



**Reconstituted Joint Monitoring and Evaluation Commission
(RJMEC)**

PROGRESS REPORT BY

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**ON FIVE YEARS OF THE REVITALISED AGREEMENT ON
THE RESOLUTION OF THE CONFLICT IN THE REPUBLIC OF
SOUTH SUDAN (R-ARCSS)**

COVERING THE PERIOD

12 September 2018 to 1 December 2023

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List of Acronyms

ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
AUC	African Union Commission
AUPSC	African Union Peace and Security Council
CoHA	Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access
CoS	Council of States
CTSAMVM	Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism
CTRH	Commission for Truth, Reconciliation and Healing
CRA	Compensation and Reparation Authority
DDRC	Disarmament, Demobilisation and Reintegration Commission
FD	Former Detainees
HLRF	High-Level Revitalisation Forum
IBC	Independent Boundaries Commission
IGAD	Intergovernmental Authority on Development
ITGoNU	Incumbent Transitional Government of National Unity
JDB	Joint Defence Board
JMCC	Joint Military Ceasefire Commission
JMEC	Joint Monitoring and Evaluation Commission
JRC	Judicial Reform Committee
JTSC	Joint Transitional Security Committee
NAS	National Salvation Front
NCAC	National Constitutional Amendment Committee
NCRC	National Constitutional Review Commission
NEC	National Elections Commission

NPTC	National Pre-Transitional Committee
NTC	National Transitional Committee
NSS	National Security Service
NUF	Necessary Unified Forces
OPP	Other Political Parties
PCTSA	Permanent Ceasefire and Transitional Security Arrangements
PFMOC	Public Finance Management Oversight Committee
PPC	Political Parties Council
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
RJMEC	Reconstituted Joint Monitoring and Evaluation Commission
RTGoNU	Revitalised Transitional Government of National Unity
SDSR	Strategic Defence and Security Review
SGBV	Sexual and Gender Based Violence
SPLM	Sudan People's Liberation Movement
SPLM/A-IO	Sudan People's Liberation Movement/Army-In Opposition
SSNPS	South Sudan National Police Service
SSOA	South Sudan Opposition Alliance
SSPDF	South Sudan People's Defence Forces
TBC	Technical Boundary Committee
TCRSS	Transitional Constitution of the Republic of South Sudan
TGoNU	Transitional Government of National Unity
TNL	Transitional National Legislature
TNLA	Transitional National Legislative Assembly
UNHCR	United Nations High Commissioner for Refugees
UNMISS	United Nations Mission in South Sudan
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs

1. Executive Summary

This report is prepared by the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), the official oversight body established under Chapter 7 of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) with the mandate to monitor, evaluate and report on the status of implementation of the R-ARCSS. It builds on previous RJMEC status reports and summarises the five-year period of the Revitalised Peace Agreement from the time it was signed on 12 September 2018 and includes updates to 1 December 2023.

Background to the R-ARCSS. After an outbreak of armed violence in 2013, the Intergovernmental Authority on Development (IGAD) successfully brokered the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), which was signed in August 2015. However, in July 2016, two months after the formation of Transitional Government of National Unity (TGoNU), the permanent ceasefire collapsed and more violence ensued. The Joint Monitoring and Evaluation Commission (JMEC), which was established to oversee the implementation of the ARCSS, assessed that the ARCSS was seriously violated, concluding that the status quo was untenable. On 12 June 2017, the IGAD Heads of State and Government met and endorsed the JMEC's recommendation and mandated its Council of Ministers to convene a High-Level Revitalisation Forum (HLRF) of the Parties to the ARCSS, including estranged groups, to discuss concrete measures to restore the permanent ceasefire, full implementation of the ARCSS and to develop revised realistic timelines and an implementation schedule towards democratic elections at the end of the Transitional Period.

The IGAD-led mediation secured the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), signed on 12 September 2018. The implementation of the R-ARCSS was intended to be sequenced and accomplished in two phases: Pre-Transitional and Transitional Periods. The Pre-Transitional Period was intended to last for eight months, while the Transitional Period was to last for 36 months. The full list of those who signed can be found in the R-ARCSS, pp78-82.¹

The Pre-Transitional Period. The Pre-Transitional Period was meant to last for eight months, but with the consent of the Parties to the R-ARCSS, it was extended twice; for an additional six months in the first instance, and for 100 days in the second. The extension was to allow the parties to address critical outstanding tasks necessary for the formation of the RTGoNU, such as unification of forces, resolution of the impasse over the number of states and their boundaries and incorporation of the R-ARCSS into the Transitional Constitution of the Republic of South Sudan 2011 (as amended), among other things. Furthermore, the impasse over the number of States and their boundaries impeded the timely formation of the RTGoNU, and the issue was referred to the Assembly of the IGAD Heads of State and Government. Subsequently, it was convened on 8 and 9 February 2020 in Addis Ababa, Ethiopia. Then on 15 February 2020, the President decreed the return of the country to 10 states and also announced the Abyei Administrative Area (AAA), Greater Pibor Administrative Area (GPAA) and Ruweng Administrative Area (RAA). The resolution of this impasse and commitment to expedite and complete implementation of the outstanding Pre-Transitional tasks paved the way for the swearing in of the Presidency on 22 February 2020, signalling the end of the Pre-Transitional Period and the start of the Transitional Period.

¹ <https://jmecsouthsudan.org/index.php/arcss-2015/igad-hlrf-agreement/108-revitalised-agreement-on-the-resolution-of-the-conflict-in-the-republic-of-south-sudan-r-arcss-2018/file>

Reconstituted Joint Monitoring and Evaluation Commission. In October 2018, JMEC was reconstituted and became ‘RJMEC’ with the enhanced mandate of overseeing, monitoring and evaluation of the implementation of the R-ARCSS, including providing quarterly status implementation reports to the RTGoNU (Council of Ministers and TNLA), IGAD (Chairperson of the Council of Ministers and Assembly of Heads of States and Government), AU (Chairperson of the Commission and Peace and Security Council) and United Nations (Secretary General and Security Council), followed by quarterly briefings.² Furthermore, RJMEC oversees the work of the RTGoNU, including the Parties’ adherence to implementation and timelines of the R-ARCSS, the work of the Agreement institutions and mechanisms, and provides recommendations to break deadlocks which arise during implementation.

RJMEC Monthly meetings. In the five years of R-ARCSS, RJMEC has convened 32 plenary meetings, as per 7.12 of the Agreement. In the Pre-Transitional Period, RJMEC held 14 monthly meetings and 18 during the Transitional Period with the 32nd meeting held in October 2023. The statements, minutes and resolutions of these meetings are available online.³

Juba-based High-level meetings: Throughout the Transitional Period, RJMEC met with various groups relevant to the Revitalised Peace Agreement in fulfilment of Article 7.9. For example, RJMEC on various occasions briefed the RTGoNU Council of Ministers and the Transitional National Legislative Assembly during the Transitional Period. Other types of meetings include with those stakeholders listed in 7.2 of the Agreement, and other key Agreement interlocutors.

² RJMEC quarterly reports, now numbering 19, can be found here: <https://jmecsouthsudan.org/index.php/reports/rjmecc-quarterly-reports>

³ Statements: <https://jmecsouthsudan.org/index.php/media-center/rjmecc-statements-1/rjmecc-statements-plenary>; Minutes: <https://jmecsouthsudan.org/index.php/plenary/plenary-minutes> / Resolutions: <https://jmecsouthsudan.org/index.php/plenary/plenary-resolutions>

High-level regional meetings. Throughout the Transitional Period, the RJMEC Chairperson regularly delivered statements or participated in key high-level IGAD, African Union or United National Security Council meetings on the R-ARCSS.

Revitalised Transitional Government of National Unity (RTGoNU).

Establishment of the RTGoNU. On 22 February 2020, First Vice President H.E. Dr Riek Machar Teny and three of the four Vice Presidents, namely H.E. Dr James Wani Igga, H.E. Gen. Taban Deng Gai and H.E. Rebecca Nyandeng Garang De Mabior, were sworn in. A day later, Vice President H.E. Hussein Abdelbagi Akol was also sworn in. This signalled the official start of the Transitional Period and the end of the Pre-Transitional Period, which had lasted for one year, five months and six days, compared to the eight months envisaged in the Agreement.

Within three weeks of the formation of the RTGoNU, on 12 March 2020, the 35 ministerial positions were allocated according to Article 1.10.7 of the R-ARCSS. Twenty of the positions were allotted to the ITGoNU, nine to the Sudan People's Liberation Movement/Army-In Opposition (SPLM/A-IO), and three, two and one to the South Sudan Opposition Alliance (SSOA), Former Detainees (FDs) and Other Political Parties (OPP) respectively. The Parties, however, failed to adhere to the 35 percent women's participation in the Executive, as only nine women (26%) were appointed to the Council of Ministers and only one woman (10%) among the deputy ministers.

Transitional National Legislature. Despite a resolution from the Presidency of the Republic of South Sudan on 9 December 2020 that the Transitional National Legislative Assembly (TNLA) and the Council of States be reconstituted, it was not until August 2021 that these bodies were finally reconstituted. The Transitional National Legislature held its inaugural sitting on 30 August 2021.

National Constitutional Amendment Committee. The National Constitutional Amendment Committee (NCAC) was established under Article 1.18.1 of the R-ARCSS and is mandated to revise or draft new laws, as appropriate, and also review other legislation as provided for in the Agreement. The mandate of the NCAC into the Transitional Period expired in February 2021, and shortly thereafter, so did its funding. Although its mandate was extended, funding was not easily forthcoming. Following the hiatus due to funding issues, the NCAC resumed its work on 17 May 2022. However, in April 2023, the national members of the NCAC began a boycott over unpaid allowances, and only returned to work once the issue was resolved on 6 September 2023.

