

## IGAD JTC MVM

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TO: Special Envoys to South Sudan  
FROM: Chairman, Joint Technical Committee, Monitoring and Verification Mission,  
Juba, South Sudan  
DATE: 20 June 2014

**SUBJECT: Report on Violations of the Cessation of Hostilities Agreement**

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report on the continuing violations of the Cessation of Hostilities Agreement (23 January 2014) in Bor, Juba and Bentiu, South Sudan (V006).

Gebre Egziabher Mabrahtu  
Major General (Retired)  
Chairman, Joint Technical Committee

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**JOINT TECHNICAL COMMITTEE (JTC)**

**INVESTIGATIONS INTO CONTINUING VIOLATIONS OF THE  
CESSATION OF HOSTILITIES AGREEMENT IN BOR, JUBA AND  
BENTIU**

**(V006)**

**PRESENTED TO:**

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

**20 June 2014**



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### Executive Summary

- Following the receipt of reports from the Monitoring and Verification Team (MVT) based in Bor, which implied the likelihood of continuing violations of the Cessation of Hostilities Agreement (COHA) in Bor, Jonglei State, against Internally Displaced People (IDPs) the JTC initiated formal investigation and verification processes in Bor, Juba and Bentiu. The results of the investigation and verification process are contained in this report.
- MVT reports indicate that IDPs in UNMISS Protection of Civilian (POC) sites are prevented from free movement outside of the sites because of fears of intimidation, threats or attacks from Government Forces. The situation is prevalent and on going in Juba, Bor and Bentiu, where investigations were conducted.
- As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that Government Forces are violating the following articles of the Cessation of Hostilities Agreement, 23 January 2014:

*4.3 The Parties undertake to assist displaced persons and refugees who wish to return to their original areas of abode within the Republic of South Sudan or elsewhere*

*4.4 The parties commit to allow the free movement of persons and goods within the areas affected by the armed conflict*

- The JTC suspects that the situation is the same in other IDP camps, and therefore investigations continue.



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### INVESTIGATIONS INTO CONTINUING VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN BOR, JUBA AND BENTIU

#### 1.0 Introduction

1.1 The scope of this report covers potential violations of the COHA, which are on going against IDPs, in the POC sites in Bor, Juba and Bentiu.

1.2 The aim of this report is to provide IGAD Special Envoys with an analysis of the issues surrounding the potential violations. 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 summarizes the main events surrounding the potential violations and makes an assessment based on the evidence gathered. It concludes with the JTC's opinion on the attribution of responsibilities for the violations.

#### 2.0 Investigation / Verification Methodology

2.1 Employing Monitoring and Verification Mechanism (MVM) Standard Operating Procedures, the MVT based in the UNMISS camp in Bor initiated the investigation / verification sequence with a Daily Situation Report on 04 June 2014.<sup>1</sup> Subsequently, the JTC formally issued Investigation and Verification Orders to MVTs in Bor, Juba and Bentiu on 05 June, following direction from the JTC Chairman.

2.2 The MVTs conducted investigations in accordance with the orders, in order to augment the information already provided and corroborate reports received from other sources. The results of initial investigations were MVT Investigation and Verification Reports on 06 June (Bor), 13 June (Juba), and 15 June (Bentiu). This report is based on the combined analysis of all reports and evidence received by the JTC up until 1200hrs on 16 June 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

#### 3.0 Violations of COHA – Bor, Juba and Bentiu<sup>2</sup>

3.1 MVT reporting suggests that violations of the COHA continue to take place against IDPs in the POC sites in Bor, Juba and Bentiu. All three MVTs are consistent in their reporting, which indicates that members of the Nuer ethnic group face intimidation, threats and/or attack if they attempt to leave the POC sites. This follows interviews with POC site occupants, senior UN personnel and non-governmental organizations.

<sup>1</sup> MVT (Bor) Daily Situation Report 055

<sup>2</sup> Investigation and Verification Report (Humanitarian Access - Bor), Investigation and Verification Report (Humanitarian Access - Juba), Investigation and Verification Report (Humanitarian Access - Bentiu)



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3.2 In Bor, reports indicate that adult male members from the Nuer Community are prevented from free movement from the POC site as they are suspected of being members of the SPLM/A-IO Forces. Women and children are permitted free movement, providing they attain the correct clearance documents from the Government Forces.

3.3 In Juba, reports indicate the Nuer IDPs residing at the UNMISS Tong Ping POC site strongly feel that they do not have freedom of movement within Juba, or anywhere within South Sudan, except within those areas that are exclusively or predominantly Nuer. Reports indicate that Nuer women who were able to leave the POC site to conduct shopping in the town (because they are not easily identifiable as Nuer due to the absence of Nuer traditional scarring) are harassed by Government Forces upon attempting to re-enter the UNMISS POC facility.

3.4 In Bentiu, the MVT witnessed a number of IDPs being intimidated and harassed by Government Forces when they attempted to leave, or returned to the POC site. There were also MVT witness sightings of the arrest of IDPs from the gate area of the POC site.

3.5 There are unconfirmed reports, from all three locations, which further indicate random arrests, kidnappings and killings of IDPs by Government Forces.

### 4.0 Assessment – Bor, Juba and Bentiu

4.1 JTC assessments indicate that IDPs are restricted from free movement and prevented from returning to their original areas of abode in Bor, Juba and Bentiu for fear of intimidation or attack by Government Forces.

### 5.0 Conclusion

5.1 As a result of investigations, and the weight of evidence collated, it is the opinion of the JTC that Government Forces are violating the following articles of the Cessation of Hostilities Agreement, 23 January 2014:

4.3 *The Parties undertake to assist displaced persons and refugees who wish to return to their original areas of abode within the Republic of South Sudan or elsewhere*

4.4 *The parties commit to allow the free movement of persons and goods within the areas affected by the armed conflict*

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

