



Joint Monitoring and Evaluation Commission
(JMEC)

PROGRESS REPORT No. 3:

ON THE

IMPLEMENTATION STATUS OF THE R-ARCSS 2018

November 05, 2018

INTRODUCTION

This is the third progress report compiled by JMEC, which is intended to keep abreast with the status of implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).

More than forty-five days have elapsed since the signing of the R-ARCSS. This period has been characterized by nominations by Parties and Stakeholders of their representatives to the various agreement institutions and mechanisms and ongoing confidence building measures aimed at developing trust among the parties. Key among those nominations included representatives to the R-JMEC, Joint Defence Board and to the Independent Boundaries Commission. An historic Peace Celebration took place in Juba on the 31st of October 2018, hosted by H.E. President Salva Kiir Mayardit, which was attended by the leaders of the Parties to the Agreement and regional leaders who are guarantors to the R-ARCSS.

In the build-up to the celebrations and shortly thereafter in Juba several political detainees and PoWs were released including James Gatdet, former spokesman for Dr. Riek Machar and William John Endley a former military adviser to Dr Riek. Both had previously been sentenced to death.

During this period, some progress in the implementation of the Agreement tasks was made, but several of the benchmarks intended to be accomplished during this time were missed. Among the agreement tasks implemented, was the convening by IGAD of inaugural meetings of the National Pre-Transitional Committee (NPTC) and the National Constitution Amendment Committee (NCAC) that were conducted on 21st – 22nd October in Khartoum, Republic of Sudan.

The NPTC drew a roadmap for the implementation of the Pre-Transitional Period political tasks and agreed on its Terms of Reference and Rules of Procedures for the conduct of its meetings. In addition the Transitional National Legislative Assembly ratified the R-ARCSS on 15th October 2018 in line with the implementation matrix.

Following are details of the tasks that has been accomplished in line with the implementation matrix of the R-ARCSS along with those outstanding or missed, and upcoming activities linked to implementation, as well as key observations and recommendations.

1. PROGRESS UPDATE SINCE THE SIGNING

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 was disseminated by JMEC and this process is ongoing. Printed copies have been made available to the TNLA, the Parties, government Ministries, embassies and the wider public.
- About 95 percent of nominees to the Agreement Institutions and Mechanisms have been received (See Annex 1).

- The leadership organs of all Parties to the Agreement namely the incumbent TGoNU, the SPLM/A-IO, Former Detainees Party (FDP), South Sudan Opposition Alliance (SSOA), and the Other Political Parties (OPP) have all ratified the Agreement. On 15th October 2018 the Transitional National Legislative Assembly also ratified the Agreement.
- The Khartoum and Juba celebrations of the signing of the R-ARCSS was convened on 22nd September and 31st October respectively, and involved meetings of the leadership of the Parties to the R-ARCSS and Stakeholders as part of confidence building measures. Several detainees and PoWs were also released;
- Two Permanent Ceasefire and Transitional Security Arrangements (PCTSA) workshops were convened by CTSAMM as per article 2.1.11 on 24th to 25th September and again on 24th to 25th October;
- President Salva Kiir appointed members of the NPTC in a Republican Order No. 16/2018 on 25th September. Since then the NPTC met in Khartoum during 21st to 22nd October and drew up a roadmap for implementation of the political tasks and agreed on their Terms of Reference and rules and procedures to govern their meetings. The NPTC also agreed clear guidelines on the management of the NPTC Fund in order to promote transparency and accountability.
- The CTSAMM Board was reconstituted on 27th September as per article 2.4.6 of the R-ARCSS, and the CTSAMV Technical Committee met in Khartoum from 1st - 9th October, and is scheduled to meet again from 7th to 8th November in Khartoum.
- The NCAC was convened on 22nd October in Khartoum. The NCAC meeting was graced by the Special Envoy for South Sudan, Deputy Chairperson and Chief of Staff JMEC, and all Committee members except for one representative of TGoNU that issued an apology as well as the representative for civil society who had not yet been nominated.
- Pursuant to the IGAD Communique of the 33rd Extra-Ordinary Summit of Heads of States and Government, the IGAD Chiefs of Defence Staff/Forces and the Chief of Defence Forces of Rwanda held a meeting in Khartoum on 22nd October to discuss the way forward regarding the Regional Protection Force. They agreed among other things, to establish and deploy an assessment team to South Sudan to report on the political and security situation on the ground.
- On 1st November H.E. Salva Kiir Mayardit released two prisoners affiliated to the SPLM/A-IO, Mr. James Gatdet and Maj. Gen. William John Endley.
- A fund was established for the implementation of the activities of the Pre-Transitional Period. The government of South Sudan made available 100 million SSP and \$1 million USD to enable NPTC begin their pre-Transitional activities.