The ad hoc Judicial Reform Committee. Regarding judicial reforms under Article 1.17 of the R-ARCSS, the ad-hoc Judicial Reform Committee (JRC) is mandated to study and recommend appropriate judicial reforms to the RTGoNU. It was established on 28 July 2022. At the time of writing, the lack of funding was hampering progress in areas of its mandate.

Political Parties Council and National Elections Commission. In November 2023, the Political Parties Council and the National Elections Commission were reconstituted, and members appointed. Overall, the reconstituted Political Parties Council attained 50% women representation while the reconstituted National Elections Commission achieved 22%, short of the 35% minimum.

Commissions and Institutions. As per article 1.19, various Commissions and Institutions at the national level are required to be restructured and reconstituted in order to improve accountability, transparency, institutional independence, and efficiency in national governance. Throughout the period under consideration, little of note has happened.

Extension of the Transitional Period and the Roadmap. On 16 November 2022, the Reconstituted Transitional National Legislative Assembly and Council of States ratified the ‘Agreement on the Roadmap to a Peaceful and Democratic end of the Transitional Period of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).’ In doing so, the Transitional Period was extended by 24 months, with effect from 23 February 2022 to 22 February 2025.

Permanent Ceasefire and the Transitional Security Arrangements.

Permanent Ceasefire and the Transitional Security Arrangements. Concerning the security-related tasks, the Parties have largely adhered to the provisions of the Permanent Ceasefire throughout this period, during which there was no new national-level conflict or outbreak of fighting. That said, the progress expected and required in the implementation of the Transitional Security Arrangements (TSA) was not forthcoming. However, on 15 November 2023, redeployment of the first batch of the 55,000 NUF began with a launch ceremony at Luri, Central Equatoria, with 750 troops deployed to Upper Nile state. Furthermore, the issues of defections and the repeated reports of outbreak of intercommunal or subnational violence undermined the gains made through the Parties’ adherence to the Permanent Ceasefire, as did the activities of the hold-out groups, mainly the National Salvation Front (NAS) of Gen Thomas Cirillo.

Sexual and Gender Based Violence. Cases of conflict related Sexual and Gender Based Violence (SGBV) continued to be reported throughout the Transitional Period. The Equatorias, and in particular, Yei, in Central Equatoria State, were the areas routinely named in this connection. Since 2020, the SSPDF has deployed 11 Mobile General Court Martials to 9 different locations in South Sudan.

Humanitarian Assistance and Reconstruction.

Special Reconstruction Fund (SRF) and Board. Article 3.2 of the R-ARCSS mandates the establishment of the Special Reconstruction Fund (SRF) and Board to support the implementation of the Agreement, and pave the way for the convening of a South Sudan donor pledging conference. Throughout the Transitional Period, no progress was made in establishing this Fund and the Board.

Humanitarian data. Analysis of the Transitional Period showed that overall, according to UNOCHA, the humanitarian data indicates a worsening of the situation.⁴ At the start of the Transitional Period in 2020, 7.5 million people were estimated to need humanitarian assistance that year, and that figure for 2023 was 9.4 million.

Refugees and internally displaced persons. As of November 2023, there were still 2.22 million South Sudanese refugees outside the country, which at the of the signing of the R-ARCSS, was around 2.5 million, according to the UNHCR.⁵

Flooding. Throughout the period of inquiry, recurrent flooding also led to damage to water facilities, limited access to basic services including health and education, high prevalence of disease outbreaks, and widespread displacement.

The Sudan conflict. The impact of the Sudan conflict, which broke out in April 2023, is felt in several ways, not least in exacerbating the humanitarian situation in South Sudan due to the influx of returnees and refugees from Sudan, which, as of 2 November 2023, is over 330,000 people, around 290,000 of whom are South Sudanese, according to UNOCHA.

⁴ Unless specified otherwise, the humanitarian data referred to in this section is available here: <https://www.unocha.org/south-sudan>

⁵ <https://data.unhcr.org/en/situations/southsudan>

Resource, Economic and Financial Management. In April 2020, the Minister of Finance and Planning established a Public Financial Management (PFM) Oversight Committee to address the reforms stipulated in Article 4.1.7 of the R-ARCSS. Employment in the petroleum sector has been reformed and the sale of oil is now conducted in a more transparent manner. Loans and advances collateralised by oil were identified (Article 4.8.1.3 of the R-ARCSS) and outstanding loans were factored in the draft 2021/22FY budget.

Transitional Justice. In general, progress towards the establishment of the three Transitional Justice mechanisms was very slow. The Council of Ministers approved the Bills for the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority in October 2023, and are awaiting submission to the reconstituted TNLA. Nothing happened of note towards the establishment of the Hybrid Court for South Sudan, Article 5.3.

Parameters of Permanent Constitution. As per Article 6.1, the RTGoNU is mandated to initiate and oversee a permanent constitution-making process during the Transitional Period. The President of the Republic of South Sudan assented to the Constitution Making Process Act, in December 2020, which establishes the legal framework to govern the process of the permanent constitution making. On 3 November 2023, the representatives of the Parties and Stakeholders to the reconstituted National Constitutional Review Commission were appointed by the President, with women's representation making up 33% of the 57 nominees, falling below the 35% minimum.

Challenges to implementation of the R-ARCSS. Implementation of the R-ARCSS during the years following the formation of the RTGoNU proved challenging, and time and again certain challenges which have affected implementation of the Agreement from the start have reoccurred, including lack of funding, trust deficit, insufficient confidence building among the Parties, and widespread flooding, hampering livelihoods and humanitarian access.

Observations on five years of the R-ARCSS. The relative peace brought about by the R-ARCSS is a commendable achievement for which the people of South Sudan and the Parties to the Agreement are to be congratulated. However, a lot of work still remains to be done to complete the critical pending tasks necessary to effect South Sudan's democratic transition. Every effort must be made by the RTGoNU to increase the pace of implementation in preparation for the holding of elections at the end of the Transitional Period, scheduled for December 2024, as per the Roadmap. In RJMEC's assessment, the tasks most critical for the conduct of free, fair and credible elections are the unification of forces and their redeployment, and the making of the permanent constitution. The importance of a people-led and people-owned Permanent Constitution cannot be overemphasised, as it will be the cornerstone of the state of South Sudan, preparing the way for its democratic transition. It has been seen that where the Parties to the Agreement work together, much can be accomplished. A high level of compromise, collegiality and shared responsibility should guide implementation.

2. Introduction

This report is prepared by the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC), the official oversight body established under Chapter 7 of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) with the mandate to monitor, evaluate and report on the status of implementation of the R-ARCSS. It builds on the previous yearly status reports and summarises the five-year period of the Revitalised Peace Agreement from the time it was signed on 12 September 2018 and includes updates to 1 December 2023. It draws on various data sources, including reports from:

- Pre-Transitional institutions and mechanisms such as the National Pre-Transitional Committee (NPTC), the Technical Boundary Committee (TBC) and the Independent Boundaries Commission (IBC); and the Incumbent Transitional Government of National Unity (ITGoNU);
- the Revitalised Transitional Government of National Unity (RTGoNU);
- the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM), the National Constitutional Amendment Committee (NCAC), the Ad Hoc Judicial Reform Committee (JRC), the Joint Defence Board (JDB), the Strategic Defence and Security Review (SDSR) Board, the Joint Transitional Security Committee (JTSC), the Joint Military Ceasefire Commission (JMCC), the Disarmament, Demobilisation and Reintegration (DDR) Commission and the National Transitional Committee (NTC);
- participatory peer reviews of the status of implementation of the thematic chapters of the R-ARCSS through monthly meetings of the six RJMEC Working Committees;
- RJMEC monthly plenary meetings;
- RJMEC quarterly reports and detailed status update reports; and

- regular consultative meetings of the RJMEC leadership with the Parties to the R-ARCSS, other South Sudanese stakeholders and adherents, regional guarantors and International Partners and Friends of South Sudan.

The report also annexes previously published material, as follows:

1. The first year of the Transitional Period of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (22 February 2020 to 23 February 2021);
2. Two Years of the Transitional Period of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (22 February 2020 to 22 February 2022); and
3. The status of implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan during the Pre-Transitional Period (12 September 2018 to 22 February 2020).

4. Background to the R-ARCSS

The Republic of South Sudan experienced an outbreak of armed violence in Juba in mid-December 2013, two years after it attained independence. The Intergovernmental Authority on Development (IGAD) successfully brokered the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), which was signed in August 2015. However, in July 2016, two months after the formation of Transitional Government of National Unity (TGoNU), the permanent ceasefire collapsed as a result of the fighting which erupted at the Presidential Palace in Juba. Soon thereafter, different armed groups emerged, and most parts of the country were engulfed in armed conflict. The Joint Monitoring and Evaluation Commission (JMEC), which was established to oversee the implementation of the ARCSS, assessed that the ARCSS was seriously violated,

concluding that the status quo was untenable. Pursuant to its mandate, JMEC provided its assessment report to IGAD leadership and recommended to the latter taking urgent appropriate corrective measures to salvage the Agreement through a process of revitalisation.

On 12 June 2017, the Assembly of the IGAD Heads of State and Government met and endorsed the JMEC's recommendation and mandated its Council of Ministers to convene a High-Level Revitalisation Forum (HLRF) of the Parties to the ARCSS, including estranged groups, to discuss concrete measures to restore the permanent ceasefire, full implementation of the ARCSS and to develop revised realistic timelines and an implementation schedule towards democratic elections at the end of the Transitional Period. In order to achieve these objectives, the Assembly: (a) tasked the IGAD Council of Ministers with the mandate to convene the HLRF; (b) appointed the IGAD Special Envoy for South Sudan; and (c) directed JMEC to provide the requisite technical support to the IGAD mediation throughout the process.

