

# IGAD

INTERGOVERNMENTAL  
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OFFICE OF THE SPECIAL ENVOYS  
FOR SOUTH SUDAN

## Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan Reporting Period: 28 May 2015 – 9 June 2015

**Background:** The IGAD Monitoring & Verification Mechanism (MVM) was set up in February 2014 to monitor implementation of the COHA by the two Parties to the Agreement, the Government of the Republic of South Sudan (GRSS) and the SPLM/A In Opposition, as well as any armed groups under their control or invited to support them. The MVM has 6 Monitoring and Verification Teams (MVTs) deployed to the states of Jonglei, Upper Nile and Unity, where hostilities have occurred. The Teams monitor violations through direct observation and investigation, including information-gathering from varied sources. There is an extensive process of fact-checking before each violation is verified and submitted to the Office of the IGAD Special Envoys for South Sudan, who carry out a further review. The following is a report of the most recent verified violations.

Reference	Date of Violation	Location	Nature of Violation	Responsible Party
V041	28 May 2015	Malakal, Upper Nile State	<p><b>Incident: Government Forces fire on UNMISS compound and POC site</b></p> <p><b>Background:</b> On 15/16 May 2015, SPLM/A (IO) Forces and allied militia loyal to Major General Johnson Olony took Malakal, Upper Nile State, from Government Forces. On 25/26 May 2015, Government Forces re-took the town and surrounding area.</p> <p>On 28 May 2015, gunfire was heard and observed in the vicinity of the UNMISS compound and POC site in Malakal. The IGAD Monitoring and Verification Team then carried out extensive investigations and interviews. With the weight of evidence collated, it was concluded that Government Forces had fired in the direction of the UNMISS compound and POC site for a period of two hours. At least four people were injured including 1 UNMISS officer and 3 civilians. It was unclear what led to the shooting, but it was evident that it was deliberate and sustained. There was no evidence to suggest that SPLM/A (IO) forces or allied militia were in the area.</p>	GRSS Forces

			<p>Regardless of the cause of the attack, it is clear that firing by Government Forces was carried out with blatant disregard for the safety of civilians in the UNMISS compound and POC site. This is a clear violation of the Cessation of Hostilities Agreement and of international humanitarian law.</p> <p><b>Articles of COHA violated:</b>  <i>3.1 The Parties shall refrain from attacks on the civilian population.</i></p> <p><b>Recommendations:</b>  The JTC strongly recommends that the Special Envoys insist that Government Forces investigate this incident and take appropriate measures against those responsible.</p> <p>The JTC further recommends that the Special Envoys remind both parties in the strongest terms of their absolute obligations under the COHA and international laws and conventions to protect civilians, and that military commanders at all levels are held accountable for the conduct of the forces under their command.</p>	
V042	7-9 June 2015	Malakal, Upper Nile State	<p><b>Incident: Conscription of Child Soldiers by Major General Johnson Olony and Shilluk Militia, affiliated to SPLM/A (IO)</b></p> <p><b>Background:</b>  As specified in violation 031, the IGAD Monitoring and Verification Mechanism has previously found credible evidence that Major General Johnson Olony and his Shilluk militia were responsible for the recruitment of child soldiers in Wau-Shilluk payam, Malakal, Upper Nile State. At that time in February 2015, Olony and his Shilluk militia, were affiliated to Government Forces. According to reports, in early May 2015, Olony then switched allegiance of his militia to the forces of SPLM/A (IO).</p> <p>In June 2015, the IGAD Monitoring and Verification Team in Malakal received reports that children under the age of 18 were continuing to be recruited by the forces of Major General Johnson Olony to join his Shilluk militia, in the areas of Kodok and Wau Shilluk payams.</p> <p>The IGAD MVT conducted wide-ranging investigations into these reports and concluded that there was sufficient evidence to confirm that Olony's forces had indeed carried out forcible recruitment of an estimated 500-1000 youth, many of whom were children aged between 13 and 17 years. This took place between 7-9 June 2015, during house-to-house searches in the villages of Kodok and Wau Shilluk. The youth were then taken to training camps.</p>	SPLM/A (IO) Forces

		<p><b>Conclusion:</b> The IGAD Joint Technical Committee concluded that SPLM/A (IO) and their affiliated Shilluk militia, led by Major General Johnson Olony, are in breach of the COHA and international laws and conventions on the issue of child soldiers, as well as national law. (According to South Sudanese domestic law and customary international law, ‘child soldiers’ in this context are defined as persons under the age of 18.)</p> <p><b>Articles of COHA Violated:</b> <i>1.2.c The parties shall ensure all forces or armed groups under their influence, control or/and command shall observe this agreement</i> <i>3.4 The Parties shall cease acts of violence including...recruitment of child soldiers.</i></p> <p><b>Recommendations:</b> The JTC recommends that the IGAD Special Envoys demand the immediate release of the conscripted children, and strongly remind both parties of their obligations to protect children according to the COHA, domestic law and the international prohibition on the use of child soldiers.</p>	
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### **Attribution and Type of Violations for the period of 28 February 2014 to 9 June 2015**

**As of 9 June 2015, in the past 15 months the MVM has reported a total of 42 incidents which resulted in violations of the Cessation of Hostilities Agreement. This includes 21 violations by the GRSS and 25 violations by the SPLM/A (IO). Some incidents include violations by both Parties and of more than one article and in more than one state.**

Incidents including Violations	Attributed to Government Forces/GRSS	Attributed to SPLM/A (IO)	Article 1 Cessation of Hostilities	Article 2 Cessation of Hostile Propaganda	Article 3 Protection of Civilians	Article 4 Humanitarian Access	Article 7 Operations of the MVT
42	21	25	35	1	22	6	7

<b>Violation by Location</b>	UPPER NILE	UNITY	JONGLEI	JUBA
	25	14	7	2

**NOTE: A summary of all verified IGAD MVM violations can be found on the website of the Office of the IGAD Special Envoys**

[www.southsudan.igad.int](http://www.southsudan.igad.int)