



Joint Monitoring and Evaluation Commission
(JMEC)

PROGRESS REPORT No. 4:

ON THE

STATUS OF IMPLEMENTATION OF THE R-ARCSS 2018

December 10, 2018

Introduction

This is the fourth report compiled by the RJMEC 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). It builds on the previous three reports and covers the ninety day period since the R-ARCSS was signed on 12th September 2018.

The report notes the progress that has been made in the implementation of the R-ARCSS, especially on the establishment and reconstitution of the various Agreement institutions and mechanisms by the office of the IGAD Special Envoy for South Sudan. All joint transitional security arrangements have been set up with the exception of the Disarmament Demobilization and Reintegration (DDR) Commission. This follows positive steps taken by the Parties and stakeholders to nominate their respective representatives to the Agreement institutions and mechanisms (see Annex 1).

Following the first round of meetings of the Agreement institutions and mechanisms held in Khartoum, the Parties generally expressed a willingness to hold subsequent meetings in Juba, consequent on security assurances from the incumbent TGoNU. Already, several of those members previously residing outside South Sudan have returned to Juba where the incumbent Government has provided accommodation and local transportation. These developments have taken place alongside several on-going confidence building measures.

The freeing of some political detainees and prisoners of war (PoWs) by the Parties to the Agreement also signaled positive development. For the most part, violence has generally declined across the country. However, CTSAMVM is investigating alleged rape and assault of at least 140 women in Bentiu.

Progress in implementation of R-ARCSS is in danger of being slowed significantly or even derailed if the requisite funding is not provided on time for the work of the various Agreement institutions and mechanisms.

The sections below provide detailed description of the tasks completed to-date along with those that were not implemented. The Report concludes with observations and recommendations from the RJMEC for remedial action.

1. R-ARCSS Implementation Status Progress

Establishment and Reconstitution of Agreement Institutions and Mechanisms

Most Agreement institutions and mechanisms have either been established or reconstituted by the IGAD Secretariat. The Board of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanisms (CTSAMVM) was reconstituted in Khartoum in September 2018. Since then, the Technical Committee has met on three separate occasions in Khartoum and filed violation reports to RJMEC.

The CTSAMVM in its reports has observed:

- a) The delay in the disengagement of forces in close proximity;
- b) Lack of clarity on the status of the remaining PoWs and political detainees and recommended the need for the parties to review the case;
- c) Cases of new recruitment and training in Unity State;
- d) The use of child soldiers within SPLM/A IO units in Yambio and Bentiu;
- e) The Parties have not vacated all civilian buildings such as schools, clinics, etc;
- f) Instances of denial of access by the warring parties particularly the SSPDF and SPLM/A –IO for verification of military units;
- g) Clashes between opposition groups largely elements of the SPLM/A – IO and that of SSOA specifically the SSNMC; and
- h) Hostile and provocative military action in the area of Wau by the SSPDF.

Notwithstanding the above mentioned incidents of violation, CTSAMVM has also observed significant success in their initiated joint field visits. This has enabled the Parties to talk with each other and come up with various ideas on how to comply with the provisions of Chapter II.

The National Pre-Transitional Committee (NPTC), established in October 2018 Khartoum adopted its Terms of Reference and rules governing the management of the NPTC Fund. Since then, all the Committee members have held subsequent meetings in Juba, established a Secretariat and constituted different committees responsible for the various tasks to be undertaken by the mechanism.

The National Constitutional Amendment Committee (NCAC) reconstituted in October 2018 Khartoum held its subsequent meetings in Juba where at least three weeks were spent incorporating the R-ARCSS into the Transitional Constitution of the Republic of South Sudan (TCRSS) 2011, as amended. However, the Committee did not reach an agreement on one provision relating to the description of the system of government during the Pre-Transitional and Transitional Periods. This issue has been forwarded to the RJMEC for its consideration and intervention. After a short break the Committee will reconvene in Juba to begin work on amendments to the security laws.

The reconstitution meeting of JMEC took place on 19th November 2018 in Addis Ababa with the participation of all its 43 members. The meeting adopted new Rules of Procedure and also agreed to hold the second monthly meeting in Juba on 12th December 2018.

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. Subsequently, an assessment team was sent to South Sudan to report on the political and security situation on the ground. The assessment team subsequently submitted a report to the IGAD and Rwanda Chiefs of Defence. The Chief of Defence /Staff Forces after receiving the assessment team reports deliberated and agreed as follows:

1. Agreed on restructuring of the current RPF within the ceiling established by UNSC resolution 2406/2018 and its configuration to accommodate Djibouti, Kenya, Somalia, Sudan and Uganda to contribute troops to fill the deficit of 1695 identified by the assessment team taking into account the security situation on the ground.
2. The contributions to be as follows: 499 each from Kenya, Uganda and Sudan and 99 each from Somalia and Djibouti.
3. Type of capabilities of the above specified forces to be determined by the UN Department of Peace Keeping Operations (Force generation to be done in consultation with the troop contributing countries).
4. The Chief of General Staff of the Federal Democratic Republic of Ethiopia to submit the decisions of the meeting to the chairperson of the IGAD Council of Ministers for further submission to the AU PSC and to the UNSC.

