



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

**REPORT BY**

**H.E. AMB. MAJ. GEN. (rtd) CHARLES TAI GITUAI**

**INTERIM CHAIRPERSON OF RJMEC**

**ON THE STATUS OF IMPLEMENTATION OF THE REVITALISED  
AGREEMENT ON THE RESOLUTION OF THE CONFLICT IN THE  
REPUBLIC OF SOUTH SUDAN**

**FOR THE PERIOD**

**1<sup>st</sup> April to 30<sup>th</sup> June 2022**

**Report No. 015/22  
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## List of Acronyms

<i>AUC</i>	<i>African Union Commission</i>
<i>CoHA</i>	<i>Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access</i>
<i>CRA</i>	<i>Compensations and Reparations Authority</i>
<i>CRSV</i>	<i>Conflict-related Sexual Violence</i>
<i>CTSAMVM</i>	<i>Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism</i>
<i>CVR</i>	<i>Community Violence Reduction</i>
<i>DDR</i>	<i>Disarmament Demobilization and Reintegration</i>
<i>EFMA</i>	<i>Economic Financial Management Authority</i>
<i>HCSS</i>	<i>Hybrid Court for South Sudan</i>
<i>ICRC</i>	<i>International Community of the Red Cross</i>
<i>IGAD</i>	<i>Inter Governmental Authority on Development</i>
<i>IDPs</i>	<i>Internally Displaced Persons</i>
<i>JDB</i>	<i>Joint Defence Board</i>
<i>JRC</i>	<i>Judicial Reform Committee</i>
<i>MoJCA</i>	<i>Ministry of Justice and Constitutional Affairs</i>
<i>MSF</i>	<i>Doctors Without Borders</i>
<i>NAS</i>	<i>National Salvation Front</i>
<i>NCAC</i>	<i>National Constitutional Amendment Committee</i>
<i>NTC</i>	<i>National Transitional Committee</i>
<i>NUF</i>	<i>Necessary Unified Forces</i>
<i>OPP</i>	<i>Other Political Parties</i>
<i>OSESS</i>	<i>Office of the Special Envoy of South Sudan</i>
<i>PCTSA</i>	<i>Permanent Ceasefire and Transitional Security Arrangements</i>
<i>PFM</i>	<i>Public Finance Management</i>
<i>R-ARCSS</i>	<i>Revitalised Agreement on the Resolution of Conflict in the Republic of South Sudan</i>
<i>RJMEC</i>	<i>Reconstituted Joint Monitoring and Evaluation Commission</i>
<i>RTGoNU</i>	<i>Revitalized Transitional Government of National Unity</i>
<i>SDSRB</i>	<i>Strategic Defence and Security Review Board</i>
<i>SGBV</i>	<i>Sexual and Gender Based Violence</i>
<i>SLA</i>	<i>State Legislative Assemblies</i>
<i>SPLM</i>	<i>Sudan Peoples' Liberation Movement</i>
<i>SPLM-IO</i>	<i>Sudan Peoples' Liberation Movement in Opposition</i>
<i>SSOA</i>	<i>South Sudan Opposition Alliance</i>
<i>SSPDF</i>	<i>South Sudan Peoples' Defence Forces</i>
<i>TCRSS</i>	<i>Transitional Constitution of the Republic of South Sudan</i>
<i>TFA</i>	<i>Transitional Financing Arrangement</i>
<i>TGoNU</i>	<i>Transitional Government of National Unity</i>
<i>TNL</i>	<i>Transitional National Legislature</i>
<i>TNLA</i>	<i>Transitional National Legislative Assembly</i>
<i>UN</i>	<i>United Nations</i>
<i>UNDP</i>	<i>United Nations Development Program</i>
<i>UNOCHA</i>	<i>United Nations Office for the Coordination of Humanitarian Affairs</i>
<i>UNSC</i>	<i>United Nations Security Council</i>

## Executive Summary

This report on the status of implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) has been prepared pursuant to article 7.9 of the R-ARCSS. The report covers the period from 1 April to 30 June 2022 and builds on the previous Quarterly Report No. 014/22. Overall, progress made by the Revitalised Transitional Government of National Unity (RTGoNU), during the second quarter of 2022, in the implementation of the R-ARCSS, has been extremely slow. During this quarter the most notable progress was made with the operationalisation of the state assemblies, the unification of the command structure of the Necessary Unified Forces (NUF), and the completion of public consultations on the Commission for Truth Reconciliation and Healing (CTRH).

As in the previous quarter, the Transitional National Legislature (TNL) have failed to enact the Constitution Making Process Bill, and continues to delay enactment of several security related bills. Since resuming its work in May 2022 the National Constitutional Amendment Committee has submitted two bills to the ministry of Justice, namely the National Audit Chamber Bill and the Public Finance Management Bill. During the period under review the RJMEC Leadership met with the Council of Ministers and offered several recommendations on improving the pace of implementation of the R-ARCSS. Key among the recommendations is the need for the RTGoNU to provide additional resources to the peace process and to complete a roadmap, which provides a clear path to the holding of elections.

The Permanent Ceasefire largely continued to hold among the signatory parties to the Agreement. However, tensions remain high between Sudan Peoples' Liberation Army-In Opposition (SPLA-IO) forces and South Sudan Peoples Defence Forces (SSPDF) or defectors aligned with the South Sudan Peoples' Defence Forces (SSPDF) as well as local youths in Upper Nile and Unity States. In the face of mounting intercommunal violence and growing cases of sexual and gender based violence, Courts Martial set up by the SSPDF resulted in the convictions and sentencing of a number of soldiers.

The humanitarian situation continues to be severely impacted by cuts to funding, low agricultural production in several areas, global price increases affecting the cost of fuel, food and services, low and unpaid salaries, and long term flooding. These impacts continue to sustain displacement and inhibit the re-establishment of food security. In addition, intercommunal violence continues to result into displacement, death, and sexual and gender based violence. All these factors continue to stress host communities, returnees and Internally Displaced Persons (IDPs) and are cited to contribute towards the upsurge in criminality across the country.

