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JOINT TECHNICAL COMMITTEE (JTC)

**INVESTIGATIONS IN TO VIOLATIONS OF THE CESSATION OF
HOSTILITIES AGREEMENT IN BENTIU AND MAYOM, UNITY STATE**

V014

PRESENTED TO:

**THE SPECIAL ENVOYS TO THE REPUBLIC OF SOUTH SUDAN
INTERGEVORNMENTAL AUTHORITY ON DEVELOPMENT (IGAD)**

ADDIS ABEBA, ETHIOPIA

24 September 2014



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Executive Summary

- Following the receipt of reports that inferred potential ongoing violations of the Cessation of Hostilities Agreement (COHA), in Bentiu and Mayom (Unity State), the JTC initiated formal investigation and verification processes. The results of the investigations are contained in this report.
- Reports indicated that forces loyal to the Government of the Republic of South Sudan (GRSS) are recruiting child soldiers in Unity State and using them for military operations in Bantiu and Mayom.
- As a results of investigations, and the weight of evidence collected, it is the opinion of the JTC that Government Forces are violating the following articles of the Cessation of Hostilities Agreement (23 January 2014), in Bentiu and Mayom (Unity State):
 - *3.4 The parties shall cease all acts of violence including summary executions, displacement of populations, all forms of torture, destruction of property, attacking civilian aircrafts, vehicles or riverboats, **recruitment of child soldiers** or any other acts as prohibited by applicable national, continental and international instruments.*



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INVESTIGATIONS INTO VIOLATIONS OF THE CESSATION OF HOSTILITIES AGREEMENT IN BENTIU AND MAYOM, UNITY STATE

1.0 Introduction

- 1.1 The scope of this report covers on ongoing violations of the COHA in Bentiu and Mayom, Unity State
- 1.2 The aim of this report is to provide IGAD Special Envoys with an analysis of the issues surrounding the violations. And, where relevant, apportion responsibilities for violations of the COHA to either of the parties.
- 1.3 This report outlines the investigation and verification methodology, citing key documents in the process. It summarizes the main events surrounding the potential violations and makes an assessment based on the evidence gathered. It concluded with the JTC's opinion on the attribution of responsibilities for violations.
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2.0 Investigation/Verification Methodology

- 2.1 Employing Monitoring and Verification Mechanism (MVM) Standard Operating procedures, the JTC initiated the investigation/ verification sequences on 21 August 2014, following the receipt of a report from the Monitoring and Verification Team (MVT) based on in Bentiu referring to the recruitment and use of children soldiers by Government Forces. Subsequently, the JTC formally issued Investigation and Verification Orders to the Monitoring and Verification Team (MVT) based in Bentiu.
- 2.2 The MVT conducted investigations in accordance with the orders, in order to augment the information already provided and corroborated reports received from other sources. The results of the investigations conducted are contained in a number



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of MVT Daily Situation Reports over the period 21 August -22 September 2014. This report is based on the combined analysis of all reports and evidences received by the JTC until 1200hrs on 24 September 2014. All relevant MVT reports are referenced in this document and available for additional scrutiny, if required.

3.0 On going violations of the COHA in Bentiu and Mayom

2.3 Reports indicate the following evidences of ongoing violations of the COHA:

- **21 August:** MVT Bentiu reports that soldiers of the secondary school age (below 18 years), based at the Government Forces 4th Division Headquarters, requested how to enter the UNMISS Protection of Civilians site in Rubkona in order to continue schooling.
- **19 September:** MVC Bentiu reports sighting a group of at least six soldiers in Bentiu that are suspected to be under the age of 18 years. The representatives of the Government Forces, assigned to the MVT, confirm that the soldiers are underage and were recruited following orders from the Commanders of the 4th Division and a former commander of the South Sudan Liberation Army (SSLA currently being integrated in to Government Forces in Unity State). Further investigations indicate that although the underage soldiers are assigned operational duties, they are not fully integrated to Government Forces and therefore are not on the payroll. Instead, they only receive food repayment for services.
- **22 September:** MVT Bentiu reports sighting a group of soldiers in Mayom that are suspected to be underage. The soldiers are providing protection to senior Government Force Officers in the Mayom headquarters.
- **24 September:** MVT Bentiu confirms that child soldiers are currently visible at the 4th Division Headquarters in Bentiu, at the Rubkona market, the judiciary roundabout and offices (also reported on 10 September), on patrol with older soldiers, and have been assigned to protection duties in Bentiu and Rubkona.



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4.0 Assessment

4.1 Reports indicate that Government Forces and forces loyal to the GRSS are deliberately recruiting and assigning child soldiers to military duties in Bentiu and Mayom.

5.0 Conclusion

5.1 As a result of investigations, and the weights of evidences collected, it is the option of the JTC that Government Forces are violating the following articles of the Cessation of Hostilities Agreement (23 January 2014), in Bentiu and Mayom (Unit State):

- *3.4 The parties shall cease all acts of violations including summary executions, displacement of populations, all forms of torture, destruction of property, attacking civilian aircrafts, vehicles or riverboats, **recruitment of child soldiers**, or any other acts as prohibited by applicable national continental, and international instruments.*

5.2 It is therefore recommended that appropriate actions must be taken against GRSS in response to the violations of the Secession of Hostilities Agreement and encourage Government Forces to immediately cease the recruitment of child soldiers, and demobilize all underage soldiers in their units.

