



Joint Monitoring and Evaluation Commission (JMEC)

Progress Report No. 2: Status of implementation of the R-ARCSS 2018 **October 12, 2018**

1. Introduction

This is the second progress report compiled by JMEC, intended to provide public information on the monitoring of the implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).

Thirty days have elapsed since the signing of the Agreement. Several benchmarks intended to be accomplished during this time have been missed. This period has been characterized instead by several confidence building measures initiated by the authorities, intended to build trust among the parties.

Key among these was the meeting in Khartoum on September 22 of the leadership of the Parties to the R-ARCSS and Stakeholders. Since then the President HE Salva Kiir Mayardit has invited key members in the opposition to Peace Celebrations in Juba, which is expected to take place in the coming days.

Of note is the announcement by the authorities that the Transitional National Legislative Assembly will move to ratify the R-ARCSS in the week ahead. In addition, firm dates have been set for the inaugural meetings of the National Pre Transitional Committee (NPTC), and the National Constitution Amendment Committee (NCAC), on October 21-22, in Khartoum, Republic of Sudan.

This report provides an update on the status of the implementation of the R-ARCSS over the past 30 days in accordance with the implementation matrix, outstanding or missed tasks, upcoming activities linked to implementation, key observations and recommendations.

2. Progress update during the first 30 days (D-Day +30)

In accordance with the R-ARCSS implementation matrix, the following tasks have been implemented from the day of the signing of the R-ARCSS to-date:

- The signed R-ARCSS has been disseminated by JMEC immediately from the D-Day as per article 2.1.3 and this process is ongoing. Printed copies have been made available to the TNLA, Government ministries, Opposition Parties, embassies and the wider public.
- JMEC HLRF Taskforce reflection with the IGAD Special Envoy for South Sudan on the outcome of the HLRF process and way forward. This meeting was held in Addis Ababa, Ethiopia on September 17;

- The HLRF Taskforce and the Chairperson of the IGAD Council of Ministers met on September 18 and discussed urgent actions to be taken by IGAD to kick-start R-ARCSS implementation (IGAD Key Priority Tasks);
- In response to letters from the Chairperson of JMEC and the IGAD Special Envoy to the Parties requesting nominations to the institutions/mechanisms of the Agreement, about 75 percent of nominees to these institutions have been received¹ (See Annex A).
- The leadership organs of the following Parties ratified the R-ARCCS (Article 8.1), the SPLM/A-IO completed it on September 22, Former Detainees Party (FDP) on September 25, and South Sudan Opposition Alliance (SSOA) on September 28;
- The Khartoum celebration of the signing of the R-ARCSS was convened on September 22 and involved a meeting of the leadership of the Parties to the R-ARCSS and Stakeholders as part of confidence building measures among the Parties and Stakeholders;
- Three Parties to the R-ARCSS declared commitment in support of the Agreement (Article 1.4.2.), the TGoNU (on September 15), SPLM/A-IO (on September 15) and SSOA (on September 16);
- The Permanent Ceasefire and Transitional Security Arrangements (PCTSA) workshop was convened by CTSAMM as per article 2.1.11 on September 24-25;
- President Salva Kiir appointed the NPTC in a Republican Order No. 16/2018 on September 25 as per article 1.4.7; and
- The CTSAMM Board was reconstituted on September 27 as per article 2.4.6 of the R-ARCSS, and the CTSAMV Technical Committee met in Khartoum from October 9-11.

3. Tasks missed or still outstanding after 30 days

The following Pre-Transitional Period tasks were supposed to have been concluded by D-Day +30, but so far they have not been pursued:

- Ratification of the R-ARCSS (Article 8.1) by the Transitional National Legislature (TNL) was expected to be concluded by September 19;
- The immediate tasks that IGAD should have implemented upon the signing of the R-ARCSS include: appointment of RJMEC Chairperson (Article 7.3) approval of the RJMEC Terms of Reference (Article 7.4), reconstitution of the NCAC (Article 1.18.1), establishment of the Independent Boundaries Commission (IBC) and the Technical Boundaries Commission (TBC) (Articles 1.15.1 & 1.15.18.1);
- The immediate release of all prisoners of war and political detainees by all Parties under ICRC supervision (Article 2.1.6);

¹ For the parties, SPLM/A – IO, FDP and OPP have submitted all their nominees. Still outstanding for TGoNU is the SDRS, CTSAMVM, JMCC, and JTSC, and for SSOA JDB, JMCC, and JTSC.