During this quarter, the government completed payment of US \$3.03 billion to Sudan as part of a Financial Transfer Agreement signed between the countries at South Sudan's independence. The RTGoNU also launched its National Development Strategy focused on building the resilience of the people, communities and institutions. Meanwhile the Ministry of Justice and Constitutional Affairs has started to prepare the legislation that will lay the groundwork for the CTRH after the conduct of public consultations.

In an effort to increase the pace of implementation of the R-ARCSS, the report therefore offers the following recommendations to the RTGoNU, TNL, and IGAD.

***(a) To the RTGoNU:***

- expedite the endorsement of the revised bills submitted by the NCAC, including the National Security Services Bill, which is still pending;

- move quickly to complete the graduation and redeployment of the NUF, and provide the requisite funding;
- establish the board of the Special Reconstruction Fund to serve as the basis for attracting resources for reconstruction and development;
- restructure and reconstitute existing commissions at the National level such as the Civil Service, Land, Refugee Commissions and others as outlined in article 1.19 of the R-ARCSS;
- reconstitute the Anti-corruption Commission and the National Audit Chamber in order to promote increased transparency and accountability in the management of the country's resources;
- pursue full establishment and operationalisation of the various enterprise development funds in order to provide new opportunities to the women, youth and other disadvantaged groups all over South Sudan;
- implement key activities such as the Permanent Constitution Making process in order to pave the way to the holding of free, credible and fair elections; and
- pursue the Sant'Egidio mediation process, including adherence to the COHA, the Rome Declaration of January 2020, and the Declaration of Principles of March 2021.

***b) To the TNL:***

- expedite enactment of the Legislation that is still outstanding in support of the implementation of the R-ARCSS, including the *Permanent Constitution Making Process Bill*, *The Sudan People's Liberation Army (Amendment) Bill, 2022*, *The Police Service (Amendment) Bill, 2022*, *The Prisons Service (Amendment) Bill, 2022*, *The Wild Life Service (Amendment) Bill, 2022*, and the *Civil Defence Service Amendment) Bill, 2022*.

***c) To IGAD:***

- use its leverage to assist the RTGoNU in mobilising the requisite resources for conflict prevention, post-conflict reconstruction, strengthening state institutions and nation building in the Republic of South Sudan;
- continue to engage the leadership of the RTGoNU and assist in mobilising the political support and goodwill necessary for full implementation of the R-ARCSS; and
- work closely with the RTGoNU to foster trust and confidence of the various Parties.

## **I. Introduction**

1. This report on the status of implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) has been prepared pursuant to article 7.9 of the R-ARCSS. The report covers the period from 1 April to 30 June 2022 and builds on the previous quarterly Report No. 014/22.<sup>1</sup> It provides a status update on progress or lack thereof in the implementation of the tasks of the R-ARCSS during the reporting period, highlights challenges facing the implementation, provide some observations and concludes with recommendations to key stakeholders. The report draws from various sources of information including from the Agreement institutions and mechanisms, meetings of the six Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) Working Committees, and RJMEC monthly plenaries.
2. With barely 8 months left to the end of the current transition, the R-ARCSS is at a critical juncture. The future of the R-ARCSS shall hang in the balance unless the Unity Government of South Sudan acts swiftly and develops a clear roadmap and strategy with timelines on how it intends to implement the outstanding tasks of the R-ARCSS. The critical outstanding tasks include the unification of forces and their redeployment, the making of the permanent constitution, and the start of the elections process, to pave the way for the holding of free, fair and credible elections.
3. The persistent cause of the delays in the implementation of the provisions of the R-ARCSS range from insufficient political will from the leadership of the parties; delayed unification of forces; military defections; threats posed by holdout groups; the cumulative effects of prolonged subnational conflicts; trust deficit among the Parties to the Agreement; capacity gaps; lack of sufficient funding, including from international partners; and the dire humanitarian situation caused by natural calamities such as floods.
4. Having identified the challenges facing the implementation of the R-ARCSS, the Interim RJMEC Chairperson met with the Revitalized Transitional Government of National Unity (RTGoNU) Council of Ministers and made several recommendations, which if adopted will help increase the pace of implementation. Among the several recommendations proposed was for the RTGoNU to: (i) develop a clear strategy with timelines for the implementation of the critical outstanding tasks of the Agreement; (ii) reconstitute the various institutions and commissions at the national level; (iii) make financial resources available for the completion of the Transitional Security Arrangements, and for the DDR Commission to conduct its work; (iv) fast track the establishment of the Board of the Special Reconstruction Fund and engage with IGAD, the AU, and the UN on the convening of the Pledging Conference.
5. This report has four sections and is structured as follows. Section I, the introduction, provides an overview of the entire report and highlights the main issues addressed. This is followed by Section II, which provides an analysis of the status of implementation of the six thematic chapters of the R-ARCSS, namely, governance, security, humanitarian affairs, economic affairs, transitional justice and legal and constitutional affairs; as well as the activities of the RJMEC during the reporting period. Section III provides key observations that highlight concerns and focuses recommendations to the RTGoNU, the Transitional National Legislature (TNL), and the guarantors to the Agreement; and Section IV is the conclusion.

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<sup>1</sup> <https://jmecsouthsudan.org/index.php/reports/rjmec-quarterly-reports/205-rjmec-quarterly-report-on-the-status-of-implementation-of-the-r-arcss-from-1st-january-to-31st-march-2022/file>.

## II. Status of Implementation of the Transitional Tasks of the R-ARCSS

### Chapter 1: Revitalised Transitional Government of National Unity

6. Overall, progress in the implementation of the provisions of chapter I of the R-ARCSS has been rather slow during this quarter but additional progress was made in the establishment of government structures at the state level. To date nine of the ten State Legislative Assemblies have been operationalised.<sup>2</sup>

#### *a. Council of Ministers*

7. The Council of Ministers of the RTGoNU met regularly to address matters related to the implementation of the R-ARCSS during this reporting period. On 8 April 2022, RJMEC leadership briefed the Council on the status of the implementation of the R-ARCSS, which was 24 months since the formation of the RTGoNU, 41 months since the R-ARCSS was signed, and 11 months to the end of the Transitional Period.