Following stakeholder mapping and consultations, the HLRF was launched in December 2017. Fifteen months later, the IGAD-led mediation secured the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), signed on 12 September 2018. The implementation of the R-ARCSS was intended to be accomplished in two phases: Pre-Transitional and Transitional Periods. The Pre-Transitional Period was intended to last for eight months, while the Transitional Period was to last for 36 months. The thematic tasks to be implemented within prescribed time periods detailed in the implementation matrices, are in the areas of:

- Governance;
- Permanent ceasefire and transitional security arrangements;

- Humanitarian assistance and reconstruction;
- Resource, economic and financial management;
- Transitional justice; and
- Parameters of the permanent constitution.

The R-ARCSS was signed by the Incumbent Transitional Government of National Unity (ITGoNU); Sudan People's Liberation Movement/Army-In Opposition (SPLM/A-IO; South Sudan Opposition Alliance (SSOA): Former Detainees (FD) and Other Political Parties (OPP). The other signatories included 17 South Sudanese stakeholders and adherents, the regional guarantors (IGAD and AU), and the International Partners as witnesses. The full list of those who signed can be found in the R-ARCSS, pp78-82.⁶

5. The Pre-Transitional Period

The Pre-Transitional Period was meant to last for eight months, but with the consent of the Parties to the R-ARCSS, it was extended twice; for an additional six months in the first instance and for 100 days in the second. The extension was to allow the parties to address critical outstanding tasks necessary for the formation of the RTGoNU, such as unification of forces, resolution of the impasse over the number of states and their boundaries and incorporation of the R-ARCSS into the Transitional Constitution of the Republic of South Sudan 201 (as amended), among others. Internal and regional efforts to address the outstanding tasks took place, including the meeting between Dr Riek Machar, Chairperson of the SPLM/A-IO and President Salva Kiir Mayardit held in Juba between 9 and 11 September 2019; regional special envoys' engagement with the Parties to the R-ARCSS; high-level solidarity visits by the Peace and Security Council of the African Union and UN Security Council to Juba; and the convening of the

⁶ <https://jmecsouthsudan.org/index.php/arcss-2015/igad-hlrf-agreement/108-revitalised-agreement-on-the-resolution-of-the-conflict-in-the-republic-of-south-sudan-r-arcss-2018/file>

Assembly of the IGAD Heads of State and Government and Council meetings on the situation in South Sudan.

It should be recalled that the Parties agreed to 83,000 Necessary Unified Forces (NUF) to be trained, unified and redeployed ahead of formation of the RTGoNU. However, none were graduated by the time the Pre-Transitional Period ended. Furthermore, the impasse over the number of States and their boundaries impeded the timely formation of the RTGoNU. The R-ARCSS provided for two mechanisms to resolve this matter: the Technical Boundary Committee (TBC) and the Independent Boundaries Commission (IBC). Both the TBC and the IBC failed to resolve the issue and was then referred to the Assembly of the IGAD Heads of State and Government. Subsequently, the Assembly was convened on 8 and 9 February 2020 in Addis Ababa, Ethiopia and deliberated on the matter.

Shortly thereafter, on 15 February 2020, the President decreed the return of the country to 10 states and also announced the establishment of the Abyei Administrative Area, the Greater Pibor Administrative Area, and the Ruweng Administrative Area. The resolution of this impasse and commitment to expedite and complete implementation of the outstanding Pre-Transitional tasks, especially the training, unification and redeployment of the NUF, then paved the way for the swearing in of the Presidency on 22 February 2020, signalling the end of the Pre-Transitional Period and the start of the Transitional Period.

6. Reconstituted Joint Monitoring and Evaluation Commission

In October 2018, JMEC was reconstituted and became 'RJMEC' with the enhanced mandate of overseeing, monitoring and evaluation of the implementation of the R-ARCSS, including providing quarterly status implementation reports to the RTGoNU (Council of Ministers and TNLA), IGAD (Chairperson of the Council of Ministers and Assembly of Heads of States and Government), AU (Chairperson of the Commission and Peace and Security Council) and United Nations (Secretary General and Security Council), followed by quarterly briefings.⁷ Furthermore, RJMEC oversees the work of the RTGoNU, including the Parties' adherence to implementation and timelines of the R-ARCSS, the work of the Agreement institutions and mechanisms, and provides recommendations to break deadlocks which arise during R-ARCSS implementation.

RJMEC uses a range of approaches to discharge its mandate, including conducting monthly meetings, thematic working committee meetings, high-level diplomatic engagements with various peace stakeholders, close collaboration with CTSAMVM and IGAD, reporting on status of implementation, including violation reports, dialogues, briefings, and referrals of exceptional cases to the regional guarantors for remedial action. Thus RJMEC, and its Secretariat, continued to be a central actor during the Transitional Period, as it was during the Pre-Transitional Period.

RJMEC Monthly meetings. In the five years of R-ARCSS, RJMEC has convened 32 plenary meetings, as per 7.12 of the Agreement. In the Pre-Transitional Period, RJMEC held 14 monthly meetings and 18 during the Transitional Period with the 32nd meeting held in October 2023. It held two extraordinary meetings, the first

⁷ RJMEC quarterly reports, now numbering 19, can be found here: <https://jmeccouthsudan.org/index.php/reports/rjmecc-quarterly-reports>

on 19 February 2019 on the issue of funding. The second was held on 1 September 2022 on the Roadmap and extension to the Transitional Period. The statements, minutes and resolutions of these meetings are available online.⁸



RJMEC Chairperson Amb. Maj Gen Charles Tai Gituai addressing the 29th Monthly Plenary in Juba, May 2023

Before each monthly meeting, separate consultation meetings were held with the Parties to the Agreement, the Stakeholders and Adherents to the Agreement, and the Regional Guarantors and the International Partners and Friends of South Sudan.

⁸ Statements: <https://jmecsouthsudan.org/index.php/media-center/rjmec-statements-1/rjmec-statements-plenary>; Minutes: <https://jmecsouthsudan.org/index.php/plenary/plenary-minutes> / Resolutions: <https://jmecsouthsudan.org/index.php/plenary/plenary-resolutions>

Deadlocks. During the Pre-Transitional Period, some deadlocks were dealt with, either through recommended remedial measures and/or referrals, notably i) on the disputes on the number and boundaries of the states; ii) the discrepancies which were detected in the Transitional Constitutional Amendment Bill No.6 which incorporated the R-ARCSS into the Transitional Constitution of the Republic of South Sudan 2011, as amended; and iii) and internal disputes within the OPP signatories to the R-ARCSS regarding the list of their nominees to the TNLA. Further detail is provided in the Pre-Transitional Period report, in Annex 3.

In the Transitional Period, on 3 March 2023, H.E. The President issued two decrees, one relieving two national Ministers, Hon. Angelina Teny, Minister of Defence and Veteran Affairs, and General Mahmoud Solomon, Minister of Interior, from their respective portfolios. In the other, the President swapped the two ministries between the ITGoNU and the SPLM/A-IO. The Ministry of Defence and Veteran Affairs was assigned to the ITGoNU and the Ministry of Interior to the SPLM/A-IO. In response to the Decrees, the SPLM/A-IO Political Bureau met on 4 March 2023 and issued a resolution rejecting the removal of the Minister of Defence and Veteran Affairs and the swapping of the ministerial portfolios as a violation of the R-ARCSS and called on the President to revoke the Decrees and reinstate Hon. Angelina Teny as the Minister for Defence and Veteran Affairs.

On 10 March 2023, the SPLM/A-IO referred the matter to RJMEC as a deadlock. In the view of RJMEC, at the core of the letter and spirit of the R-ARCSS is the requirement of collegiality, consultations, and agreement between the Parties. In accordance with the R-ARCSS, a unilateral dismissal of an appointee of another party to the R-ARCSS or swapping of a ministerial portfolio first selected by another party at the commencement of the Transitional Period is contrary to the

letter and spirit of the R-ARCSS, hence a violation. Finally, on 3 October 2023, Hon. Angelina Teny was sworn in as Minister of Interior.

Juba-based High-level meetings: Throughout the Transitional Period, RJMEC met with various groups relevant to the Revitalised Peace Agreement in fulfilment of Article 7.9. For example, RJMEC on various occasions briefed the RTGoNU Council of Ministers and the Transitional National Legislative Assembly during the Transitional Period. Other types of meetings include with those stakeholders listed in 7.2 of the Agreement, and other key Agreement interlocutors. More specifically, those include:

- i) The Parties to the Agreement (including regular meetings with the President of South Sudan, the Chairperson of SPLM/A-IO, and the leaderships of the other three Parties);
- ii) The Stakeholders and Adherents to the Agreement (faith-based leaders, women, civil society, eminent personalities, business groups, academia, and youth); and
- iii) Regional Guarantors (Sudan, Ethiopia, Eritrea, Kenya, Djibouti, Uganda) and International partners and Friends of South Sudan (including but not limited to the Troika (US, UK and Norway), European Union, China, Japan, and Canada).

Furthermore, the list of regular meetings includes other key Agreement interlocutors, such as:

- i) Agreement Institutions and Mechanisms (CTSAMVM, JDB, JMCC, JTSC, SDSRB, DDR Commission, NCAC, JRC);
- ii) the IGAD Special Envoy for South Sudan, the Executive Secretary of IGAD, and other IGAD leaders including the Chairperson of the IGAD Heads of

State and Government, the Chairperson of the IGAD Council of Ministers; and

- iii) the African Union Commission, the African Union High-level Ad hoc Committee (South Africa, Algeria, Chad, Rwanda and Nigeria), and the African Union Peace and Security Council.