2. TASKS MISSED OR STILL OUTSTANDING SINCE THE SIGNING

The following Pre-Transitional Period tasks were supposed to have been concluded by D-Day +45, but so far the tasks have not been pursued:

- 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), 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 detainees by all Parties under ICRC supervision (Article 2.1.6);
- Formation of the Joint Defense Board (JDB) by the warring parties by 17th September 2018.
- Dissemination of Permanent Ceasefire and compliance herewith by Parties by 19th September 2018;
- Reconstitution of the JMCC by 22nd September 2018;
- Establishment of Joint Transitional Security Committee (JTSC) by the Parties by 22nd September;
- Drafting of the Constitutional Amendment Bill to incorporate the R-ARCSS into the TCRSS as per article 1.17.1.1 by NCAC when established by 2nd October 2018.
- Reconstitution of the SDSR Board and DDR Commission by the NPTC by 12th October 2018;
- Submission of Monthly written reports by NPTC to the parties, other stakeholders and the chairperson of RJMEC;
- All forces of the warring parties and all other forces or militias allied to either party observe provisions of the 21st December 2017 COHA as per article 2.1.4;
- Ensure access to civilian populations in need of humanitarian assistance and protection as per article 3.1.1.1;
- Disengagement and separation of forces in close proximity and withdrawal of allied troops by September 27th, 2018 as per article 2.1.5.
- Cease recruitment and training of late recruits by security forces by 12th September 2018.

3. ACTIVITIES PLANNED FROM THE OUTSTANDING TASKS

The following activities were supposed to have already been completed. However, there is an indication of their completion in the coming days.

- IGAD to approve the RJMEC Terms of Reference (Article 7.4) and formally reconstitute the organization;

- The formation of the Joint Defense Board;
- The IGAD is expected to secure the services of experts to begin work on the IBC and TBC in the coming weeks; and
- The IGAD security assessment team is expected to arrive in Juba on November 3 to undertake its task as assigned by the Chiefs of Defence Staff/Forces.

4. 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 parties¹ 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 IGAD Special Envoy convened meetings with the Civil Society organizations and the Women Bloc in an effort to reach agreement on membership of those organizations to the various Agreement Institutions and Mechanisms;
- The IGAD Special Envoy meetings with the diplomatic community provided an update on implementation and he urged 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;
- A number of PoWs and political detainees were released after President Salva Kiir issued the decree. The SPLA-IO also released four that were under their custody and expected also is the release of the remaining 3 SSPDF Plow's in Western Equatoria;
- 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, as

¹ The parties comprised of the Communist Party, SSNP, USSP, DCP, PCP, NDF, PURE, UDSF, UDP, and NDF.

well as the October 31 Peace Celebration in Juba that was attended by all Parties signatory to the Agreement;

- In constituting the various mechanisms there has not been a strict observance to the agreed upon 35 percent representation and participation going to women;
- CTSAMVM has reported a marked decline in fighting across the country except in Yei River State where after declining to sign the R-ACRSS, a faction of SSOA that didn't sign the agreement formed a new parallel alliance known as the South Sudanese Opposition Alliance - SWAKA (SSOA-SWAKA) on the 2nd of October 2018 and are made up of the following groups:
 - a) National Salvation Front (NAS) led by Thomas Cirilo;
 - b) National Movement for Change (NMC) led by Vakindi Univuas;
 - c) Peoples Democratic Movement (PDM) led by Dario Hakim;
 - e) National Democratic Movement (NDM) led by Emmanuel Aban; and
 - f) United Democratic Republic Alliance (UDRA) led by Gatwech Thich.
- From the 12th-16th of October 2018 the SSOA-SWAKA forces attacked the SPLA-IO forces in Yei River State and this led to civilian displacement as people fled their homes to Yei town. Mindful of the reality of this new alliance of SSOA-SWAKA and the security challenges they pose, the SSPDF hopes to continue engaging their SSOA-SWAKA field commanders in peaceful communication.