8. During the briefing, the RJMEC requested the Council of Ministers to review the status of the implementation of the R-ARCSS and to develop a clear roadmap with a timeline to the end of the Transitional Period. The RTGoNU roadmap should be consensus based, adopted within the framework of the R-ARCSS and should also be based on concrete, verifiable timelines, with clear benchmarks for progress. It is encouraging that the Council agreed, among others, to reactivate the high-level committee of the Parties on responsibility sharing to deal with related matters.

#### *b. Transitional National Legislative Assembly and Council of States*

9. In May 2022, the RJMEC Secretariat conducted a series of R-ARCSS orientation workshops for the members of the reconstituted Transitional National Legislative Assembly (TNLA) on the content of the R-ARCSS, its status of implementation and what the national legislature can do to facilitate its expeditious implementation. The workshops also provided opportunities for enhancing institutional collaboration between the RJMEC and the TNLA.

10. During the quarter, the TNLA continued to deliberate on the bills which were presented before them for enactment. The bills include, among others, security related bills, the *Political Parties Bill*, *Constitutional Amendment Bill No. 10*, and the *Constitutional Making Process Bill*. The *Constitutional Amendment Bill No. 10*, which aligns the names of the national army with that of the SSPDF Act was enacted into law in May 2022.

11. On 30 May 2022, the *Political Parties Bill* was passed by the reconstituted TNL with some amendments. The passing of the Bill was contested by the South Sudan Peoples' Liberation Movement/Army – In Opposition (SPLM/A-IO) members of the TNL as being a violation of the R-ARCSS. The controversy arose from a disparity between the original Amendment Bill, which the National Constitutional Amendment Committee (NCAC) presented to the Minister of Justice and Constitutional Affairs and the Bill passed by the Parliament. On 2 June 2022, the members of the Other Political parties (OPP) also objected to the said amendment to the Bill.

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<sup>2</sup> The Warrap State Legislative Assembly is yet to be sworn in.

12. The main contention relates to raising the minimum threshold for registration of political parties in at least eight states of the Republic of South Sudan from 300 to 500. Also, there are concerns that the passed Bill eliminated the principle of diversity through deletion of the rights of minorities and marginalized groups provided for under articles 1.18.9 read together with articles 1.14.4, 1.4.5, 1.4.6 and 1.4.11 of the R-ARCSS. Consequently, the members of the SPLM-IO Parliamentary Caucus and the OPP have continued to boycott parliamentary sittings over the matter since May 31, 2022, and vowed to continue to do so until their concerns are addressed.

13. On 12 June 2022, the SPLM/A-IO leadership wrote to the President of the Republic regarding the passed Bill as a violation by the TNLA of the R-ARCSS and requested the latter not to assent to the Bill. Consequently, the President held a meeting with the leadership of the reconstituted TNLA to seek clarity on how the Bill was passed, including on the way forward. Following the meeting, the President directed that the matter would be raised at the level of the Presidency for resolution.

*c. National Constitutional Amendment Committee (NCAC)*

14. The NCAC resumed its work on 17 May 2022 for eight (08) months, after been absent for over one year. The extension of the mandate of the NCAC was prompted by the need for it to be revived to complete the outstanding reviews and amendment of legislation at the time of the expiry of its mandate. Since resumption of its renewed mandate, the NCAC has made significant progress as highlighted below.

15. On 25 May 2022, the NCAC submitted the *Southern Sudan Audit Act 2011 (Amendment) Bill 2022* to the Minister of Justice and Constitutional Affairs for processing.<sup>3</sup> The Bill is aligned to the R-ARCSS and the Transitional Constitution of the Republic of South Sudan 2011, as amended. The Bill introduces the establishment of a new National Audit Advisory Committee to the National Audit Chamber.

16. On 22 June 2022, the NCAC submitted the *Public Financial Management and Accountability Act 2011 (Amendment) Bill 2022* to the Minister of Justice and Constitutional Affairs pursuant to article 1.18.1.3 of the R-ARCSS. The bill pertains to the reforms provided for under Chapter IV of the R-ARCSS and allows for conformity of the Public Financial Management and Accountability Act with the constitutional, legal and political guiding principles, objectives and ideals of the R-ARCSS and the TCRSS 2011 as amended. The Bill promotes prudent, transparent and accountable management of national wealth and resources, the rule of law and constitutional and democratic governance in the Republic of South Sudan.

17. Other bills that require review by the NCAC include, *inter alia*, the *Petroleum Act, 2012*, *Petroleum Revenue Management Act, 2013*, *National Elections Act 2012*, the *Banking Act 2010*; the *Anticorruption Act 2009*; the *NGO Act 2016*, *National Revenue Authority Act, 2017*, *Bank of South Sudan Act, 2010* *Banking Act, 2010* and *Investment Promotion Act, 2009*.

*d. Judicial Reform Committee*

18. As provided for under article 1.17 of the R-ARCSS, the RTGoNU is expected to undertake judicial reforms during the Transitional Period. An *ad hoc* Judicial Reform Committee (JRC) is required to be established with the mandate to study and make

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<sup>3</sup> After the MoJCA receives the amended bills from the NCAC, they are processed and forwarded to the RTGoNU Council of Ministers for their approval, following which it is forwarded to the TNLA for ratification and finally to the President for assent.

recommendations on the judicial reforms to the RTGoNU. Following the Parties' nomination of their representatives to the JRC and the selection by IGAD of the Chairperson and Deputy Chairperson,<sup>4</sup> the membership of the JRC became complete.

19. On 20 May 2022, the IGAD Special Envoy for South Sudan submitted the list of the appointed members of the *ad hoc* JRC to the Minister of Justice and Constitutional Affairs of the RTGoNU. On 18 June 2022, the Chairperson and Deputy Chairperson of the JRC visited Juba, South Sudan to commence preparatory work of the Committee.<sup>5</sup> During their visits, the JRC leaders were briefed by RJMEC who oriented them on the Revitalized Peace Agreement and the JRC Terms of Reference. On 24 June 2022, the JRC leadership held their first joint meeting with the national members of the Committee at the Ministry of Justice and Constitutional Affairs (MoJCA). The JRC is tentatively scheduled to commence its work on 25 July 2022 and shall undertake its mandate for six months pursuant to the timeline provided for in the R-ARCSS.