RJMEC Monthly Plenary in Session

High-level regional meetings. Throughout the Transitional Period, the RJMEC Interim Chairperson regularly delivered statements or participated in key high-level IGAD, African Union and United National Security Council meetings on the status of implementation of the R-ARCSS. In terms of IGAD, those included the IGAD Summit of Heads of State and Government (36th Extraordinary Session on 14 July 2020, and 14th Ordinary Session on 12 June 2023), and the IGAD Council of Ministers (71st Extraordinary Session on 23 April 2020, 72nd Extraordinary Session on 24 June 2021, and 48th Ordinary Session on 30

November 2022). In terms of the African Union Peace and Security Council, those included a visiting delegation to Juba on 23 Feb 2023, 1092nd Session on 11 July 2022, 1123rd Session on 30 November 2022, and 1186th Session on 16 November 2023. In terms of the United Nations Security Council, those were the 8987th meeting on 7 March 2022, 9219th meeting on 13 December 2022, and 9353rd meeting on 20 June 2023. Detail of those which took place in the Pre-Transitional Period can be found in Annex 3.



RJMEC Chair briefs the 9219th meeting of United Nations Security Council, December 2022

Outreach. During the Transitional Period, the RJMEC Secretariat continued to distribute copies of the full peace agreement, and a summary of it. Throughout the entire period since the Agreement was signed, the total number of printed products disseminated is around 210,000, which includes 40,000 full Revitalised Peace Agreements in English. Furthermore, RJMEC conducted several stakeholders' sensitisation programmes on the Revitalised Peace Agreement through face-to-face events and print/audio communications. A total of 25 face-to-face sensitisation events were conducted in various areas of the country, such as Wau, Torit, Maridi, Yambio, Yei, Bor and Juba, to audiences, including those groups listed at 7.2 of the R-ARCSS, church leaders, schoolteachers, and general members of the public.



RJMEC Outreach Event, Yei, Central Equatoria, November 2021

In terms of print and audio outreach, two types of communications products were developed: i) printed summaries of the Revitalised Peace Agreement; and ii) audio recordings in the form of public service announcements. These two products were developed in English, and translated into the following languages: classical Arabic, Juba Arabic, Dinka, Nuer, Collo, Bari and Zande. In terms of the public service announcements, female voices were used for recording in five out of the seven languages, and were broadcast nationally.



RJMEC as part of its dissemination efforts distributed around 210,000 booklets in 7 languages

7. Revitalised Transitional Government of National Unity (RTGoNU)

Establishment of the RTGoNU. One sticking point in particular which had been delaying the formation of the RTGoNU was the issue of the number of states and their boundaries, and the unification of forces. However, the Principals reached a compromise resulting in the return to the former ten states, plus three Administrative Areas, and agreement that the process of unification would continue and be completed during the Transitional Period. On 22 February 2020, First Vice President H.E. Dr Riek Machar Teny and three of the four Vice Presidents, namely H.E. Dr James Wani Igga, H.E. Gen. Taban Deng Gai and H.E. Rebecca Nyandeng Garang De Mabior, were sworn in. A day later, Vice President H.E. Hussein Abdelbagi Akol was also sworn in. This signalled the official start of the Transitional Period and the end of the Pre-Transitional Period, which had lasted for one year, five months and six days, compared to the eight months envisaged in the Agreement.

With the Presidency formed and sworn in, the next task was the formation of the Council of Ministers. Within three weeks of the formation of the RTGoNU, on 12 March 2020, the 35 ministerial positions were allocated according to Article 1.10.7 of the R-ARCSS. Twenty of the positions were allotted to the ITGoNU, nine to SPLM/A-IO, and three, two and one to the South Sudan Opposition Alliance (SSOA), Former Detainees (FDs) and Other Political Parties (OPP) respectively. The Parties, however, failed to adhere to the 35 percent women's participation in the Executive, as only nine women (26%) were appointed to the Council of Ministers and only one woman (10%) among the deputy ministers. The 35 ministries are divided into clusters, and with exception of the President, each member of the Presidency oversees and chairs a cluster of Ministries as follows. The Governance Cluster is chaired and overseen by the First Vice President, H.E. Dr Riek Machar; the Economic Cluster is chaired and overseen by H.E. Vice

President Dr James Wani Igga; the Service Cluster is overseen chaired and by H.E. Vice President Hussein Abdelbagi Akol; the Infrastructure Cluster is chaired and overseen by H.E. Vice President Taban Deng Gai; and the Gender and Youth Cluster is chaired and overseen by H.E. Vice President Rebecca Nyandeng Garang de Mabior.

State level Executives. In March 2020, the Parties to the R-ARCSS held inter-party consultations to agree on responsibility sharing at the State and local government levels in the ten States and the three Administrative Areas of Abyei, Greater Pibor and Ruweng. Despite initial disagreements on the allocations, the Parties reached agreement as follows: the ITGoNU nominated governors to the states of Unity, Eastern Equatoria, Warrap, Northern Bahr el Ghazal, Central Equatoria and Lakes. The SPLM/A-IO nominated governors to Upper Nile, Western Bahr el Ghazal, and Western Equatoria; and SSOA nominated a governor to Jonglei. The appointment of the governor of Upper Nile State took a protracted amount of time to resolve, but agreement was eventually reached. On 29 January 2021, President Salva Kiir appointed the governor of Upper Nile state.

Of concern, however, is that the gender disaggregation of the executive appointments for the state Governors and their Deputies shows that nine (90%) of the appointed Governors are male whereas one (10%) is female (Western Bahr el Ghazal State, nominated by the SPLM/A-IO). With respect to the Deputy Governors, seven (70%) are male whereas three (30%) are female. Other key achievements in the area of governance include:

- completion of reconstitution of State Governments with the appointment of States Executive for all the ten states;
- appointment of State Ministers, Advisors, Independent Commissioners and County Commissioners for all the ten States; and
- appointment of the States Legislature in all the ten states.

Transitional National Legislature. Article 1.14 of the R-ARCSS requires the Transitional National Legislature (TNL), comprising the Transitional National Legislative Assembly (TNLA) and the Council of States (CoS), to be reconstituted as one of the key organs of the RTGoNU. As time progressed through the Transitional Period, the absence of a reconstituted TNLA became more glaring, with several pieces of reviewed legislation building up which needed to be enacted and assented into law. Despite a resolution from the Presidency of the Republic of South Sudan on 9 December 2020 that the TNLA and the Council of States be reconstituted, it was not until August 2021 that these bodies were finally reconstituted. The TNL held its inaugural sitting on 30 August 2021. Notably, the Speaker of the reconstituted TNLA and a Deputy Speaker of the CoS, who were both nominated by the ITGoNU, are women. Nevertheless, the number of women in the TNLA does not reach the 35 percent representation stipulated in the R-ARCSS.

The TNLA was sworn in without the members belonging to the OPP, which experienced difficulties in reaching consensus on a full list of their nominees to the TNL. In spite of several efforts invested to assist them to break the impasse, the OPP signatories failed to reach consensus. The matter was later referred to RJMEC pursuant to article 7.11 of the R-ARCSS as a deadlock. RJMEC subsequently provided recommendations on how the deadlock could be broken, and was duly communicated to the OPP.

The recommendations were not accepted by one member of the OPP signatories to the R-ARCSS. An intervention undertaken by the President finally resulted in the resolution of the disagreement amongst the OPP signatories to the R-ARCSS and the appointment of the members to both houses. Furthermore, in January 2022, the Speaker of the reconstituted Transitional National Legislative Assembly

named the members of the Specialised Committees of the TNLA. A total of 21 out of 44 members of these Committees are female, which is 48%.

During its time of operation since reconstitution, the TNLA has considered and passed numerous pieces of legislation, notably:

- TCRSS 2011 (Amendment) Act No. 6 & 8;
- The National Police Service (Amendment) Act 2022;
- Constitutional Making Process (Amendment) Act 2022;
- The National Wildlife Services Act (Amendment) Act 2022;
- National Prisons Service 2011 (Amendment) Act 2022;
- SSPLA 2009 (Amendment) Act 2022;
- National Civil Defence Service (Amendment) Act 2022;
- Political Parties 2012 (Amendment) Act 2022;
- National Elections 2012 (Amendment) Act 2022;
- The Bank of South Sudan 2011 (Amendment) Act 2023;
- The Anti-Corruption 2009 (Amendment) Act 2023;
- The Banking 2012 (Amendment) Act 2023; and
- National Revenue Authority 2016 (Amendment) Act 2023.

It should be noted that there were disagreements regarding some provisions contained in the Political Parties Bill before it was enacted. For two and half months, beginning 31 May 2022, the SPLM-IO boycotted parliamentary sittings as a result. During the SPLM-IO's absence from the reconstituted TNLA, the parliament passed the Constitution Process Making Bill, National Police Services Bill, Civil Defense Services Bill and the National Wildlife Services Bill.

In the meantime, attempts were made to address the disagreement over the Political Parties Bill which was passed by the reconstituted TNL. On 12 June 2022, the SPLM/A-IO leadership wrote to the President saying the passing of the Political Parties Bill was a violation of the R-ARCSS and requested him not to assent to the Bill. The President met with the Speaker of the reconstituted TNLA and sought clarity on how the Bill was passed and on the way forward. The President directed that the matter would be referred to the Presidency to resolve.