- Formation of the Joint Defense Board (JDB) by the warring parties by September 17 ;
- Dissemination of Permanent Ceasefire and compliance herewith by Parties – September 19;
- Reconstitution of the JMCC by September 22;
- Disengagement of forces by the Parties as per article 2.1.5 by Sept 27
- Establishment of Joint Transitional Security Committee (JTSC) by the Parties by September 22;
- Reconstitution of the JMEC by IGAD by September 27;
- Drafting of the Constitutional Amendment Bill to incorporate R-ARCSS into TCRSS as per article 1.17.1.1 by NCAC when established -- October 2
- Establishment of a Fund for the implementation of the activities of the Pre- Transitional Period (Article 1.4.8) by me-TGoNU - October 2;
- Reconstitution of the SDSR Board by the NPTC -- October 12;
- Reconstitution of the DDR Commission by NPTC -- October 12;
- Completion of disengagement and separation of forces by the Parties -- October 12;
- Convening of the first meetings of the established and reconstituted Agreement institutions and mechanism by IGAD -- October 12; and
- Creating a roadmap for implementing the political tasks of the Pre-Transition Period and preparation of a budget by the NPTC upon its convening.

4. Activities Planned from the outstanding tasks

The following activities were supposed to have been completed over the past 30 days. However, there is observable movement on these and there is a good likelihood of their completion in the coming days.

- The convening by IGAD of inaugural meetings of the NPTC and the NCAC has been set for October 21-22 in Khartoum, Republic of Sudan. The NPTC is expected to draw up a roadmap for implementing the political tasks of the Pre-Transition Period and prepare a budget;
- The Transitional National Legislature (TNL) is expected to ratify the R-ARCSS before the meeting of the NPTC on October 21-22 ;
- The JDB is expected to convene for the first time within the next two weeks; and
- IGAD is expected to secure the services of experts to begin work on the TBC by the end of October.

5. Observations on the implementation of the R-ARCSS

What follows are a series of observations that JMEC has noted, which in some way impacts on the implementation process, or is otherwise related to the actions of the parties, stakeholders and guarantors of the Agreement.

- IGAD and JMEC met with the leadership of 13 political parties² belonging to the National Alliance, which is a signatory to the Agreement. The Parties aired grievances to what they perceived as an imbalance in the Agreement where their grouping was given equal weight with single political parties;
- JMEC facilitated meetings of the IGAD Special Envoy with ambassadors from IGAD and the International Community, the Chairman of the NPTC, and leaders of Other Political Parties, one of the signatories to the R-ARCSS;
- The meetings with the diplomatic community provided an update on implementation and the Special Envoy used the occasion to urge continued support for JMEC and CTSAMVM as well as the need to provide financial support to the R-ARCSS;
- The Troika has reiterated their support for the R-ARCSS and urged its quick implementation;
- President Salva Kiir announced a decree for the release of all POWs and political detainees. However to date there has been no confirmation of prisoners been released;
- On October 6, prisoners at a detention facility in Juba, commonly called the Blue House, held two guards hostage and seized several arms before surrendering peacefully. They complained of the failure of government to act consistent with the R-ARCSS and the Presidential Decree on the freeing of political prisoners;
- Some progress has been made in confidence building, including declarations by Parties, celebration to mark the signing of the R-ARCSS and dialogue between the Party leaders;
- In constituting the various mechanisms there has not been a strict observance to the agreed upon 35 percent women representation and participation (Annex 2); and
- CTSAMVM has reported a marked decline in fighting across the country. In Pagak it is being reported that the SPLA/IO have reached an agreement with government forces to allow for the free movement of combatants in the area. CTSAMVM is working on further verifying the Report.
- In Yei River State government has reported the integration of 300 SPLA-IO soldiers into the South Sudanese Defense Forces.

² The parties comprised of the Communist Party, SSNP, USSP, DCP, PCP, NDF, PURE, UDSF, UDP, and NDF.

6. Recommendations

Following are some recommendations proffered by JMEC to better enable implementation of the R-ARCSS

- In selecting their nominees, the Parties and Stakeholders should give due consideration to gender and age representation as per the R-ARCSS.
- The reconstitution and establishment of outstanding agreement institutions/mechanisms should be expedited. These must take into account gender issues throughout;
- JMEC welcomes pronouncements made of the release of POWs and prisoners and urges the parties to match their action with words by speeding up the releases;
- There is need for the government to continue taking additional confidence building measures and the regional guarantors to ensure the prevalence of a conducive political and security environment in Juba for the return of the opposition parties; and
- Members of the NPTC are encouraged to move quickly to activate the required security mechanisms soon after their inaugural meeting.