*e. Transitional Institutions and Mechanisms*

20. The RTGoNU reported to the RJMEC plenary of some progress it had made towards the restructuring and reconstitution of the independent transitional institutions and commissions at the national level. The reported progress was informed by an internal process involving interparty negotiations on the structure of the institutions and commissions to be reconstituted. By the time of compiling this report, this process had not yet been concluded.

*f. National Elections*

21. The R-ARCSS provides for elections to be held 60 days before the end of the Transitional Period. With barely 8 months left to the end of the Transitional Period, the National Elections Commission (NEC) has not yet been reconstituted, nor too the Political Parties Council (PPC) which is to be responsible for the registration of the political parties. Besides, the *National Elections Act 2012* is yet to be reviewed to conform to the provisions of the R-ARCSS and later to the provisions of the permanent constitution. The making of the permanent constitution awaits the enactment of the *Constitutional Making Process Bill 2021*. Preparation of an elections roadmap is under the competence of a reconstituted NEC.

22. There are also other cross-cutting thematic issues, which relate to elections, including unification of forces, addressing the challenges of reconstruction, repatriation, resettlement, rehabilitation and reintegration of internally displaced persons and returnees as critical factors affecting peacebuilding and elections, as well as a national census. There is also need to guarantee freedom of assembly, association, and speech, including civic space for active citizen engagements.

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<sup>4</sup> Justice James Ogoola, Chairperson (Uganda) and Lady Justice Joyce Alouch Deputy Chairperson (Kenya).

<sup>5</sup> During this time, the JRC leadership paid courtesy calls on three members of the RTGoNU Presidency, namely First Vice President H.E. Dr Riek Machar, Vice President H.E. Hussein Abdelbagi and Vice President Gen. Taban Deng Gai. In addition, they called on the Minister of Justice and Constitutional Affairs, Chief Justice, Judicial Service Commission, NCAC leadership, RJMEC leadership, a representative of the IGAD Special Envoy for South Sudan and the Max Plank Foundation.

## Chapter 2: Permanent Ceasefire and Transitional Security Arrangements

### *a. Permanent Ceasefire*

23. During the period of reporting, the Permanent Ceasefire largely continued to hold among the signatory parties to the Agreement. However, tensions remain high between Sudan Peoples' Liberation Army-In Opposition (SPLA-IO) forces and South Sudan Peoples Defence Forces (SSPDF) or defectors aligned with the SSPDF as well as local youths in Upper Nile and Unity States. These tensions were higher in Maiwut, Longechuk, and Maban Counties in Upper Nile as a consequence of the 20 March 2022 attacks on Jakau and of May 2022 on the Liang Cantonment Site. The 8 - 12 April 2022 attacks on Leer County in Unity State by youth from Koch and Mayendit Counties caused many deaths, injuries, destruction of property, looting, displacement of civilians, and several rape cases, as reported by Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM).

24. On violations, CTSAMVM submitted the following five violation reports:

- **Violation Report 2022/12<sup>6</sup>:** Violations Against Civilians including SGBV in Abegi Sub-Boma, Wotobo Boma, Yei River County in Central Equatoria State.
- **Violation Report 2022/13<sup>7</sup>:** Sexual and Gender Based Violence in Kupera Payam of Lanya County, Central Equatoria State.
- **Violation Report 2022/14<sup>8</sup>:** Final Report into the Alleged Attacks by SSPDF on SPLA-IO Positions in Maiwut and Longechuk Counties in Upper Nile State.
- **Violation Report 2022/15<sup>9</sup>:** Restriction of Movement, Harassment, Assault and Arrest of the Government Minister for Mining, Maj Gen Martin Gama Abucha in Eastern Equatoria State.
- **Violation Report 2022/16<sup>10</sup>:** Sexual and Gender Based Violence in Koch and Leer Counties of Unity State.

25. The RJMEC Chairperson wrote a letter to the President regarding accountability on violations stated in Violation Report 2022/16 referenced above, and another letter to the SSPDF Chief of Defence Staff requesting accountability for violations recorded in Violation Reports 2022/12, 2022/13, 2022/14, 2022/15. RJMEC commends the SSPDF Chief of Defence Forces and other field commanders for taking actions against soldiers who commit crimes against civilians as exemplified by the recent Field Court Martials in Yei County.

26. On the occupation of civilian centres by the armed forces, CTSAMVM reported that the number of occupied centres has decreased from a total of 14 in the first quarter to 11 in the second quarter, with SSPDF occupying 9 and SPLA-IO 2. RJMEC has repeatedly urged the two Parties to completely vacate all civilian centres, but progress is still very slow.

27. During the second quarter, there was a decline in National Salvation Front (NAS) activities in its main areas of operations such as the southern part of Central Equatoria State and the south eastern part of Western Equatoria state that covers Mundri East, Mundri West, Maridi

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<sup>6</sup> [https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022\\_12-Violations-against-civilians-including-SGBV-in-...-1.pdf](https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022_12-Violations-against-civilians-including-SGBV-in-...-1.pdf).

<sup>7</sup> [https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report\\_13-SGBV-in-Lainya-County-CES-1-compressed-1.pdf](https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report_13-SGBV-in-Lainya-County-CES-1-compressed-1.pdf).

<sup>8</sup> [https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022\\_14-Final-Report-into-alleged-attacks-in-Maiwut-and-Longechuk-Upper-Nile-State-1compressed-1.pdf](https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022_14-Final-Report-into-alleged-attacks-in-Maiwut-and-Longechuk-Upper-Nile-State-1compressed-1.pdf).

<sup>9</sup> [https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022\\_15-Restriction-of-Movement-Harassment-Assault-and-Arrest-of-Govt-Min.-in-EES-1compressed-1.pdf](https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022_15-Restriction-of-Movement-Harassment-Assault-and-Arrest-of-Govt-Min.-in-EES-1compressed-1.pdf).

<sup>10</sup> [https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022-16-\\_-SGBV-in-Koch-and-Leer-Counties-of-Unity-State.-1-compressed-1.pdf](https://ctsamvm.org/wp-content/uploads/2022/06/CTSAMVM-Report-2022-16-_-SGBV-in-Koch-and-Leer-Counties-of-Unity-State.-1-compressed-1.pdf).

and Yambio Counties. CTSAMVM reported that the Yei – Maridi road is now safe and civilians are traveling without facing alleged NAS attacks. CTSAMVM still cannot verify with certainty that these attacks are attributed to NAS due to the lack of communication with NAS since they do not have liaison officers in the CTSAMVM structures. This is despite NAS been a signatory to the Cessation of Hostilities Agreement of 21 December 2017.