RJMEC wrote to the Parties' leadership on 1 August 2022 advising them to uphold the relevant provisions of the R-ARCSS and ensure the passing of the bills. The President and First Vice President held a meeting on 11 August 2022, where they reportedly agreed that all the bills which were passed by the reconstituted TNLA during the SPLM-IO's absence from Parliament would be reintroduced, that the SPLM-IO members of the reconstituted TNLA would terminate their boycott of parliamentary sittings and the Political Parties Bill may be amended as per parliamentary procedures. On 15 August the SPLM-IO Parliamentary Caucus ended the boycott of parliamentary sessions.

Additionally, in early 2023, the President assented to, among others, the International Covenant on Civil and Political Rights, International Economic, Social and Cultural Rights, and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa.

National Constitutional Amendment Committee. The National Constitutional Amendment Committee (NCAC) was established under Article 1.18.1 of the R-ARCSS and is mandated to revise or draft new laws, as appropriate, and also review other legislation as provided for in the Agreement. During the Transitional Period, for example, the NCAC completed the Constitutional Amendment Bill No. 8 2020, which incorporated the R-ARCSS into the TCRSS 2011 as amended. This

Bill sought to correct anomalies contained in the Constitutional Amendment Act No 6 2020 which was enacted with a few inconsistencies to the R-ARCSS. The Committee has completed reviews of, *inter alia*:

- the National Audit Chamber Act 2012;
- the Public Finance Management and Accountability Act 2011;
- the Petroleum Revenue Management Act 2013;
- the Petroleum Act 2012;
- the Political Parties Act 2012;
- the Constitution Making Process Act 2021;
- the National Elections Act 2012;
- the National Anti-Corruption Commission Act 2009;
- National Revenue Authority Act 2016;
- the Bank of South Sudan Act 2011; and
- the Banking Act 2012.

This work built on their achievements during the Pre-Transitional Period, where their work focused on the SPLA Act, 2009, Police Service Act, 2009, Prisons Service Act, 2011, National Security Service Act, 2014, and the Wildlife Service Act, 2011. The Fire Brigade Act, which did not exist previously in South Sudan, was newly drafted by the NCAC. The mandate of the NCAC expired in February 2021, and shortly thereafter, so did its funding. Although its mandate was extended, funding was not easily forthcoming. Following the hiatus due to funding issues, the NCAC resumed its work on 17 May 2022. However, in April 2023, the national members of the NCAC began a boycott over unpaid allowances, and only returned to work once the issue was resolved on 6 September 2023.

The ad hoc Judicial Reform Committee. Regarding judicial reforms under Article 1.17 of the R-ARCSS, the ad-hoc Judicial Reform Committee (JRC) is mandated to study and recommend appropriate judicial reforms to the RTGoNU. It was established on 28 July 2022, and held an induction workshop facilitated by the Max Planck Foundation from 22–23 August 2022. Facing logistical challenges, its initial timeline and mandate was extended until 27 January 2024. This inevitably delayed other judicial reform tasks dependent on the JRC’s report, such as review of the Judiciary Act. Although the JRC had completed Phase I of the public and stakeholder consultations on judicial reforms in Malakal, Upper Nile State, Wau, Western Bahr el Ghazal State, and Yambio, Western Equatoria State. However, at the time of writing, the lack of funding was hampering further progress.

The Political Parties Council and the National Elections Commission. In November 2023, two key institutions in the Political Parties Council (PPC) and the National Elections Commission (NEC) were reconstituted, and members appointed. Overall, the reconstituted PPC attained 50% women representation while the reconstituted NEC achieved 22%, short of the 35% minimum.

Commissions and Institutions. As per article 1.19, various Commissions and Institutions at the national level are required to be restructured and reconstituted in order to improve accountability, transparency, institutional independence, and efficiency in national governance. Throughout the period under consideration, little of note has happened, and with the exception of the DDR Commission, none has been restructured or reconstituted.

8. Extension of the Transitional Period and the Roadmap.

On 16 November 2022, the reconstituted TNLA and Council of States ratified the 'Agreement on the Roadmap to a Peaceful and Democratic end of the Transitional Period of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)' (hereafter 'the Roadmap'). In doing so, the Transitional Period was extended by 24 months, with effect from 23 February 2022 to 22 February 2025. Had this extension not been agreed, the Transitional Period and therefore the Agreement would have expired on 23 February 2023. The Roadmap (initially presented by the RTGoNU on 4 August 2022) was a culmination of a series of events which began with RJMEC's request to the RTGoNU to develop and present their plan and strategy on how they will implement the critical pending tasks of the Agreement in the remaining period of the Transitional Period. It was evident that time was running out quickly with many critical tasks still pending.

On 1 September 2022, the RJMEC convened an Extraordinary Plenary meeting to vote on whether or not to extend the Transitional Period and term of the RTGoNU by two years, the timeframe the RTGoNU determined was required in order to complete the critical pending tasks. This was done in accordance with Article 8.4 of the R-ARCSS, which requires that at least two-thirds of the voting members of RJMEC consent to an amendment of the Agreement, which is 29 of the total 43 members. 37 voted in favour of the extension. In doing so, the RJMEC members consented to the amendment to article 1.1.2 of the R-ARCSS. The Roadmap is a detailed document, developed and owned by the Parties, but it is important to point out that the Revitalised Peace Agreement remains the supreme document.

9. Permanent Ceasefire and the Transitional Security Arrangements

Permanent Ceasefire. Concerning the security-related tasks, the Parties have largely adhered to the provisions of the Permanent Ceasefire throughout this period, during which there was no new national-level conflict or outbreak of fighting. That said, the progress expected and required in the implementation of the Transitional Security Arrangements (TSA) was not forthcoming. Furthermore, the issues of defections and the repeated reports of outbreak of inter-communal or subnational violence undermined the gains made through the Parties' adherence to the Permanent Ceasefire, as did the activities of the hold-out groups, mainly the National Salvation Front (NAS) of Gen Thomas Cirillo.

Transitional Security Arrangements.

Unification of forces. During the Pre-Transitional Period, the security mechanism responsible for Transitional Security Arrangements (TSA) established 18 Training Centres and 25 Cantonment Sites for oppositions forces, while Government forces remained in 10 designated barracks. However, the unification of forces, the foundational element of the TSA, was a key task of the Pre-Transitional Period which was not completed within the timeframe, despite the two extensions. The Pre-Transitional period closed with at least 78,500 security personnel registered at the various cantonment sites, barracks and training centres. According to CTSAMVM reports, an estimated 35,000 combatants remained in cantonment sites, while at least 45,499 personnel, with 3,612 being women, were in various training centres. The Transitional Period began, therefore, with the expectation that the unification of forces was to be completed in the shortest possible timeframe, but it was regularly reported that the training centres and cantonment sites were affected by severe food shortages, lack of medicines, and lack of shelter and separate facilities for the female personnel. Equally, it was regularly reported that troops left the centres in search of food. In mid-2022, troops in training

centres began to be graduated in Phase I. On 30 August 2022, a total of 21, 973 forces were graduated from the training centres in the Equatoria Region. On 17 September 2022, 1,723 and 1,712 unified forces were graduated from the Maridi and Owinykibul Training Centres respectively. On 27 September 2022, 1,701 forces were graduated at Panyier Training Center in Jonglei State. Then, 12,765 graduated in Wau on 4 November 2022, while a further 7,500 were graduated at Moum Training Center on 10 November, and on 21 November 9,499 were graduated in Malakal. A further 2,838 Necessary Unified Forces (NUF) on 14 January 2023 graduated in Bentiu, Unity State, marking the completion of the graduation of Phase I of the NUF, with a total of 55,000 forces having graduated.



Necessary Unified Forces Graduation Ceremony, Malakal, Upper Nile State, November 2022

Unification of Command. On 3 April 2022, the armed Signatory Parties signed an agreement on the unification of command, mediated by Sudan as the Chair of IGAD. Then on 13 April 2022, all generals appointed to the new unified command were sworn in by H.E. Salva Kiir Mayardit, the President of the Republic of South Sudan and Commander in Chief. One of the challenges to the redeployment of Phase I NUF and the commencement of the training of Phase II NUF has been the unresolved unification of the middle and lower-level command echelons. Then, in March 2023, an agreement was reached by the Parties on a 60:30:10 ratio for the ITGoNU, SPLM/A-IO, and SSOA respectively. While the National Security Service, Wildlife Service, Prison Service, and the Civil Defence Service resolved the unification of the middle echelon, the Army and the National Police Service had not yet resolved this matter at the time of writing.

Deployment of Phase I NUF and Training of Phase II. As graduation of Phase I NUF was completed on 14 January 2023, it was expected that all Phase I NUF were to be deployed as soon as possible. Unfortunately, these forces were not deployed within the time frame indicated in the RTGoNU's Roadmap mainly for two reasons; a) unresolved dispute among the signatory armed parties over the unification of the middle- and lower-level echelon command; and b) the lack of funding for the deployment of forces. Consequently, the training of Phase II NUF could not commence without clearing Phase I troops from the Training Centres through their deployment and taking the ineligible soldiers through a Disarmament, Demobilisation, and Reintegration (DDR) process. However, on 15 November 2023, redeployment of the first batch of the 55,000 NUF began with a launch ceremony at Luri, Central Equatoria, with 750 troops deployed to Upper Nile state.

Disarmament, Demobilisation and Reintegration. The Disarmament, Demobilisation and Reintegration (DDR) Commission, established in September 2019, has achieved very little since then. Though it devised a strategy, implementation plan and estimated budget, submitted to the RTGoNU for approval through the NTC, nothing moved beyond this, and very little funding was received.

