, loyal to the Government of South Sudan, failed to refrain from attacks on the civilian population and protect basic human rights. Furthermore, individuals engaged in violence against men, women and children, and destroyed property in violation of the COHA.⁴

5.0 Conclusion

5.1 JTC and MVT investigations, verification and evidence collection continues regarding the hostilities at the UNMISS POC site in Bor, on 17 April 2014. The data collated so far indicates that armed youth, loyal to Government of South Sudan, committed violations of the COHA in the following categories:

⁴ MVT Investigation and Verification Report 001 (Bor)



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- 3.1, 3.3 and 3.4 *Protection of Civilians*

5.2 It is therefore recommended that the IGAD Special Envoys take the appropriate action against the Government of South Sudan in response to the violations of the Cessation of Hostilities Agreement.