*b. The Unification Process*

28. There has been no significant change to the status of cantonment sites and unified training centres since the last quarter. The logistical situation remains dire, with little or no food and medicines in the majority of locations. Consequently, many personnel have abandoned the sites in search of food, essential life support, commodities and shelter. The RTGoNU has consistently failed to provide the much-needed funding and sufficient logistical support to sustain troops in the cantonment sites and training centres during this reporting period and indeed for the past two years.

29. Although Phase One graduation and redeployment of the unified forces has not yet progressed during the period of reporting, the armed Signatory Parties signed an agreement on the unification of command on 3 April 2022, which was mediated by Sudan as the Chair of IGAD. On 13 April, 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 of the South Sudan Armed Forces. It was hoped that the establishment of the unified command was going to expedite the graduation and redeployment of NUF Phase I, unfortunately no progress in that regard has been reported by the Parties due to the lack of funding, and to some extent political will.

30. The implementation of the Disarmament Demobilisation and Reintegration (DDR) process during this reporting period has made little to no progress. Since the Commission submitted its DDR strategy, implementation plan and estimated budget to the RTGoNU for approval through the National Transitional Committee (NTC), there has been no response or decision on DDR from the RTGoNU.

31. The Strategic Defence and Security Review (SDSR) process has not progressed since the last report. The last workshop of the SDSR-Board, which had been convened on 21 March to develop the *Revised Defence Policy*, was suspended due to the SPLA-IO's decision to boycott all security mechanisms following an alleged attack on one of their positions by the SSPDF on 20 March 2022.<sup>11</sup> The SDSR Board lacks funding for its planned activities.

*c. Intercommunal Violence and Sexual and Gender Based Violence*

32. CTSAMVM has reported a number of intercommunal attacks in Jonglei, Upper Nile, Eastern Equatoria, and Central Equatoria States as well as the Greater Pibor Administrative Area. However, the worst violence occurred in Leer County, Unity State between 8 and 12 April 2022. CTSAMVM investigation reports concluded that the County Commissioners of Mayendit and Koch counties are responsible for the attacks on civilians. The report was submitted to the RJMEC and IGAD. On his part, the President formed a High-Level Committee to investigate the Leer attacks, but the Committee is yet to begin its work.

33. Although cases of SGBV by uniformed forces have reduced since the SSPDF District Courts Martial of 2020, RJMEC continues to receive reports of rape cases from the CTSAMVM.

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<sup>11</sup> The SPLA-IO has since re-joined all of the security mechanisms.

However, it is encouraging to report that the General Military Court Martial sitting in Yei, Central Equatoria State, on 27 June 2022, convicted 15 SSPDF soldiers for murder, rape, and causing serious bodily injury. Of the 15 the court found 8 soldiers guilty of murder and sentenced them to between 5 and 7 years in prison, and a fine of 51 heads of cattle as blood compensation or the equivalent in South Sudanese Pounds (SSP). Four soldiers were found guilty of rape and sentenced to a jail term of 5 years each and ordered to pay a monetary compensate to their victims. One soldier was sentenced to serve a 3 year jail term and pay for the treatment of his victim, a 9 year old boy to whom he caused bodily harm. And finally, 2 soldiers were ordered to pay monetary compensation to their victims for causing bodily harm.

34. In addition, on 21 June 2022, the SSPDF Directorate for Military Justice, issued an order for the establishment of a Specialized Team on Conflict-Related Sexual Violence (CRSV). According to the Directorate for Military Justice: *“The order is in accordance with the 2021 Joint Action Plan for the Armed Forces on Addressing CRSV in South Sudan and a step toward addressing one of the benchmarks for the review of the currently imposed arms embargo on South Sudan as per UNSCR 2577 (2021) as reviewed in 2022.”* The Specialized Team comprises three male and three female officers. During the period of reporting, CTSAMVM completed investigations on SGBV by the armed forces and submitted three reports to the RJMEC. Consequently, the RJMEC Interim Chairperson wrote a letter to the CDF of the SSPDF requesting accountability for all violations, including SGBV acts committed against civilians by the SSPDF.

#### *d. The Rome Peace Process*

35. There has been some progress in the Sant’Egidio peace process involving the South Sudan Opposition Movement Alliance (SSOMA) factions of General Paul Malong and Pagan Amun;<sup>12</sup> and the RTGoNU. A December 2022 Nairobi Communique mandated CTSAMVM to conduct induction training for the SSOMA national monitors. CTSAMVM with support from Sant’Egidio, conducted a workshop in Rome from 20 to 30 June 2022. Nine SSOMA national monitors who attended the training workshop, expressed their readiness to join CTSAMVM structures as soon as the necessary logistics and security arrangements are in place.

36. At the end of the workshop, two major timelines regarding the further implementation of the training workshop outcomes were set: (i) the parties agreed that SSOMA shall start the deployment of its representatives into the CTSAMVM structures by 15 August 2022. CTSAMVM and IGAD shall facilitate the deployment processes and the Community of Sant’Egidio shall accompany the implementation of the whole process; and (ii) the SSOMA Real SPLM and SSUF/A shall declare the size and the location of their forces to CTSAMVM before 1 August 2022. This recent achievement gives hope that the SSOMA Real SPLM-SSUF/A is committed to resolving their differences with the RTGoNU in a peaceful manner.

### **Chapter 3: Humanitarian Assistance and Reconstruction**

37. The humanitarian situation continues to be severely impacted by cuts to funding, low agricultural production in several areas, global price increases affecting the cost of fuel, food and services, low and unpaid salaries, and long term flooding. These impacts continue to sustain displacement and inhibit the re-establishment of food security. In addition, intercommunal

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<sup>12</sup> The other main faction of SSOMA that of General Cirillo’s NAS did not participate in the workshop.

violence continues to result into displacement, death, and sexual and gender based violence. All these factors continue to stress host communities, returnees and Internally Displaced Persons (IDPs) and are cited to contribute towards the upsurge in criminality across the country.