5. RECOMMENDATIONS

Following are some RMECs recommendations going forward.

- In selecting their nominees, the Parties and Stakeholders should give due consideration to gender and age representation as per the R-ARCSS;
- JMEC welcomes the strong confidence building measures undertaken by the Parties as well as the formation of the NPTC and reconvening of NCAC. These are useful first steps in working towards successful implementation of the R-ARCSS
- The reconstitution and establishment of outstanding agreement institutions/mechanisms should be expedited;
- JMEC welcomes the release of PoWs and political detainees and urges the parties to release all such detainees under their control; and
- Members of the NPTC are encouraged to move quickly to activate the required security mechanisms and implement without delay their various tasks.

Parties: Membership Composition of Key Agreement Institutions and Mechanisms

Institutions/Mechanisms	I-TGoNU	SPLM/A -IO	SSOA	FDP	OPP
National Pre-Transition Committee (NPTC) (10 Members)	1. <i>Hon Tut Gatluak Manimee</i> (Chair) 2. <i>Dr. Martin Elia Lomuro</i> 3. <i>Hon Michael Makuei Lueth</i> 4. <i>Dr Dhieu Mathok Diing</i> 5. <i>Hon Awut Deng Acuil</i> Rcd/ 26/9	1. <i>Mr. Henry Dilah Odwar</i> (Dep Chair) 2. <i>Mr. Puot Kang Chol</i> Rcd/ 23/9	<i>Mr Gabriel Changson Chang</i> (Dep Chair)	<i>Hon Deng Alor Kuol</i>	<i>Mr. Peter Mayen Majongdit</i>
Joint Monitoring and Evaluation Commission (JMEC) (43 Members)	1. <i>Hon. Dr. Martin Elia Lomuro</i> 2. <i>Hon. Michael Makuei Lueth</i> 3. <i>Dr. Dhujei Mathok Diig</i> 4. <i>Hon. Awut Deng Achuil</i> 5. <i>Hon. Sophia Pal Gai</i>	1. <i>Mr. Stephen Par Kuol</i> 2. <i>Ms Sandra Bona Malual</i> Rcd/ 29/9	<i>Dr Hon Hussien Abel Bagi Akol</i> Rcd/ 22/9	<i>Mr. Kosti Manibe</i>	<i>Hon. Wilson Lodiong Sebit</i>
Independent Boundaries Commission (IBC) (15 Members)	1. <i>Hon Oyoti Adigo Nyikwac</i> 2. <i>Hon Kur Lual Kur</i> 3. <i>Hon Wek Mamer Kuot</i> 4. <i>Hon Martin Majut Yak</i> 5. <i>Hon Preptua Ajonyi</i> Rcd/ 26/9	1. <i>Mr. Peter Marcello Nasir Jelenge</i> 2. <i>Mr Abudhok Ayang</i> Rcd/ 29/9	1. <i>Dr. Lam Akol Ajawin</i> Rcd/ 22/9	<i>Dr. Cirino Hiteng</i>	<i>Mr. Joseph Wol Moddesto</i>
National Constitutional Amendment Committee (NCAC) (15 Members)	1. <i>Dr. Richard Kabi Mulla</i> 2. <i>Hon Deng Awur Mecnyin</i> 3. <i>Hon Abraham Biar Deng</i> 4. <i>Dr Salwa Gabriel Barbary</i> 5. <i>Hon Robert Benjamin Loki</i> Rcd/ 26/9	1. <i>Mr. Oyet Nathaniel Penono</i> 2. <i>Dr Riag Yar Dhuor</i> Rcd/ 29/9	1. <i>Hon Clement Juma Mbugoniwa</i> Rcd/ 22/9	<i>Hon. John Luke</i>	<i>Hon. Prof.Ajang Bior Duot Bior</i>
Joint Defense Board (JDB)	1. <i>Gen Jok Riak Makol</i> 2. <i>Gen Majak Akec Makol</i> 3. <i>Lt. Gen Akol Koor Kuc</i> 4. <i>Lt. Gen. Thomas Duoth Guet</i> 5. <i>Gen Henry Kuag Aguar</i> 6. <i>Gen Jameseon Losuk Lopai</i>	1. <i>Gen Simon Gatwech Dual</i> 2. <i>Gen John Jok Gai Bipal</i> 3. <i>Lt Gen Yiey Dak Wie</i> Rcd/ 29/9	1. <i>Dr. Salam El Haj Abdalla Baballa</i> 2. <i>Samuel Otuk Nyawelo</i> 3. <i>John Olony Nyiker</i> 4. <i>Matthew Mayang Jiek Duop</i> 5. <i>Nyuop Kuol Nyuop</i> 6. <i>Rajab Nagon Ajamol</i> Rcd/ 29/9 -Sub NDM*		