Strategic Defence and Review. Chapter 2 of the R-ARCSS committed the Strategic Defence and Security Review (SDSR) Board to conducting a comprehensive, inclusive, and transparent four-stage strategic defence and security review process, underpinned by the principles and strategies of national interest in promoting and defending the sovereignty and the dignity of the country and its people. At the time of writing, the SDSR has completed the drafting of most of the key documents required under the R-ARCSS, namely the: (i) strategic security assessment; (ii) security policy framework; (iii) revised defence policy; and (iv) security sector transformation framework. These documents are awaiting validation by all members of the Board before they can be submitted to the RTGoNU Council of Ministers.

Police Reforms. During 2023, some progress was registered regarding reforms to the national police. The Joint Transitional Security Committee (JTSC) Secretariat requested assistance with the review of the JTSC Training Curriculum Guide for training of the police component of the NUF, with a focus on gender. Separately, the National Police Service (NPS) and the Ministry of Justice and Constitutional Affairs, in collaboration with the University of Juba, began actively implementing police reform initiatives. Notably, public prosecutors delivered specialised training to judiciary Police officers and investigators on addressing Sexual and Gender-Based Violence (SGBV) with the aim of strengthening the effectiveness of investigations and prosecutions. Overall, particularly in 2022 and 2023, donor-

supported cross-government efforts were made regarding operational capabilities, referral mechanisms regarding SGBV crime incident response and court-directed investigations, and improvements in general SGBV awareness and survivor support through various government departments.

Intercommunal and subnational violence. Throughout the Transitional Period, reports were received on a regular basis about cycles of violence related to intercommunal and subnational violence, including cattle raiding and revenge attacks, and typically among youth, in the States of Western and Northern Bahr el Ghazal, Eastern, Central and Western Equatoria, Lakes, Warrap, Unity, Jonglei, Upper Nile and the Greater Pibor Administrative Area and Abyei Administrative Area in particular. In other words, there is scarcely a locale in South Sudan which escaped the loss of life and associated hardships of intercommunal and subnational violence.



RJMEC Chair addressing a meeting in Greater Pibor Administrative Area, June 2021

Holdout groups – security and diplomacy: During the Pre-Transitional Period, some progress with bringing the holdout groups into the peace process was made under the auspices of the Community of Sant’Egidio. This process (the ‘Rome Process’) gathered the Parties to the Agreement and the South Sudan Opposition Movements Alliance (SSOMA) factions of Gen Thomas Cirillo, Gen Paul Malong and Hon. Pagan Amun, plus observers. These efforts resulted in the issuance of three documents. First was a communique issued on 20 November 2019⁹ where the Parties committed to re-engage with the stakeholders to the R-ARCSS through political dialogue and negotiation to contribute to the overall peace process. The second was the Rome Declaration signed on 12 January 2020¹⁰, and the third was the Rome Resolution signed on 13 February 2020¹¹. The second and third in particular are notable as they set out ways of bringing SSOMA representatives into the operational structures of CTSAMVM. There were a number of additional talks during the Transitional Period, which aimed to build on the achievements made with the Rome Declaration and Resolution. These talks included rounds in Rome, Italy, in October and December 2020, followed by Naivasha, Kenya, in March 2021, then Rome in July 2021.

Further talks took place in Nairobi, Kenya in December 2022, with the objectives of operationalising the way in which SSOMA members would function within CTSAMVM structures. CTSAMVM then conducted an induction workshop in Rome from 20–30 June 2022 in order to bring SSOMA national monitors into CTSAMVM structures by 15 August 2022. However, SSOMA’s national monitors until now have not joined CTSAMVM, and the NAS of General Thomas Cirillo did not join this process. Today, the entire Sant’Egidio process is immobile.

⁹ <http://www.santegidio.org/downloads/communique-ssoma-santegidio-2019-new.pdf>

¹⁰ <https://www.santegidio.org/downloads/Rome-Declaration-on-the-peace-process-in-South-Sudan.pdf>

¹¹ <https://www.santegidio.org/downloads/RRMVCCHA-1302-2020.pdf>

Defections. The first major defection of senior officers from the SPLA-IO to the SSPDF was in September 2019 when Gen James Ochan Puot, Deputy Division 5 Commander of the SPLA-IO, defected to the SSPDF together with other officers in Maiwut County, Upper Nile State. In March 2020, the SPLM/A-IO's Deputy Chief of Staff for Administration/Deputy CDF, Gen James Koang and the Deputy Director of National Security Services (NSS) Gen James Wang Chany defected to the SSPDF in Juba. Also in March 2020, SPLM/A-IO Division commander in Western Equatoria Gen James Nando defected to the SSPDF in Western Equatoria. Around September 2020, SPLM/A-IO Maj Gen Moses Lokujo defected to the SSPDF in the Kajo Keji area of Central Equatoria. Defections in the states of Upper Nile, Central Equatoria and Western Equatoria were followed by skirmishes between the defectors and the SPLM/A-IO undermining the Permanent Ceasefire and the security of civilians in the affected areas. In addition, incidents of defection further undermined trust between the SPLM/A-IO and the ITGoNU leadership. One of the most significant examples of defection was in the area of Magenis, Upper Nile State, where the Chief of Staff of the SPLA-IO Gen Simon Gatwech and the Agwelek Commander Gen Johnson Olony defected to the SSPDF.

In October 2020, RJMEC made its position on deflections clear, as follows:

“Whether it is referred to as ‘defection’ or ‘change of allegiance’, the important point is that the Revitalised Peace Agreement in South Sudan has made commendable progress in the past two years since its signing and this must not be allowed to weaken because of instability caused by defections or accepting defections, which is contrary to the letter and spirit of the Agreement. (...)

“Whatever the source or driver of instability, RJMEC reminds all parties that the diplomatic architecture exists to manage all issues peacefully. In addition to the

Revitalised Peace Agreement of 2018, there is the Cessation of Hostilities Agreement of December 2017, the Rome Declaration of January 2020 and the Rome Resolution of February 2020, all of which affirm the signatories' commitment to pursue dialogue and the protection of civilians.”

Early 2022 marked a deterioration in the overall security situation across several parts of the country, in particular Upper Nile and Unity States, and the Equatorias. For example, CTSAMVM reported 18 separate incidents/clashes involving party signatories' armed forces and/or affiliates in Upper Nile and Unity States between 6 February and 25 March 2022. Several of these incidents involved violent clashes between the SPLM/A-IO and defected SPLM/A-IO officers and their forces (which came to be known as Agwelek forces) claiming to belong to the SSPDF.

This continued throughout 2022, with numerous attacks reported, especially in Upper Nile State and Unity State, resulting in many deaths, injuries, destruction of property, looting, displacement of civilians, and several cases of SGBV. The situation deteriorated further as armed Nuer Youth from Jonglei State clashed with the Agwelek forces, and later launched several attacks on Shilluk communities in Upper Nile, prompting a response from the Shilluk armed youth. RJMEC, together with UNMISS, AUMISS, IGAD, Troika and the EU, released a joint statement calling on South Sudanese leaders to “urgently intervene to stop the fighting and ensure the safety and security of civilians as well as unimpeded humanitarian access to people affected by the fighting.”¹²

¹² Full statement here: <https://www.jmeccsouthsudan.org/index.php/press-release/item/707-rjmec-and-international-partners-gravely-concerned-about-escalating-violence-in-greater-jonglei>

Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism.

During 2022 and 2023, CTSAMVM faced a number of financial, administrative and operational challenges. Firstly, the United States Government withdrew its support to CTSAMVM, effective from 3 July 2022. This presented a huge hurdle to CTSAMVM in particular, as it had accounted for 80% of its budget, though other donors remained. Despite CTSAMVM losing the majority of its funding, it began to work under a new concept of operation that takes into consideration the lack of aircraft, limited ground transportation, and staff. Secondly, CTSAMVM national monitors from the SPLM/A-IO and SSOA withdrew their participation in Monitoring and Verification Teams in mid 2022, and then again on 30 January 2023, due to the non-payment of their allowances by the RTGoNU. This issue caused operational problems during 2022, but was later resolved so that they returned to work in September 2022 as well as in April 2023.

Thirdly, in May 2023, CTSAMVM meetings were interrupted due to some concerns of the Senior National Representatives. Four CTSAMVM Technical Committee (CTC) Senior National Representatives wrote a letter in May 2023 addressed to H.E. Dr Ismail Wais, IGAD Special Envoy for South Sudan, and the Interim Chairperson of RJMEC, on the subject of 'Challenges facing Functions and Operations of CTSAMVM'. The letter highlighted five key issues, namely the CTSAMVM structure; leadership; finance and the Terms of Reference of CTSAMVM Board and CTC. The four CTC members also indicated that their issues must be resolved before they would resume work. Over time, confusion had built up regarding the roles and responsibilities of the CTSAMVM Board and also those of the CTC. It transpired that the CTC had been operating without any Terms of Reference, and it is clear that the Terms of Reference for the Board and the CTSAMVM Chairperson would benefit from streamlining.

In response to the letter of the Senior National Representatives, RJMEC held separate meetings with the concerned parties, CTSAMVM leadership, and later with the IGAD Special Envoy for South Sudan and the IGAD Executive Secretary. In the course of the extensive consultations on this matter, it was established that most of the issues raised were structural and administrative, occasioned primarily by the lack of clarity and/or misinterpretation of CTSAMVM's administrative and operational structure under the Revitalised Peace Agreement. To address this, IGAD streamlined and endorsed the Terms of Reference of the CTSAMVM Board, and the Chairperson of CTSAMVM. Then, an Extraordinary Board meeting was convened by the CTSAMVM Chairperson to brief the Board on the outcomes of recent attempts by RJMEC and IGAD to resolve the situation, and to present the draft CTC Terms of Reference for endorsement. The meeting did not take place, as some Party representatives were unwilling to proceed without the presence of the SSPDF representatives, who did not attend. This issue is currently being handled at the level of the Party principals, which is where it is at the time of writing.