38. Of concern has been the limited funding and support for the delivery of basic services and protection by the RTGoNU and the continuing funding cuts in the humanitarian sector, by the international community. During the quarter the World Food Program (WFP) announced that about 1.7 million people in 36 counties will not be receiving food aid as the limited available resources will be concentrated on the prioritized 4.48 million people most severely affected and in need. This will heighten the vulnerability of those that have not been prioritized as they will suffer increased hardship especially during the rainy season. The situation is further exacerbated by the continued effects of floods and the diminished hope of good agricultural yields this year.

39. Food security continues to be threatened by floods, displacement, intercommunal violence and the incursions of cattle headers onto farmlands especially in Central and Eastern Equatoria. In view of the worsening humanitarian situation, RJMEC continuously appealed to the RTGoNU to provide funding towards the provision of relief and basic services to its citizens. Appeals for support were also made to friends of South Sudan, development partners, donors and humanitarian organizations to meet the growing humanitarian needs. On a positive note, Canada announced its intentions to promote efforts to boost food production to help South Sudan exploit its great potential for increasing home-grown food and exploiting agriculture as an economic opportunity.

40. A few humanitarian corridors were opened during the quarter including the borders between Northern Bahr El Ghazel State and Sudan. The road between Twic County (Warrap State) and the Abyei Administrative Area was reopened allowing the free movement of people and goods. The opening of border controls at Kosti, and restoration of river trade between Sudan's White Nile State and Upper Nile State was also announced. It is hoped that the requisite security along the Nile River will be put in place to encourage traders to make the arduous journey from Kosti to Juba and enable this essential river traffic to benefit both countries.

41. During the quarter, reports indicated continued harassment, assault and extortion of humanitarian workers regarding immigration issues while looting of commercial, humanitarian and private vehicles by armed groups continued across the country. These incidences reduce access to those in need of humanitarian services, and negatively impact availability and access to goods on the market.

42. This continued harassment of humanitarian workers can be alleviated by the institution of the fast tracking of visa renewal processes for humanitarian workers as well as the review of the NGO Act 2016 to conform to international standards.

43. According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), there is a rise in incidences of violence and threats against humanitarian personnel and assets. This trend prompted the initiation of the "*Diplomatic Initiative to end Impunity*" meant to lay strategies to: end violence and impunity; end looting and destruction of Humanitarian goods and assets; prevent bureaucratic impediments; ensure unhindered access; and offer support to the RTGoNU to enforce justice and end impunity.

44. In anticipation of heavy rains and large-scale flooding for the fourth year running, UN OCHA has released US \$19 million to help communities prepare. The funding will mainly be utilized by the UN and NGOs to protect the people in Bentiu Camp and surrounding areas of Unity State, which are among the areas most prone to floods.

45. It is projected that in Unity state alone, over 320,000 people, over a third of whom are already displaced, risk further displacement, loss of livelihood, disease outbreaks and food insecurity. It is also projected that, countrywide, floods will have a negative impact on

agriculture this year worsening food security and will continue to affect returns as well as trigger conflict over limited resources in places of displacement.

46. Protection concerns remained high, in a context where people impacted by violence have limited access to justice and the rule of law. Widespread intercommunal violence continues to be the biggest threat to the protection of civilians across the country. During the quarter, RJMEC undertook a number of field visits in collaboration with UNMISS and facilitated at workshops targeting local leaders and stakeholders on protection of civilians in Mangala, Yei and Mugwo counties. RJMEC presented implementation progress especially on Chapter 3 and articles concerning returnees and IDPs.

47. On 22 - 23 April RJMEC participated, together with UNMISS, in a high level visit to Unity and Upper Nile states respectively. The visits covered monitoring of activities implemented by the humanitarian actors and a tour of IDP camps. Meetings were also held with humanitarian actors to follow up on mitigation plans given the impending rains and floods and strategies to better utilize the little available resources to reach as many affected populations as possible.

48. Concerning the refugees and IDPs, spontaneous returns continue to be hampered by flooding, intercommunal violence, onset of rains and invasion of farming communities by armed cattle headers resulting into continuous displacement of communities in areas of return.

## **Chapter 4: Resource Economic and Financial Management**

### *a. The Petroleum Sector*

49. Consistent with article 4.8.1.4 of the RARCSS a unified Human Resource Manual was developed for the petroleum sector. The manual aimed to harmonise conditions of service for both foreigners and nationals working within the sector. Foreign partners operating in the field had reneged on the implementation of this policy. The Minister of Petroleum, therefore, issued a circular to reverse the current salary structure, which obtained when these agreements were signed with Sudan before South Sudan's independence in 2011.

50. South Sudan recently completed the paying of US \$3.03 billion to Sudan under a Transitional Financial Arrangement (TFA), which was part of the Agreement on Oil and Related Economic Affairs signed between the two countries at South Sudan's independence (See Box 1). However, Sudan continues to confiscate 28,000 barrels of oil per day despite all notifications from the South Sudan government to end this practice with the completion of the TFA. To address this situation the Minister proposed that South Sudan give Sudanese oil companies priority to purchase oil, but it will not be a government-to-government exchange, rather an agreement between private businesses. To date no agreement has been reached on the way forward.

51. The Ministry of Petroleum (MoP) commenced the process of environmental auditing of oil fields. Based on technical and commercial proposal evaluations, three (3) bidders qualified and were awarded the contract for the environmental audits. Each company is to audit one of the three Joint Operating Companies (JOC). The audit reports are expected to be submitted to the MoP after three months from the date of the contract.

### Box 1. Agreement on Oil and Related Economic Matters

The *Agreement on Oil and Related Economic Matters* was signed on September 27, 2012 between the governments of the Republic of South Sudan (GoRSS) and Sudan (GoS). It sets out the terms governing the transit, transportation and processing of oil originating from South Sudan. Specific rates include: (i) Transit fees of US \$ 1.00/barrel; (ii) Transportation fees of US \$6.50/barrel and (iii) Processing fees of US \$1.60/barrel for a total of US \$9.10/barrel.

