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CTSAMM Headquarters

CEASEFIRE AND TRANSITIONAL SECURITY ARRANGEMENTS MONITORING MECHANISM



TO: The Chairman, JMEC
FROM: The Chairman, CTSAMM
DATE: 22 March 2016

SUBJECT: CTSAMM report 005: Violations of the PCTSA in Western Equatoria State

Your Excellency,

Please find attached a Draft 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 Western Equatoria State.


Major General Molla Hailemariam
Chairman

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

CTSAMM VIOLATION REPORT NUMBER 005
PCTSE VIOLATION IN WESTERN EQUATORIA STATE

Executive Summary

Late at night on 24 December 2015 there was an outbreak of fighting in Lui. The Government Forces garrison was attacked, and four soldiers allegedly killed. The allegation from the Government was that the attack was by the SPLM/A-IO.

Following an investigation which involved interviewing local Government officials and military officers, as well as members of the civilian population, the JTC assessed that the attack did take place, and that forces allied to or under command of the SPLM/A-IO were responsible. It is therefore the opinion of the JTC that the SPLM/A-IO were in violation of the PCTSA.

VIOLATION IN WESTERN EQUATORIA STATE

1.0 Introduction

- 1.1 Background: There have been several incidents in Mundri East County over the past few month, with outbreaks of violence and allegations by both Parties.
- 1.2 Allegation: The allegation was contained in a letter from the SPLA Director of Operations to the D/COGS Operations titled "Renewed violations of the cessation of Hostilities Agreement (COH) by the SPLM/A (IO)" dated 28 January 2016 and given to the CTSAMM JTC in early February, and repeated on a letter addressed to CTSAMM signed by Nhial Deng dated 4 March "renewed violations of the COH and PCTSA by the SPLM/A (IO) (Rebels). It is quoted verbatim as follows: "On 24th December 2015: The rebels of Riek Machar attacked SPLA positions in Lui town from 11.00 PM to 11.20 PM. As a result 4 SPLA soldiers were killed".
- 1.3 Aim: The aim of this report is to outline for JMEC the results of investigations into the above allegation with an assessment and recommendations.
- 1.4 Methodology:
- An MVT based in Juba was deployed to Mundri on 22 February 2016. They visited Lui on 22 and 24 February in order to carry out the investigation.
 - During the visit they spoke with local officials and interviewed a number of local civilian witnesses, although they found that the local people were reluctant to talk to them. Government Forces officers stationed in Lui were uncooperative and gave very little information which the MVT found difficult to understand as they were investigating an allegation made by the Government.
 - Despite the fact that the incident happened two months before the investigation took place, the members of the MVT were able to see at first hand some signs of fighting in Lui, specifically damage left by RPG's.
 - On 23 February in Bari and Gariya the MVT was able to get information about the presence of SPLM/A-IO forces in the general area, and when in Lozoh and Lanyi earlier on the 24 February about the presence of the SPLM/A-IO in Mundri East County.

2.0 VIOLATIONS OF THE PCTSA

2.1 On 24 December there was fighting in Lui which started at about 22.30 Hrs and lasted for about two hours. All the evidence suggests that the fighting was a result of an attack against Lui, and that there was shelling and shooting from two different directions.

2.2 Four Government Forces soldiers were reportedly killed in the attack.

2.2 None of the witnesses were willing to identify the attackers. However, information gained in visits to other parts of the county confirmed the presence of armed groups who identified themselves as SPLM/A-IO. The MVT were not told about any other armed groups operating in the area other than the SPLM/A-IO.

3.0 Assessment:

3.1 It is the assessment of the JTC that the attack did take place as described on the night of 24 December.

3.2 The attack was directed specifically and deliberately at the Government Forces in Lui. Given the presence of SPLM/A-IO forces in the area and the lack of any information about other armed groups, it is the assessment of JTC that the SPLM/A-IO were responsible for the attack.

4.0 Conclusion

4.1 It is the opinion of CTSAMM that it what happened in Lui on the night of 24th December 2015 was a violation by the SPLM/A-IO of article 1.7 of the PCTSA, specifically:

- Article 1.1 of the COHA: "The Parties hereby agree to cease all military actions aimed at each other...."

5.0 Recommendations and observations:

5.2 CTSAMM recommends that JMEC does all in its power to facilitate the earliest deployment of AJMCC's by JMCC as soon as possible in order that there can be dialogue between the Parties in volatile areas such as Mundri East.