All challenges notwithstanding, CTSAMVM and its Monitoring and Verification teams were able to continue investigating and drafting violation reports. A total of 88 have been published since the Agreement was signed in September 2018, and at the time of writing, nine reports are pending publication.

Civilian centres. Article 2.2.3.1 of the R-ARCSS calls for the immediate demilitarisation of all civilian areas (which includes schools, service centres, occupied houses, IDP camps, protection of civilian sites, villages, churches, mosques, ritual centres and livelihood areas) during the Pre-Transitional Period. However, as the Transitional Period began, 19 civilian centres remained occupied. These were by the SSPDF. Although the number of civilian centres occupied by

the armed forces has declined significantly since the Agreement was signed, at the time of writing the number of civilian centres occupied stands at 11 (all by the SSPDF), despite frequent reminders from RJMEC to the principals of the Parties and the JDB.

Sexual and Gender Based Violence. Cases of conflict related SGBV continued to be reported throughout the Transitional Period. The Equatorias, and in particular, Yei, in Central Equatoria State, were the areas routinely named in this connection. Since 2020, the SSPDF has deployed 11 Mobile General Courts Martial to nine different locations in South Sudan (two to Bentiu and Maridi, and one each to Bor, Malakal, Renk, Juba, Wau, Yei and Torit). For example, a General Military Court Martial sitting in Yei, Central Equatoria State, in August 2020, convicted 26 soldiers for offences against civilians and violations of the SSPDF military code of conduct, and on 27 June 2022, convicted 15 SSPDF soldiers for murder, rape, and causing serious bodily injury. Then on 16 June 2023, 14 verdicts were delivered for similar crimes. The period during which the Courts Martial have taken place witnessed a reduction of cases of SGBV reported by CTSAMVM.

Women's Participation in Peace and Security. In February 2023, a conference on Women's Transformational Leadership was held in Juba which provided an opportunity for learning, sharing, networking, mentorship, and solidarity building where women's participation in peace and security and all processes leading up to elections is critical. A key takeaway from the conference was the importance of having women form coalitions and networks to enhance their participation in critical processes including the making of legislation, transitional justice reforms, and the constitution-making and elections processes.

Senior Military Leadership training: In collaboration between RJMEC and the United Nations Institute for Training and Research (UNITAR), a number of initiatives were undertaken in the Transitional Period in an effort to improve understanding of conflict resolution, peace initiatives and capacity building amongst the Senior Military Leadership from the Parties to the Revitalised Agreement. The first was in Nairobi in December 2020 where 21 senior officers (Major General rank and above) from the SSPDF, SPLM/A-IO and SSOA participated in a training symposium. Then in May 2021, 25 South Sudan senior military officers participated in a ‘Senior Leadership Post-Conflict Peace Building and Reconstruction Course’ in Nyakinama, Rwanda, with the objective of continuing to build confidence and trust among participants, and learn some lessons and experience from the host countries and respective security sector institutions. The last was held in late November 2021 in Kigali, Rwanda, and was composed of four Government Ministers as well as senior military and security services officers from the Parties to the Agreement.

10. Humanitarian Assistance and Reconstruction

Special Reconstruction Fund (SRF) and Board. Article 3.2 of the R-ARCSS mandates the establishment of the Special Reconstruction Fund (SRF) and Board to support the implementation of the Agreement, and pave the way for the convening of a South Sudan donor pledging conference. Throughout the Transitional Period, no progress was made in establishing this Fund and the Board, despite the African Union in January 2022 passing a resolution to commence consultations with the UN Secretary-General and the IGAD Executive Secretary on the convening of the South Sudan Pledging Conference as provided for in 3.2 of Chapter 3.¹³

¹³ <http://peaceau.org/en/article/communique-of-the-1060th-meeting-of-the-psc-held-on-25-january-2022-on-the-situation-in-south-sudan>

Humanitarian data. Analysis of the Transitional Period data shows that overall, according to UNOCHA, the humanitarian data indicates a worsening of the situation.¹⁴ At the start of the Transitional Period in 2020, 7.5 million people were estimated to need humanitarian assistance that year, rising to 8.3 million in 2021. Then, it was estimated that 8.9 million people would need humanitarian assistance in 2022, and that figure for 2023 was 9.4 million. Likewise, food insecurity remained bleak, with the number of people food insecure in 2020 (6 million) rising steadily to 6.6 million in 2023, according to IPC classifications.¹⁵

Refugees and internally displaced persons. As of November 2023, there were still 2.22 million South Sudanese refugees outside the country, which at the of the signing of the R-ARCSS, was around 2.5 million, according to the UNHCR.¹⁶ Spontaneous returnees were few. Meanwhile, the number of internally displaced persons stood at 1.67 million in 2020, compared to 2 million in October 2023.

Attacks on humanitarians and access impediments. Since 2018, South Sudan has been a consistently dangerous place to work for humanitarians, with the loss of life averaging around 24 per year. All but 3 of the total 124 humanitarian workers (correct to October 2023) to have lost their lives since 2018 have been South Sudanese nationals.¹⁷ Throughout the same period, cases of attacks against civilians and humanitarian workers and their assets, the destruction and looting of aid supplies intended for the most vulnerable were a consistent feature. Furthermore, bureaucratic impediments to humanitarian efforts continued including harassment of workers.

¹⁴ Unless specified otherwise, the humanitarian data referred to in this section is available here: <https://www.unocha.org/south-sudan>

¹⁵ <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1155997/?iso3=SSD>

¹⁶ <https://data.unhcr.org/en/situations/southsudan>

¹⁷ <https://aidworkersecurity.org/incidents/search?country=SS&detail=1&sort=desc&order=Year>

Flooding. Throughout the Transitional Period, recurrent flooding also led to damage to water facilities, limited access to basic services including health and education, high prevalence of disease outbreaks, and widespread displacement. Floods also continue to trigger conflict between host communities and Internally Displaced Persons (IDPs) driven to higher grounds in search of pasture and safety. Areas affected include the states of Upper Nile, Unity, Jonglei, Greater Bahr el Ghazal and Western and Eastern Equatoria.

The Sudan conflict. The impact of the Sudan conflict, which broke out in April 2023, is felt in several ways, not least in exacerbating the humanitarian situation in South Sudan due to the influx of returnees and refugees from Sudan to South Sudan. As of 2 November 2023, the figure is over 330,000 people, around 290,000 of whom are South Sudanese, according to UNOCHA. Additionally, Sudan was an important corridor to the four northern states of Unity, Upper Nile and Northern and Western Bahr el Ghazal, as well as the Abyei and the Ruweng Administrative Areas. Furthermore, the conflict in Sudan has drastically affected the flow of goods and services to and from Sudan and neighbouring countries, resulting in a further spike in inflation and a consequent deterioration in the South Sudanese pound against the US dollar. Lastly, the loss of the oversight role of Government of Sudan as Chair of IGAD, and its loss of focus as a key interlocutor with South Sudan on security affairs, has been important.

11.Resource, Economic and Financial Management

The Transitional Period began as the Covid 19 global pandemic paralysed the world. With it came a crash in oil prices, and a strong deterioration in export earnings from oil. This weakened the South Sudan's external position and led to a loss of international foreign reserves, and a widening of the current account deficit. In addition, it has contributed to a large decline in the country's revenues, thus adversely impacting budgetary operations. The oil price had recovered to \$50 per barrel by December 2020, and by end of September 2023, that figure around \$85, leading to improved oil revenues. Some indicators of confidence in the economic situation of South Sudan came about in the second quarter of 2021 with the transfer by the International Monetary Fund (IMF) of USD 174 million under the Rapid Credit Facility, and the committing by the World Bank of grants totalling USD 116 million aimed at strengthening capacity of farmers, and also to improve agricultural production and restore livelihoods and food security. Further, in March 2023, the International Monetary Fund (IMF) approved a disbursement of about US\$114.8 million to South Sudan under the Food Shock Window of the Rapid Credit Facility.

Progress against the R-ARCSS. In April 2020, the Minister of Finance and Planning established a Public Financial Management (PFM) Oversight Committee to address the reforms stipulated in Article 4.1.7 of the R-ARCSS. Its role centres around controlling revenue collection, budgeting revenue allocation, and expenditure. The oversight role of this committee to a great extent mirrors that of the Economic and Financial Management Authority (EFMA) contained in Article 4.16. However, it does so only in context of PFM and the petroleum sector, but does not extend to broader sectors of the economy. It is worth noting that since the establishment of this committee in April 2020, out of its eleven priority actions, only one (plus two cross-cutting) priority action has seen some progress. That said, there has been

improved revenue collection through the strengthening of tax administration. The EFMA, though required by the Agreement to be established, was not established.

Transparency and accountability. Efforts to improve transparency and accountability continued through the work of the PFM Oversight Committee. Employment in the petroleum sector has been reformed and the sale of oil is now conducted in a more transparent manner. Loans and advances collateralised by oil were identified (Article 4.8.1.3 of the R-ARCSS) and outstanding loans were factored in the draft 2021/22FY budget. Further improvements regarding transparency and accountability were made in line with the provisions of the R-ARCSS, including in the processes of the National Budget for various financial years, the presentation of the statement of Overall Indebtedness to the TNLA, the Revised National Development Strategy, the reform of the National Revenue Authority, and the publishing of budget execution reports and oil revenue data for 2021/22, and 2022/23.