Additionally the Agreement allows for the payment of US \$15/barrel representing a *Transitional Financing Arrangement* (TFA) to compensate the government of Sudan to the tune of US \$3.03 billion, ostensibly for the loss of the oil fields after South Sudan independence. Transfers to the GoS is based on volumes and become due 40 days after shipment and are done by cash payments and/or deliveries in-kind to the GoS. To help satisfy these payments, Sudan would normally confiscate 28 000 barrels/day.

At the signing of the Agreement world oil prices was about US \$120/barrel. This quickly fell to US \$50/barrel in early 2015, collapsing further to US \$30/barrel by the middle of 2016. Since then prices have recovered somewhat to its current level of US \$60/barrel.

The initial agreement ended in December 2016 and was extended for an additional 3 years with effect from 1 January 2017 with the intention to settle the outstanding balance of fees and the TFA to the GoS. In addition, the tariff for the TFA was changed in the extended agreement to vary with the oil price. When the price of Dar Blend fell below \$30/barrel, the tariff would be US \$15.10, between \$30 - \$40 barrels/day \$18.10, between \$40 - \$50 barrels/day \$19.60; and \$50 barrels/day and above \$24.10.

The Agreement expired in March 2022 with South Sudan having satisfied its obligation by 28 February 2022. Sudan had expressed an interest in negotiating a new AOREM between the two countries, but that has been challenged by the current political situation in Sudan. Currently, Sudan is owing South Sudan US \$136 million. However, Sudan is proposing to use the funds to repair a damaged oil pipeline that carries South Sudan's oil to Port Sudan for refining and export.

#### *b. National Development Strategy Review and implementation*

52. The Government of South Sudan has launched its National Development Strategy (NDS) that was reviewed based on the premise that development can be pursued in complex emergency settings if it is risk-informed and focused on building the resilience of the people, communities and institutions. However, a peaceful and secure environment is a prerequisite for progress in economic development and vice versa. Further, economic development can be a major contributor to sustainable peace.

53. The objectives of this revised NDS are to establish or strengthen institutions for transparent, accountable and inclusive governance; foster macroeconomic stability and build foundations for diversification of the economy; build critical infrastructure for sustainable development including roads, energy, public buildings, and broadband capacity; increase support to the social sector for human capital development; protect the vulnerable population to leave no one behind; mainstream gender in all development policies and programmes; and empower women and youth as drivers of growth and nation-building.

54. The revised NDS has been aligned with the RARCSS, and will be implemented over a three year period. To address effective implementation, the President has instructed that all future national budgets be based on the NDS. The implementation of the four-year Revised strategy is projected to cost US\$7.2 billion.

## **Chapter 5: Transitional Justice Accountability Reconciliation and Healing**

55. Article 5.2.1.3 of the R-ARCSS provides that the MoJCA together with stakeholders are required to consult the public whose views will inform legislation that establishes the CTRH. Consequently, on 5 April 2022, H.E. President Salva Kiir Mayardit launched the public consultations process on establishment of the CTRH.<sup>13</sup> The President, at this launch, welcomed the commencement of the consultations process terming it as a great milestone. He noted that the CTRH, which should prioritize victim needs, would contribute to healing and reconciliation, which is a priority for the country.

56. First President Riek Machar Teny on his part welcomed this development and indicated that he looked forward to the CTRH establishment, which he recognized as being a critical part of the peace building process, especially in spearheading the legacy of promoting peace, national reconciliation and healing.

57. The Interim Chairperson of the RJMEC welcomed the launch of the process while decrying its delayed commencement. He further hailed the Technical Committee for the preparations it had taken to ensure that the consultations process meets international human rights standards and best practices. He urged RTGoNU to safeguard the civic space and foster an inclusive environment to enable public confidence in the process.

58. Ambassador of the Netherlands, H.E. Jelte Van Weren called for public participation and genuine engagement with all stakeholders including victims of past abuses in designing a CTRH well suited to the South Sudan context. The Technical Committee formally began consultations on 9 May 2022. The Committee divided itself into seven teams and undertook consultations in most of the counties of the 10 States and also the 3 Administrative Areas.

59. The Committee carried out sensitization activities before undertaking the public consultations. It consulted the people around the CTRH temporal mandate, jurisdiction, powers, independence of the commissioners, selection and removal of commissioners' process, CTRH engagement with the public etc. It carried out the consultations process using focused group discussions and key informant interviews. The Committee faced difficulty in visiting certain areas like Nimule due to ongoing conflict, which hampered the consultations process. It also faced logistical challenges and time constraints in the course of undertaking the consultations process.

60. The Committee is expected to visit refugee camps in the neighbouring countries of Kenya, Uganda, Ethiopia, Sudan and the Democratic Republic of Congo before embarking on the drafting of its report. The Committee is also expected to undertake consultations with the Council of Ministers and the TNLA before finalizing its report.

## **Chapter 6: Parameters of Permanent Constitution**

61. On 11 April 2022, the Constitution Making Process Bill 2022 was tabled before the TNLA and the Bill was referred to a specialised sub-committee on justice for consideration. The Bill is now scheduled for its second reading. However, progress in this regard has been impeded by the ongoing boycott of the TNLA by members of the SPLM-IO due to the disagreement over the amendments introduced in the Political Parties Act (Amendment) Bill. In this regard, the RJMEC Constitutional Affairs Working Committee in its meeting on 16 June 2022 was briefed

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<sup>13</sup> The launching took place in Juba in the presence of members of the Presidency, members of the Council of Ministers, the Interim Chairperson of RJMEC and ambassadors from the regional and international community.

by the Minister of Parliamentary Affairs on efforts within the TNLA and the Presidency to overcome this stalemate and expedite the consideration and enactment of the bill.