To-date, all the joint transitional security arrangements have been set up with the exception of the Disarmament Demobilization and Reintegration (DDR) Commission. The Joint Defense Board (JDB) was established on 26th November 2018. The South Sudanese Peoples Defense Forces (SSPDF) Chief was selected as the Chair of the Board with the SPLM/A-IO and SSOA Chiefs as Co-Chairpersons. The Board is next scheduled to meet in Juba on 11th December, subject to guarantees from the government that SPLM/IO members of the Board will be guaranteed safety. It is expected that a functioning secretariat will be established at that time.

The SDSR Board was reconstituted on 29th November 2018 with SPLM/A-IO as its Chairperson the Women's Coalition as the Secretary to the Board. The Board is partially comprised of five women from Civil Society Organizations (CSO) and the SPLM/A-IO. The SPLM/A-IO members expressed concerns about their security in Juba, but members of the TGoNU reassured them that they will be safe. Despite the reassurances, the Board members decided collectively that the issue must be raised to the highest level of all Parties to ensure concrete steps are taken to secure all members of the Board, while in South Sudan. Their follow up meeting is scheduled for Juba from 12th to 14th December 2018.

The Joint Military Ceasefire Commission (JMCC) was reconstituted on 28th November 2018 and the Joint Transitional Security Committee (JTSC) was established on 30th November 2018. Some members also raised security concerns. The members of the JMCC expressed commitment to the implementation of the Agreement but were concerned about non-signatory groups. They also expressed their preference for a political rather than military approach to this issue. Future meetings for both the JMCC and the JTSC are expected to be held in Juba later this month.

Confidence Building Measures

A constant feature since the signing has been the series of confidence building measures adopted between the parties. The Khartoum and Juba celebrations of the signing of the R-ARCSS was convened on 22nd September and 31st October 2018 respectively, and involved meetings of the leadership of the Parties to the R-ARCSS and Stakeholders. In addition, several detainees and PoWs were released by both the incumbent TGoNU and other Parties. This included a few high profile detainees.

CTSAMVM has reported on a number of meetings that have been held between the parties including former combatants. Reportedly these meetings have resulted in agreements on humanitarian access, and free movement of people and goods, including former combatants. At the same time several members of the various institutions and mechanisms living outside of South Sudan have returned to Juba and others are reportedly on their way.

Other activities undertaken

- The reconstituted JMEC continues to disseminate printed copies of the R-ARCSS, which have been made available to the TNLA, the Parties, government Ministries, embassies and the wider public;
- Recently the countries comprising the African Union High Level Ad-hoc Committee for South Sudan and African Union Commission namely Algeria, South Africa, Chad, Rwanda and Nigeria signed the agreement along with China;
- Members of the Technical Boundaries Commission (TBC) nominated from Ethiopia, Uganda and the TROIKA met in Juba and conducted preliminary discussions on the terms of reference and Rules of procedure of the committee. The entire membership of the Committee is expected to meet on the 7th of January to officially establish the committee and adopt its Rules of Procedure and Terms of Reference.

2. Tasks Missed or Still Outstanding Since the Signing

The following Pre-Transitional Period tasks were supposed to have been concluded by D-Day +60, but so far the tasks have not been pursued:

- Establishment of the Independent Boundaries Commission (IBC);
- The reconstitution of the Disarmament Demobilization and Reintegration (DDR) Commission;
- The immediate release of all prisoners of war and detainees by all Parties under ICRC supervision;

- Ensure access to civilian populations in need of humanitarian assistance and protection; and
- Cessation of recruitment and training of late recruits by security forces by 12th September 2018.

3. Observations and Recommendations

- RJMEC welcomes the confidence building measures; and establishment and reconstitution of the various Agreement institutions and mechanisms, which are critical to a successful implementation of the R-ARCSS. In that regard RJMEC urges a quick establishment of the International Boundaries Committee and the Disarmament, Demobilization and Reintegration Commission;
- It is critically important that the various institutions and mechanisms that have been set up continue to implement their tasks. However, there is need for funding to be secured for their operations. Failure to provide this funding can severely limit or even derail implementation;
- RJMEC views with concern the ongoing disputes within the SSOA and cautions that this could negatively impact on the implementation of the RARCSS. The various parties of the SSOA are therefore urged to amicably resolve their differences and focus their energies on successful implementation of the Agreement;
- The alleged rape of several women in Bentiu can potentially undermine the conducive political security environment created for the implementation of the R-ARCSS. In that regard, RJMEC urges the TGoNU to conduct a speedy, transparent and timely investigation into the attacks, apprehend the perpetrators and hold them to account. Further JMEC urges all parties to adhere to their obligations to refrain from sexual violence and ensure the safety and dignity of women.
- RJMEC welcomes the security guarantees provided by the incumbent TGoNU to those returning to Juba to participate in the various Agreement institutions and mechanisms. It also commend TGoNU's support in providing accommodation and other assistance to those involved; and
- More needs to be done to allow unimpeded access to the people in need of humanitarian assistance across the country.