Annex 1: Parties: Membership Composition of Key Agreement Institutions and Mechanisms (Update as of 10/10/2018)

Institutions/Mechanisms	I-TGoNU	SPLM/A -IO	SSOA	FDP	OPP
National Pre-Transition Committee (NPTC) (10 Members)	1. Hon Tut Gatluak Manimee (Chair) 2. Dr. Martin Elia Lomuro 3. Hon Michael Makuei Lueth 4. Dr Dhieu Mathok Diing 5. Hon Awut Deng Acuil Rcd/ 26/9	1. Mr. Henry Dilah Odwar (Dep Chair) 2. Mr. Puot Kang Chol Rcd/ 23/9	Mr Gabriel Changson Chang (Dep Chair)	Hon Deng Alor Kuol	Peter Mayen Majongdit
Joint Evaluation and Monitoring Mechanism (JMEC) (43 Members)		1. Mr. Stephen Par Kuol 2. Ms Sandra Bona Malual Rcd/ 29/9	Dr Hon Hussien Abel Bagi Akol Rcd/ 22/9	Mr. Kosti Manibe	Hon Wilson Lodiong Sebit (ANC)
Independent Boundaries Commission (IBC) (15 Members)	1. Hon Oyoti Adigo Nyikwac 2. Hon Kur Lual Kur 3. Hon Wek Mamer Kuot 4. Hon Martin Majut Yak 5. Hon Preptua Ajonyi Rcd/ 26/9	1. Mr. Peter Marcello Nasir Jelenge 2. Mr Abudhok Ayang Rcd/ 29/9	Dr. Lam Akol Ajawin Rcd/ 22/9	Dr. Cirino Hiteng	Joseph Wol Modesto (NAP)
National Constitutional Amendment Committee (NCAC) (15 Members)	1. Dr. Richard Kabi Mulla 2. Hon Deng Awur Mecnyin 3. Hon Abraham Biar Deng 4. Dr Salwa Gabriel Barbary 5. Hon Robert Benjamin Loki Rcd/ 26/9	1. Mr. Oyet Nathaniel Penono 2. Dr Riang Yar Dhuor Rcd/ 29/9	Hon Clement Juma Mbugoniwa Rcd/ 22/9	Hon John Luke	Prof. Ajang Bior Duot Bior(USAP)
Joint Defense Board (JDB)	1. Gen Jok Riak Makol 2. Gen Majak Akec Makol 3. Lt Gen Akol Koor Kuc 4. Lt Gen Thomas Duoth Guet 5. Gen Henry Kuang Aguar 6. Gen Jamseon Losuk Lupai	1. Gen Simon Gatwech Dual 2. Gen John Jok Gai Bipal 3. Lt Gen Yiey Dak Wie Rcd/ 29/9	1. Dr. Salam El Haj Abdalla Baballa 2. Samuel Otuk Nyawelo 3. John Olony Nyiker 4. Matthew Mayang Jiek Duop 5. Nyuop Kuol Nyuop 6. Rajab Nagon Ajamol Rcd/ 29/9 -Sub NDM*	None	None

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Institutions/Mechanisms	I-TGoNU	SPLM/A -IO	SSOA	FDP	OPP
Strategic Defense and Security Review (SDSR) (20 Members)		1. Mrs Angelina Teny 2. Lt Gen Koang Gatkuoth Kerjiok 3. Maj Gen Nyagwal Deng Ajak Rcd/ 29/9	1. Gen Bapiny Monytuil Wejang 2. Mr Donay Jock Chagor 3. Gen Ali Kur Ajak Rcd/ 22/9	1. Gen Oyay D. Ajak Gen Madut Biar	2. Hon Martin Aligo Abe (UDP)
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members)		1. Hon Manasseh Daniel Zindo 2. Hon Regina Joseph Kapa 3. Lt Gen Thomas Jal Thomas Rcd/ 29/9	1. Hon Simon Ngbiidigi 2. Hon Peter Gatkuoth Thot 3. Brig Gen James Gach Gatduel Rcd/ 22/9	Gen Mach Paul	1. Hon Martin Tako Moyi (UDSF) 2. Victoria Benjamin (ANC) 3. Susan Kiden (Umbrella)
Joint Military Ceasefire Commission (JMCC)		1. Lt Gen Gabriel Duop Lam 2. Maj Gen Gathkor Gatluak Koryom 3. Maj Gen John Sabateri Mamido 4. Maj Gen Paul Galerio Modi + Ohrinyang 5. Maj Gen Buda John Aban Yor Rcd/ 29/9		None	None
Joint Transitional Security Committee (JTSC) (16 Members)		1. Lt Gen James Koang Chuol Ranley 2. Lt Gen Wesley Welebe Samson 3. Maj Gen Dheling Keah Chuol 4. Maj Gen James Duop Gatleak 5. Maj Gen Wang Chany Thian Rcd/ 29/9		None	None
Memo					
Date of Ratification		22-Sep-18	28-Sep-18	25-Sep-18	

