



TO: The Chairman, JMEC
FROM: The Chairman, CTSAMM
DATE: 18 October 2016

SUBJECT: CTSAMM report 027 – Violations of the PCTSA near Bentiu, Unity State

Your Excellency,

Please find attached CTSAMM JTC report on violations of the Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the Agreement on the Resolution of the Conflict in the Republic of South Sudan of 26 August 2015) that took place in Unity State starting on 25 September 2016.

Due to a lack of a quorum it has not been possible to discuss this report with the CTSAMM Board, but we consider it important to submit it because of the serious issues raised which need to be addressed. It is hoped that the CTSAMM Board will be convened in the near future.

Major General Molla Hailemariam
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM REPORT NUMBER 027
VIOLATIONS IN UNITY STATE

Executive Summary

On 25 September 2016 fighting broke out near Bentiu between SPLM/A-IO forces and those of the Government in the Jezeera area, and at other locations between Rubkona and Jezeera.

Government-aligned youths supported by Government Forces from the division in Bentiu were involved. Information gathered by the MVT before and during the clashes, and from the Acting Governor in Bentiu several days after they started, indicate that the fighting was the result of a deliberate offensive by Government Forces to clear SPLM/A-IO forces out of Kaljaak County.

Government Forces advanced and took positions that had been occupied by the SPLM/A-IO for a long time and were considered to be under SPLM/A-IO control. In doing so they were in clear violation of the PCTSA.

VIOLATIONS IN UNITY STATE

1.0 Introduction

1.1 Background:

- The overall situation in the Bentiu area had been relatively calm since the formation of the TGoNU, and during and after the fighting that took place in Juba in July both sides declared their intention to maintain the peace. There had, however, been continued clashes in southern Unity State which created tension. It became apparent that Government authorities wanted Government Commissioners in the counties of the newly-created Norther Liech state, and the Commissioner appointed to Jezeera in Kaljaak County mobilised a force of 2-300 youths from the Nhialdiu area as a preliminary move.
- A few days prior to the fighting in the Jezeera area a delegation from the new First Vice President had been in the area, which culminated in a joint rally with the Acting Governor of what is known as Norther Liech State (John Joal) on 19 September.
- On 21-22 September Government Forces evacuated Nhialdiu. No reason was given. The SPLM/A-IO Commissioner, Peter Lok Tang, advised NGO's to leave the area as he stated he had credible information that Government Forces were preparing to attack the Jezeera area. SPLM/A-IO positions along the Pakur road to Jezeera from Rubkona including Ding Ding, Dhorbor and Kaljaak were well-established, well-known to Government Forces and had been generally acknowledged as being under the control of the SPLM/A-IO.

1.2 Incident: Starting on 25 September Government-aligned youths supported by Government Forces attacked SPLM/A-IO positions in the Jezeera area.

1.4 Aim: The aim of this report is to outline the details of the incidents and investigations for JMEC with assessments and recommendations.

1.5 Methodology: The MVT based in Bentiu has good communications with both sides and many sources of local information. They were able to monitor the situation as it developed, and physically witness some of the movements of Government Forces.

2.0 FIGHTING IN THE JEZEERA AREA, UNITY STATE

- 2.1 On 25 September fighting broke out towards Jezeera. Government-aligned youths supported by Government Forces attacked well-established SPLM/A-IO positions.
- 2.2 Initial reports suggested that the SPLM/A-IO has repulsed attacks against Ding Ding, but by 27 September Government Forces were in control of Jezeera and Kaljaak, and reports suggested they were pushing on to Buaw in Koch County as well. The Acting Governor of what is known as Northern Liech State confirmed to the MVT that after allegedly trying to persuade the SPLM/A-IO Commissioner Peter Lok Tang to embrace peace, a decision was taken to “chase the SPLM/A-IO from the area”.
- 2.3 All the evidence collected by the MVT suggests that the Government Forces attacks against the SPLM/A-IO positions were deliberately planned.

3.0 Assessment:

- 3.1 It is the assessment of the JTC that Government Forces prosecuted a deliberate operation to eject SPLM/A-IO forces from the Jezeera area in Kaljaak County.
- 3.2 The political situation in Unity State has been made more complex following the events of July, but this does not alter the fact that Government Forces took deliberate aggressive actions against SPLM/A-IO forces.

4.0 Conclusion

- 4.1 It is the opinion of the JTC that in attacking SPLM/A-IO Forces in Kaljaak County Government Forces were in clear violation of Article 1.7 of the PCTSA, particularly:
 - Article 1.1 of the COHA: “The Parties hereby agree to cease all military actions aimed at each other....”

5.0 Recommendations and observations:

- 5.1 The situation in Unity State is volatile. This volatility has been exacerbated by recent political events. It is vital that the situation is stabilised in order for the peace process to continue and its provisions implemented.

- 5.2 The JTC recommends that JMEC works with the TGoNU to find some formula at the political level which will bring down tensions in Unity State in general and the area around Bentiu/Rubkona in particular.
- 5.3 The JMEC further recommends that JMCC works to freeze all forces in place and stop any aggressive action by the Parties whatever the provocation.