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. 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	Mr. Peter Mayen Majongdit
Joint Monitoring and Evaluation Commission (JMEC) (43 Members)	1. Hon. Dr. Martin Elia Lomuro 2. Hon. Michael Makuei Lueth 3. Dr. Dhujei Mathok Diig 4. Hon. Awut Deng Achuil 5. Hon. Sophia Pal Gai	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
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	1. Dr. Lam Akol Ajawin Rcd/ 22/9	Dr. Cirino Hiteng	Mr. Joseph Wol Moddesto
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	1. Hon Clement Juma Mbugoniwa Rcd/ 22/9	Hon. John Luke	Hon. Prof.Ajang Bior Duot Bior
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 Kuag Aguar 6. Gen Jameseon Losuk Lopai	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. John Akich Chol 3. JAngelo Faustino Nabiso 4. Agany Abdelbagi Akol 5. Abdalla Ali Auromo 6. Julius Mai Manyuony 7. William Matiek Yidet	None	None

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. Lt. Gen Bapiny Monytuil Wejang 2. Hon. Denay Jock Chagor 3. Maj. Gen. Bernard Tito Pula Abaya	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) - Board	1. Maj. Gen. Ernest Dut Akol 2. Maj Gen. Juac Nathan Garang 3. Maj. Gen. Ochucholo Lemu	1. Hon Manasseh Daniel Zindo 2. Hon Regina Joseph Kapa 3. Lt Gen Thomas Jal Thomas	1. Ms Josephine Lagu Yanga 2. Brig. Gen. Eddy Ukele 3. Lt. Col. Samson Machod Yoak	1. Gen. Mach Paul	1. Hon. Martin Tako 2. Ms Victoria Benjamin 3. Ms Susan Kiden
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members) - TC		1. Maj Gen. matin gama Abucha 2. Brig. Gen. Dr. Chuol Ruey Kumpuok 3. Brig. Gen. Andrea Mangu Adal 4. Col. Ezekiel How Kuol Gatluk 5. Col Juma jackson Lasu			
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 Gatkhor 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	1. Lt. Gen. Garang Ayii Akol 2. Gen. Ali Kur Ajak 3. Isaac Moro Jenesio 4. John Pam Gatjiet Pech		
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 Gatleak 5. Maj Gen Wang Chany Thian Rcd/ 29/9	1. Dr. Olaw Adiang Nijok 2. maj Gen. Thomas Onyango Yiel 3. Brig Gen. Matiek Koang Yidet		
Memo					
Date of Ratification		22-Sep-18	28-Sep-18	25-Sep-18	

Source: Parties to the Agreement and JMEC Staff

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. <i>Akuoch Ajang Nyanhom</i> 2. <i>Rajab John Mohandis</i>	1. <i>Dr Emily Koiti</i> 2. <i>Malish John Peter</i>	1. <i>Rita Lopidia</i> 2. <i>Mary Akech Bior</i>	1. <i>Shiekh Mohamed Hassan Morjan</i> 2. <i>Rev. John Okumu Hakim</i>	1. <i>Professor Moses Machar</i> 2. <i>Prof Francis Deng</i>	1. <i>Simon Akuei Deng</i> 2. <i>Yar Manoa Majok</i>	1. <i>Prof. Pauline Riak</i>
National Constitutional Amendment Committee (NCAC) - (15 Members)	1. <i>Chol Majur Nhom</i>	1. <i>Wani Michael Saki</i>	1. <i>Ms Merakaje Lorna</i>	None	None	None	None
Strategic Defense and Security Review (SDSR) (20 Members)	1. <i>Kanybil A.Noan</i> 2. <i>Edmund Yakani</i>	1. <i>Angelo Madut Agoth</i>	1. <i>Minagano Lydia</i> 2. <i>Nyamai Joluong</i>	1. <i>Rev. Lomeling Francis Philip Lado</i>	<i>1 vacant</i>	None	1. <i>Rt. Lt. Gen Malwal Bol</i>
Ceasefire and Transitional Security Arrangement Monitoring and Verification Mechanism (CTSAMVM) (31 Members) Board	1. <i>Shiek Vitale Aligo Samson</i> 2. <i>Sarah Nyanath</i>	1. <i>Augustino Deng</i> 2. <i>Ms Nyaura Bol</i>	1. <i>Aluel Noami</i> 2. <i>Atong Amos Agook</i>	None	<i>1 vacant</i>	1. <i>Juma Charles</i>	1. <i>Dr. Siham Mohammed Osman</i>
Source: Parties to the Agreement and JMEC Staff							
:SouthSudan/strategy/Nomination-Tracking-Stakeholders.xlsx							