Source: Parties to the Agreement and JMEC Staff

:SouthSudan/strategy/Nomination-Tracking-Parties.xlsx

Annex 1. Stakeholders Membership Composition of Key Agreement Institutions and Mechanisms

Institutions/Mechanisms	Civil Society	Youth	Women	IGAD	AUHLAHC	FBL	E. Persons	Business	Academia
Joint Monitoring and Evaluation Commission (JMEC) - 43 Members		1. Dr Emily Koiti 2. Malish John Peter	Rita Lopidia <i>Alternate</i> - Lona Lowilla			Shiekh Mohamed Hassan Morjan		1. Simon Akuei Deng 2. Yar Manoa Majok	Prof. Pauline Riak
Independent Boundaries Commission (IBC) (15 Members)	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.
National Constitutional Amendment Committee (NCAC) - (15 Members)		Wani Michael Saki	Ms Merakaje Lorna <i>Alternate</i> - Atim Caroline	1. Geoffrey G. Kibara 2. Majid Yousof	N.A.	N.A.	N.A.		
Strategic Defense and Security Review (SDSR) (20 Members)		Angelo Madut Agoth	Minagano Lydia <i>Alternate</i> - Riya William	N.A.	N.A.			N.A.	Rt. Lt. Gen Malwal Bol
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members)		1. Augustino Deng 2. Ms Nyaura Bol	Aluel Naomi <i>Alternate</i> - Maya Nyadak		N.A.	N.A.		Juma Charles	Dr. Siham Mohammed Osman

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Independent Boundaries Commission (IBC) (15 Members)	N.A.	N.A.	N.A.	N.A.		N.A.	N.A.	N.A.	N.A.
National Constitutional Amendment Committee (NCAC) - (15 Members)		Wani Michael Saki	Ms Merakaje Lorna <i>Alternate</i> - Atim Caroline	1. Geoffrey G. Kibara 2. Majid Yousof	N.A.	N.A.	N.A.		
Strategic Defense and Security Review (SDSR) (20 Members)		Angelo Madut Agoth	Minagano Lydia <i>Alternate</i> - Riya William	N.A.	N.A.			N.A.	Rt. Lt. Gen Malwal Bol
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members)		1. Augustino Deng 2. Ms Nyaura Bol	Aluel Naomi <i>Alternate</i> - Maya Nyadak		N.A.	N.A.		Juma Charles	Dr. Siham Mohammed Osman

Annex 2: Women Representation in R-ARCSS Institutions and Mechanisms During the Pre-Transitional Period as of 12th October 2018
Parties Women Representation

S/N	Party	Total number of institutions in the R-ARCSS	Number of institutions to which the party nominated representatives	Total number of representatives nominated	Number of male	Number of female	Percentage of women represented
1	TGoNU	9	4	21	19	2	9.5
2	SPLM/A-IO	9	9	27	24	3	11.1
3	SSOA	9	7	16	16	0	0.0
4	FDs	6	6	7	7	0	0.0
5	OPPs	6	6	8	6	2	25.0

Stakeholders Women Representation

	Stakeholder	Total number of institutions in the R-ARCSS	Number of institutions to which the stakeholder nominated representatives	Total number of representatives nominated	Number of male	Number of female	Percentage of women represented
6	Civil Society	4	0				
7	Women	4	4	4	0	4	100.0
8	Youth	4	4	6	4	2	33.3
9	Faith Based Leaders	2	1	1	1	0	0.0
10	Eminent Personalities	3	0	0			
11	Business Community	2	2	3	2	1	33.3
12	Academia	3	3	3	1	2	66.7

Regional Guarantors Women Representation

	Guarantor	Total number of institutions in the R-ARCSS	Number of institutions to which the guarantor nominated representatives	Total number of representatives nominated	Number of male	Number of female	Percentage of women represented
13	IGAD	3	1	2	2	0	0.0