Parties: Membership Composition of Key Agreement Institutions and Mechanisms

Institutions/Mechanisms	I-TGoNU	SPLM/A -IO	SSOA	FDP	OPP
Strategic Defense and Security Review (SDSR) (20 Members)	1. Lt. Gen. Malek Ruben Riak 2. Lt. Gn Johnson Juma Akot 3. Maj. Gen. Ayor Akuoch Anok	1. Mrs Angelina Teny 2. Lt Gen Koang Gatkuoth Kerjiok 3. Maj Gen Nyagwal Deng Ajak Rcd/ 29/9	1. Gen Bapiny Monytil Wejang 2. Mr Donay Jock Chagor 3. Gen Ali Kur Ajak Rcd/ 22/9	1. Gen. Oyay D. Ajak 2. Gen. Madut Biar	Hon. Martin Aligo Abe
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	1. Gen. Mach Paul	1. Hon. Martin Tako 2. Ms Victoria Benjamin 3. Ms Susan Kiden
Joint Military Ceasefire Commission (JMCC)	1. Lt. Gen. Charles Dut Ako 2. Maj. Gen. Mayen Kulang 3. Maj. Gen. John Maluit Wic 4. Maj. Gen. Gabriel Goor Mawar 5. Brig. Top Riek 6. Brig. Ayuen Dot	1. Lt Gen Gabriel Duop Lam 2. Maj Gen Gathkor Gathuak Koryom 3. Maj Gen John Sabateri Mamido 4. Maj Gen Paul Galerio Modi Ohrinyang 5. Maj Gen Buda John Aban Yor Rcd/ 29/9			
Joint Transitional Security Committee (JTSC) (16 Members)	1. Maj Gen Chokrac Alith 2. Maj Gen Abraham Keat Bichok 3. Maj. Gen Michael Majur Aleer 4. Maj. Gen Ajak Deng Biar 5. Representative from National Police Services 6. Representative from National Prison Services 7. Representative from National Wildlife Services 8. Representative from Natioonal Civil Defence Services 9. Secretariat Nominee from SSOA	1. Lt Gen James Koang Chuol Ranley 2. Lt Gen Wesley Welebe Samson 3. Maj Gen Dheling Keah Chuol 4. Maj Gen James Duop Gatlack 5. Maj Gen Wang Chany Thian Rcd/ 29/9			
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	FBL	E. Persons	Business	Academia
Joint Monitoring and Evaluation Commission (JMEC) (43 Members)	1. Akuoch Ajang Nyanhom.	1. Dr Emily Koiti 2. Malish John Peter	1. Rita Lopidia	1. Shiekh Mohamed Hassan Morjan	1.Prof Moses Machar,2.Prof Francis Deng	1. Simon Akuei Deng 2. Mrs. Yar Manoa Majok	1. Prof. Pauline Riak
National Constitutional Amendment Committee (NCAC) - (15 Members)	1. Chol Majur Nhom	1. Wani Michael Saki	1. Ms Merakaje Lorna	None	None		
Strategic Defense and Security Review (SDSR) (20 Members)	1. Kanybil. A. Noon	1. Angelo Madut Agoth	1. Minagano Lydia	1 Member	1 Member	None	1. Rt. Lt. Gen Malwal Bol
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members)	1. Shiek Vitale Aligo Samson	1. Augustino Deng 2. Ms Nyaura Bol	1. Aluel Noami	None	1 Member	1. Juma Charles	1. Dr. Siham Mohammed Osman
Source: Parties to the Agreement and JMEC Staff							
:SouthSudan/strategy/Nomination-Tracking-Stakeholders.xlsx							