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TO: Special Envoys to South Sudan

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

DATE: 30 June 2015

SUBJECT: Report on Violations of the Cessation of Hostilities Agreement

Your Excellencies,

Please find attached the Joint Technical Committee (JTC) report on violations of the Cessation of Hostilities Agreement (23 January 2014) in Upper Nile State on 27 June 2015.

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 MALAKAL, UPPER NILE STATE**

(V045)

PRESENTED TO:

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

30 June 2015



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Executive Summary

On 15th May, the SPLM/A-IO/Shilluk allied Forces under command of Major General Olony launched an attack and subsequently captured Malakal from the Government Forces. During the same week, the Opposition forces proceeded northwards to capture Melut on 19 May with an intention of further capturing Paloich Oil Fields but the Government counter attack on 20 May recaptured Melut and later Malakal on 25 May. JTC reported this incident under V040 report.

In the Month of June, MVT Malakal received reports regarding movement and concentration of the SPLM/A-IO/Shilluk Forces in Kodok and areas to the west and south of Malakal. On 23 June, the SPLM/A-IO/Shilluk allied Forces attacked and captured Dolieb Hills located south of Malakal. Later on 27 June 2015, at 1830Hrs, the SPLM/A-IO/ Shilluk allied Forces again attacked the SPLA/government Forces in Malakal town in a fight that ensued for five hours. The Opposition Forces finally captured Malakal.

It's the opinion of JTC that there is sufficient evidence to confirm that the SPLM/A-IO/shilluk allied Forces violated article 1.1 of the COHA by conducting deliberate attack on Malakal.



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

1.0 Introduction

1.1 Background: In Mid-May of 2015, the SPLM/A-IO/Shilluk allied Forces under command of Major General Olony launched an attack and subsequently captured Malakal and Melut with an intention of further capturing Paloich Oil Fields but the Government counter attack pushed out the opposition Forces

In June 2015, movement and concentration of the SPLM/A-IO/Shilluk allied Forces in Kodok and areas to the West and South of Malakal including cases of intermittent direct and indirect fires dominated the security situation in Upper Nile State.

On 23 June, the SPLM/A-IO/Shilluk allied Forces attacked and captured Dolieb Hills located south of Malakal. Later, the SPLM/A-IO/ Shilluk allied Forces again attacked the SPLA/government Forces in Malakal town in a fight that ensued for five hours. The Opposition Forces finally captured Malakal.

1.2 Incident: On 27 June 2015 at 1830 Hrs, the SPLM/A-IO/Shilluk allied Forces attacked and later captured Malakal town and environs from the Government/SPLA Forces

1.3 Aim: The purpose of this report is to provide IGAD Special Envoys with a summary of the incident that took place in Malakal on 27 June 2015 and to attribute responsibility for violations of the COHA where appropriate.

1.4 Methodology:

- The MVT based in the UNMISS Compound at Malakal were in a position to hear and observe what was going on throughout the incident on 27 June 2015 and initiated an investigation the following day.
- The MVT Malakal also collaborated the information regarding the fighting with the UNMISS Officer and the CLO's. The MVT submitted a report to JTC on 29 June 2015.

2.0 Violations of COHA in Upper Nile State from 25 May- 09 June 2015

2.1 Cessation of Hostilities:

- On Saturday 27 June at 1830 Hrs, MVT Malakal observed sustained direct and indirect fires initiated by the SPLM/A-IO/Shilluk allied Forces against the



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SPLA/Government Forces. Fighting ensued for five (5) hours that eventually led to the ejection of Government Forces from Malakal town.

3.0 Assessment:

- The SPLM/A-IO/Shilluk allied Forces initiated an attack on the Government/SPLA Forces on 27 June 2015 that saw it capture Malakal and its environs.
- It is the assessment of the JTC that sufficient and credible evidence exists to conclude that the SPLM/A-IO/Shilluk allied Forces mounted an offensive against the SPLA in Malakal in Upper Nile on 27 June 2015.

4.0 Conclusion

4.1 As a result of this investigation and the weight of evidence collated, it is the opinion of the JTC that the SPLM/A-IO/Shilluk allied Forces violated the following articles of the Cessation of Hostilities Agreement (COHA) of 23 January 2014 in Malakal, Upper Nile State on 27 June 2015:

- 1.1: The Parties hereby agree to cease all Military actions aimed at each other and any other action that may undermine the peace process.

5.0 Recommendations and observations:

- The JTC recommends that the Special Envoys declare and condemn the SPLM/A-IO/shilluk allied Forces in the strongest terms possible for violating the COHA of 23 January 2014.

