



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

**SUBJECT: CTSAMM report 025 – Violations of the PCTSA in 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 in August 2016.

Due to a lack of a quorum it has not been possible to discuss this with the CTSAMM Board, but we consider it important to submit it because it concerns serious issues 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 025  
VIOLATIONS IN UNITY STATE**

**Executive Summary**

The situation in southern Unity State deteriorated throughout June and July. On 1 August fighting broke out between the Parties in the Leer area. Government Forces advanced towards and took key SPLM/SA-IO positions including Adok, Pilling Junction and Thonyor. Fighting continued sporadically over the following few weeks with claims. Eventually it became apparent that Government Forces retained possession of at least Pilling Junction and Adok.

It is highly probable that Government Forces were subject to considerable provocation by SPLM/A-IO. However, instead of seeking mediation through the appropriate mechanisms, they prosecuted offensive operations and took ground. It is the view of JTC that in doing so Government Forces violated the PCTSA.

## VIOLATIONS IN UNITY STATE

### 1.0 Introduction

#### 1.1 Background:

- The overall situation in southern Unity State deteriorated during June, with significant clashes in the area of Leer Airstrip and Rubkwai on 20 and 26-27 June (reports of these incidents have been completed and will be submitted following further discussion with CTSAMM stakeholders). The events of July exacerbated the tension which already existed.
- Tensions continued throughout July. On 12 July the Government Deputy Governor in Leer reported to the MVT in Bentiu that the SPLM/A-IO commander in the area, Brigadier Mawich, reportedly sent a letter to him demanding the surrender of Government troops. Brigadier Mawich claimed to the MVT that Government Forces were reinforcing their positions in Leer.
- On 13-15 July there were sporadic clashes in the Piliny area (near Leer) with each side blaming the other. Tensions remained high.

1.2 Incident: On 1 August 2016 fighting broke out in southern Unity State, with advances by Government Forces towards SPLM/A-IO positions in Pilling, Adok and Thonyor.

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 gathered information from both sides and also through key partners, especially the UN. The MVT was able to build a good picture of what happened, despite the complexity of the situation.

### 2.0 FIGHTING IN SOUTHERN UNITY STATE

2.1 On 1 August fighting erupted in the Pliny area and then down towards the SPLM/A-IO stronghold of Thonyor. Both parties blamed each other for starting

the conflict. The commander of 4<sup>th</sup> Division SPLA in Bentiu later claimed that Government Forces were forced to attack in order cut SPLM/A-IO supply routes.

- 2.2 The following day (2 August) both Parties confirmed that Government Forces had taken Thonyor and also the port of Adok.
- 2.3 Fighting continued sporadically throughout August, with attacks and counter-attacks and claims and counter-claims by both parties about who was holding what. It became evident that Government Forces eventually took and held Thonyor, Adok and Pilling Junction.
- 2.4 MVT received disturbing reports of looting and rape carried out by Government Forces soldiers, but these reports remain unconfirmed at this time. There is, however, plenty of evidence to suggest that the remaining civilian population in the area has suffered considerably as a result of the fighting.

### **3.0 Assessment:**

- 3.1 It is the assessment of the JTC that Government Forces undertook deliberate offensive operations in the Leer area in August to capture what they considered to be vital ground, specifically Pilling Junction and Adok, areas which had for a long time been acknowledged to be under the control of the SPLM/A-IO.
- 3.2 The JTC considers it probable that Government Forces were subject to considerable provocation from SPLM/A-IO forces, but this does not excuse the prosecution of an offensive operation. Government Forces should have used the appropriate mechanisms to mitigate tension, or appealed to JMCC to take action to resolve issues at the senior military command level.

### **4.0 Conclusion**

- 4.1 It is the opinion of the JTC that in advancing to and taking positions previously held by the SPLM/A-IO (specifically Thonyor, Pilling and Adok) 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 southern Unity State is complex and unstable. There has been a great deal of tension and an increasing level of conflict in the area in the past few months. It is difficult to see how the situation can be improved unless all the Parties adhere to both the spirit and the word of the ARCISS.
- 5.2 JTC recommends that JMCC works with the relevant military leadership of all parties involved in order to stop further conflagration and allow the peace process to move forward.
- 5.3 JTC further recommends that JMEC work at the political level to find solutions for the issues which are causing so much tension in this part of the country.