



Summary of Latest Reports of Violations of the Permanent Ceasefire
Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan
As at 12 November 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. Since The Agreement on the Resolution of the Conflict in the Republic of South Sudan was signed on 26 August 2015 the MVM reports violations of the Permanent Ceasefire and Transitional Security Arrangements (PCTSA) which forms part of the Agreement and which includes all provisions of the COHA.

Reference	Date of Violation	Location	Nature of Violation	Responsible Party
V052	29 October to 1 November	Kaka Upper Nile State	<p>Incident: Barges chartered to UNMISS and carrying supplies from Malakal to Renk were taken at gunpoint by SPLM/A(IO) Forces.</p> <p>Background: UNMISS (and other UN agencies - specifically WFP) regularly use barges on the Nile to transport bulk items. On 24 October barges chartered by UNMISS left Malakal for Renk. There was a 'pusher', an empty barge and a tanker carrying 55,000 litres of fuel. The barges had on them an UNMISS Force Protection Unit of 16 commanded by an UNMISS Naval Officer and accompanied by 2 MLO's.</p>	SPLM/A(IO)

Incident:

On 26 October barges chartered by UNMISS and carrying logistic supplies down the River Nile to Renk were captured at gunpoint by SPLM/A(IO) Forces at Kaka. 18 UNMISS personnel and 13 local crew members were forcibly held captive in bad conditions by SPLM/A(IO) Forces until their release on 29 October and 1 November following UNMISS and MVM intervention. Large amounts of equipment and fuel were stolen by SPLM/A-IO Forces and not returned.

Assessment:

Senior officers at the SPLM/A(IO) Headquarters at Tonga did not deny that this incident took place, and indeed assisted UNMISS in obtaining the release of the UNMISS personnel and the barges. None of the equipment or fuel has been returned.

It is the assessment that this incident constitutes a clear violation of the PCTSA by SPLM/A(IO) Forces.

Articles of the Permanent Ceasefire and Transitional Security Arrangements violated:

1.7.5: The warring parties shall refrain from.....Acts of hostility, intimidation, violence or attacks against the civilian population including IDP's and returnees **as well as UNMISS personnel, installations or equipment**

Recommendations and observations:

The JTC recommends that the Special Envoys condemn SPLM/A(IO) Forces in the strongest terms possible for violating the PCTSA and treating UNMISS personnel and property with such contempt.

This incident illustrates once again that there remain large numbers of forces in the field who do not know or understand (or both) the provisions of any of the agreements reached by the Parties. The JTC further recommends that the Special Envoys insist that the Parties promulgate the PCTSA as a matter of urgency, and take disciplinary measures against those who break it.

The Parties should also be reminded that attacks against the UN and its agencies constitute a serious violation of International Humanitarian Law.

Attribution and Type of Violations for the entire period of 8 February 2014 to 12 November 2015

As of 22 September 2015, in the past 19 months the MVM has reported a total of 52 incidents which resulted in violations of the Cessation of Hostilities Agreement (or after the 26 August the Permanent Ceasefire and Transitional Security Arrangements - PCTSA). This includes 26 violations by the GRSS and 30 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.

Since the signing of the PCTSA, there have been 3 Violations by the GRSS (V048 on 2 September, V050 on 27 September and V051 on 29 September – 5 October) and 2 Violations by the SPLM/A-IO (V049 on 13 September, V052 on 29 Oct to 1 Nov).

A change to the way in which Violations are reported is anticipated as the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) becomes operational.

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
52	26	30	43	1	27	6	8

Violation by Location	UPPER NILE	UNITY	JONGLEI	JUBA
	30	19	7	2

Violations of the PCTSA	Government Forces	SPLM/A(IO)
	3	2

NOTE: Summaries of all verified IGAD MVM violations are on the website of the Office of the IGAD Special Envoys www.southsudan.igad.int