In terms of legislation to strengthen transparency and accountability in the economic and financial sector, it is notable that the reconstituted TNLA has enacted the following:

- The Bank of South Sudan 2011 (Amendment) Act 2023;
- The Anti-Corruption 2009 (Amendment) Act 2023;
- The Banking 2012 (Amendment) Act 2023; and
- National Revenue Authority 2016 (Amendment) Act 2023.

Awaited pieces of legislation include:

- the National Audit Chambers Act (Amendment) Bill 2022;
- the Public Finance Management Act (Amendment) Bill 2022;
- the Petroleum Revenue Management Act (Amendment) Bill 2022;

- the Petroleum Act (Amendment) Bill 2022;
- Investment Promotion Act 2009 (Amendment) Bill 2023
- the Land Act 2008 (Amendment) Bill 2023; and
- Public Financial Management and Accountability Act 2011 (Amendment) Bill 2022.

Environment and land use. Furthermore, as per Article 4.9.1, the RTGoNU is required to develop comprehensive policies and legal and institutional frameworks for the preservation, conservation, and sustainable use of the environment. Consequently, the Environment Protection Bill was drafted in early 2023. In addition, the first National Adaptation Plan (NAP) and its Program for Action for climate change have been published. On a related note, in August 2023, the revised Land Policy was approved by the Economic Cluster and thereafter by the Council of Ministers, and its quick implementation will contribute to the reduction of conflict triggered by land-related disputes, thus strengthening the agriculture and food security sector.

Enterprise Funds. Regarding the access to finance by the South Sudanese people, the R-ARCSS in Article 4.15 mandates the establishment of enterprise development funds, microfinance, and other social safety nets such as subsidised credit. The South Sudan Pension Fund was established, and work commenced on establishing the Women's Enterprise Development Fund and Youth Enterprise development fund. These funds are critical to improving the livelihoods of many vulnerable South Sudanese, but progress is slow.

12. Transitional Justice

In general, progress towards the establishment of the three Transitional Justice mechanisms was very slow. By the time the five-year anniversary came, the Bills for the Commission on Truth, Reconciliation and Healing (CTRH) and the Compensation and Reparation Authority (CRA) had been drafted, following a drawn-out process of countrywide public consultations by the Technical Committee within the Ministry of Justice and Constitutional Affairs and study tours of South Africa and The Gambia. In May 2023, the RTGoNU successfully convened a conference on Transitional Justice Mechanisms under the theme 'Building a Sustainable Transitional Justice System for South Sudan' in Juba, South Sudan. The conference was organised by the High-Level Standing Committee on Implementation of the Roadmap in collaboration with the Ministry of Justice and Constitutional Affairs. Regional and international experts attending the conference were drawn from South Africa, Nigeria, Togo, Central African Republic, Kenya, Uganda, The Gambia, Burundi, and the Democratic Republic of Congo. The experts provided perspectives geared towards improving the CTRH and the CRA Bills. The Bills CTRH and the CRA were thereafter redrafted before submission to the Governance Cluster and Council of Ministers for approval. The Council of Ministers approved the two Bills on 6 October 2023 and are awaiting submission to the reconstituted TNLA. Nothing happened of note towards the establishment of the third Transitional Justice mechanism, the Hybrid Court for South Sudan, Article 5.3. Critical milestones that ought to have been achieved by the time of writing include:

- the full establishment of the CTRH and the CRA and their operationalisation;
- the initiation of HCSS legislation based on broad guidelines agreed upon between African Union Commission and the RTGoNU; and
- the full establishment of the HCSS and its operationalisation.

13. Parameters of Permanent Constitution

As per Article 6.1, the RTGoNU was mandated to initiate and oversee a permanent constitution-making process during the Transitional Period. Additionally, RJMEC was to convene a workshop for the Parties to agree on the details of conducting the permanent constitution-making process, as per 6.7 and 6.8 of the R-ARCSS. RJMEC began by commissioning a comparative study on post-conflict constitution-making processes to inform this process.¹⁸ The workshop was convened successfully from 25–28 May 2021, with the assistance of the Max Planck Foundation for International Peace and Rule of Law. It was officially opened by H.E. Salva Kiir Mayardit, President of the Republic of South Sudan, and was addressed by H.E. Abdallah Hamdok, Prime Minister of Sudan and Chairperson of the IGAD Assembly of Heads of State and Government at the time. The outcome of the workshop was handed over to the Minister of Justice and Constitutional Affairs on 10 June 2021 who subsequently completed drafting the legislation to govern the Constitution-making process in August 2021.

The TNLA passed the Constitution Making Process Act in November 2022, which was assented to on 21 December 2022 by the President. The Act establishes the legal framework to govern the process of the permanent constitution making. It outlines in detail, the design, procedures, form, powers and functions of mechanisms involved in the permanent constitution making process during the Transitional Period. The law outlines the mechanisms tasked with the constitution making process, namely:

- a) the reconstituted National Constitution Review Commission;
- b) the Constitution Drafting Committee;
- c) the Preparatory Sub-Committee;

¹⁸ <https://jmecsouthsudan.org/index.php/reports/rjmec-quarterly-reports/169-post-conflict-constitution-making-processes-lessons-and-best-practices-for-south-sudan-final-report-2020/file>

- d) the National Constitutional Conference; and
- e) the Constituent Assembly.

Finally, on 3 November 2023, the representatives of the Parties and Stakeholders to the reconstituted National Constitutional Review Commission were appointed by the President, with women's representation making up 33% of the 57 nominees, falling below the 35% minimum.

14. Challenges to Implementation of the R-ARCSS

Implementation of the R-ARCSS following the formation of the RTGoNU has proved challenging, and time and again certain challenges which have affected implementation of the Agreement from the start have reoccurred. These include:

- lack of funding, trust deficit and insufficient confidence building among the Parties;
- overall, the appointments to the Executive fell short of the required minimum of 35% women's representation as provided for in article 1.4.4 and 1.12.5 of the R-ARCSS;
- throughout, the security of South Sudan was negatively impacted by intercommunal and subnational violence linked to defections and cattle theft in many parts of the country;
- there were also periodic clashes between the SSPDF and SPLM/A-IO with forces loyal to the National Salvation Front (NAS) of Thomas Cirillo, in Central Equatoria;
- the cantonment, training and unification of the NUF faced challenges including a lack of resources for the security mechanisms, compounded by

a chronic lack of food, medicines, shelter, equipment and care facilities for ex-combatants;

- widespread flooding, hampering livelihoods and humanitarian access; and
- latterly, the influx of returnees and refugees fleeing the conflict in Sudan.

15. Observations on five years of the R-ARCSS

The relative peace brought about by the R-ARCSS is a commendable achievement for which the people of South Sudan and the Parties to the Agreement are to be congratulated. The resulting stability has provided a more attractive enabling environment for investment, and increased infrastructural development, among other things. However, a lot of work still remains to be done to complete the critical pending tasks necessary to effect South Sudan's democratic transition.

Every effort must be made by the RTGoNU to increase the pace of implementation in preparation for the holding of elections at the end of the Transitional Period, scheduled for December 2024, as per the Roadmap. In RJMEC's assessment, the tasks most critical for the conduct of free, fair and credible elections under the Revitalised Peace Agreement are the completion of the unification of forces and their redeployment, and the making of the permanent constitution. The importance of a people-led and people-owned permanent constitution cannot be overemphasised, as it will be the cornerstone of the state of South Sudan, preparing the way for its democratic transition.

At the time of writing, with just over 12 months left before elections, it is imperative for the RTGoNU to provide to the people of South Sudan clarity on election preparedness, and following the reconstitution of key institutions, namely the Political Parties Council, the National Elections Commission, and the

National Constitutional Review Commission, fund and operationalise them quickly. Furthermore, as elections approach, it is important for the RTGoNU to conduct civic education, fast-track the permanent constitution-making process and expand and promote political and civic space to allow citizens to exercise their democratic right.

It has been seen that where the Parties to the Agreement work together, much can be accomplished. A high level of compromise, collegiality and shared responsibility should guide implementation. Now is a critical period, under considerable time pressure, in which the RTGoNU is due also to complete security sector, financial and economic reforms, pass more key legislation, provide an enabling environment for returning IDPs and refugees, and put in place the required framework for the democratic transition to a South Sudan ruled by a government put in place legitimately by consensus of the governed.

Annex 1: On the first year of the Transitional Period of the R–ARCSS

<https://jmecsouthsudan.org/index.php/reports/r-arcss-evaluation-reports/179-progress-report-by-h-e-maj-gen-charles-tai-gituai-rtd-cbs-interim-chairperson-of-rjmec-on-the-first-year-of-the-transitional-period-of-the-r-arcss-covering-the-period-22nd-february-2020-to-23rd-february-2021/file>

Annex 2: On two years of the Transitional Period of the R–ARCSS

<https://jmecsouthsudan.org/index.php/reports/r-arcss-evaluation-reports/209-progress-report-by-h-e-maj-gen-charles-tai-gituai-rtd-interim-chairperson-of-rjmec-on-two-years-of-the-transitional-period-of-the-r-arcss-covering-the-period-22-february-2020-22-june-2022/file>

Annex 3: On the Pre–Transitional Period of the R–ARCSS

<https://jmecsouthsudan.org/index.php/reports/r-arcss-evaluation-reports/180-report-by-h-e-major-general-charles-tai-gituai-interim-chairperson-of-rjmec-on-the-status-of-implementation-of-the-r-acrss-during-the-pre-transitional-period-12-september-2018-to-22-february-2020/file>



South Sudan flag, Greater Pibor Administrative Area, June 2021