## **Chapter 7: Reconstituted Joint Monitoring and Evaluation Commission**

62. Pursuant to its mandate of monitoring and overseeing the implementation of the R-ARCSS and the mandate and tasks of the RTGoNU, and also in line with article 7.9 of the R-ARCSS, the RJMEC Interim Chairperson provided a thorough briefing to the RTGoNU Council of Ministers. The Interim Chairperson urged the Council to continue to pursue implementation of the R-ARCSS in view of the pending end of the Transitional Period on 23 February 2023. In that regard the Chair highlighted key pending election-related tasks under the Agreement. They include, among others: (i) the making of the permanent constitution upon whose provision elections will be conducted; (ii) unification and redeployment of the NUF; (iii) reconstitution of the Political Parties Council; (iv) amendment of the National Elections Act, 2012 to conform to the terms of the Peace Agreement and reconstitution of a competent and impartial National Elections Commission (NEC) to conduct elections; (v) addressing of the challenges of reconstruction, repatriation, resettlement, rehabilitation and reintegration of IDPs and returnees; (vi) publication of the voters register six months prior to elections; and (vii) preparation by all security forces for elections-related security tasks at least six months before the end of the Transitional Period.

63. In addition, the Chair made several recommendations to the Council namely: (i) develop a clear strategy with timelines for the implementation of the critical outstanding tasks of the Agreement; (ii) reconstitute the various institutions and commissions at the national level, including the Anti-Corruption Commission and the National Audit Chamber; (iii) make financial resources available for the completion of the Transitional Security Arrangements, and for the DDR Commission to conduct its work; (iv) fast track the establishment of the Board of the Special Reconstruction Fund and engage with IGAD, the AU, and the UN on the convening of the Pledging Conference; (v) continue to support broad-based public consultations on the establishment of the CTRH, and in doing so, safeguard the civic space and foster an inclusive environment; (vi) prioritise and expedite the permanent constitution making process; and (vii) engage more with the Region and the international community in mobilising the political support and goodwill necessary for full implementation of the R-ARCSS.

64. RJMEC undertook a series of workshops aimed at updating members of the TNLA on the status of implementation and their vital role within the R-ARCSS. In that regard, RJMEC stressed the need for the members to take quick action on enacting the Constitution Making Process Bill and other pending legislation. Further, members were encouraged to interact more closely with the RTGoNU in order to follow progress on other legislation requiring review such as the National Elections Bill. The continued delay by the TNLA in enacting the legislation previously mentioned will negatively impact on the timing of elections.

65. The RJMEC leadership held discussions with Ms. Ilze Brands Kehris the UN Assistant Secretary General for Human Rights. The discussions focused largely on implementation of Chapter 5 of the R-ARCSS related to transitional justice issues. RJMEC informed the ASG that work had started on the CTRH. The ASG was also informed, however that there is little or no progress on the Hybrid Court of South Sudan and the Compensation and Reparations Committee.

66. The RJMEC leadership briefed visiting ambassadors of the countries of South Africa, Rwanda, Nigeria, Chad and Algeria that make up the C-5. The briefing focused on the status of implementation and also made specific recommendations to the C5 on areas where the peace process can be assisted.

67. RJMEC has received reports of serious violations of the peace agreement that occurred in Unity State between February to April 2022. This involved several accounts of rape and sexual violence, displacements and civilian deaths. RJMEC under article 7.10 of the R-ARCSS is required to inform the

RTGoNU of the violations and request remedial action. RJMEC then wrote to the RTGoNU through the President requesting to hold accountable those who are responsible for the violations.

68. The RJMEC Interim Chairperson has written to General Deng Santino Wol, Chief of Defence Forces of the SSPDF requesting that action be taken to hold the perpetrators of the violence in four separate violation reports issued by CTSAMVM. The detailed violations report from CTSAMVM highlights many accounts of SGBV, and killings committed by the SSPDF. While commending General Deng Santino Wol for action already taken against some perpetrators, the Chairman requested that he consider all CTSAMVM's recommendations on actions that need to be taken by the SSPDF leadership, as well as the JDB, in order to hold those responsible for the violations accountable.

### **III. Key Observations and Recommendations**

#### **Observations**

69. The report notes that during the quarter very little progress was made in the implementation of the R-ARCSS. In particular, as it relates to the key outstanding task relating to the unification of the NUF, very little was accomplished. The RTGoNU succeeded in unifying the Command structure but not much else beyond that. Failure to complete the unification continues to be a major cause of concern particularly in view of the spiralling level of intercommunal violence in some parts of the country. There is an expectation that the redeployment of the NUF into those areas impacted by intercommunal violence may help in reducing such incidents.

70. Regrettably, there is also very slow progress on implementation of elections related tasks such as the passage of relevant legislation and reconstitution of the two independent competent bodies the NEC and PPC. These bodies have specific mandates, which are critical in the conduct of free and fair elections. In the absence of the establishment of those bodies, there are concerns that some of the parties have started partisan political mobilization in some parts of the country.

71. Reports by CTSAMVM, and the human rights commission at UNMISS have expressed concerns over the rise in cases of sexual assault in the quarter. Of great concern were the cases of sexual violence reported in Koch and Leer in Unity State. The reports also pointed to increasing levels of violence witnessed in Upper Nile and Unity States between the SPLA-IO forces and former defectors claiming to belong to the SSPDF. It is critically important that all forces observe the permanent ceasefire. Finally, it is worrying that despite verified reports by CTSAMVM and the UN Human Rights commission, and RJMEC requesting action from RTGoNU, no punitive action has so far been taken against the perpetrators of these atrocities. This lack of action it is feared may fuel further impunity.

72. The humanitarian situation in South Sudan continues to worsen in the face of cutbacks in the provision of humanitarian aid. This coupled with rising levels of intercommunal violence and flooding have served to greatly slow the return of refugees and IDPs to their homes. At the same time, RTGoNU has done very little to establish the Special Reconstruction Fund Board. Establishment of the Fund remains a matter of urgency especially in view of the increasing needs and dwindling external funding.

73. After more than ten years, the government of South Sudan has succeeded in repaying the full amount of US \$3.03 billion of the TFA to Sudan. However, reports that the government of Sudan continues to confiscate the 28 000 barrels/day of oil is cause for concern. There was an expectation that these resources could now be diverted towards implementation of the R-

ARCSS, and enhancing RTGoNU's ability to provide much needed resources to the unification of the NUF and other agreement related tasks.

74. The completion of the public consultations aimed at developing the legislation to govern the CTRH process, is expected to provide the platform for developing the necessary legislation. This will hopefully set the pace for setting up the CTRH, which is the transitional justice institution prioritised by the RTGoNU. Unfortunately, the Permanent Constitution Making Process, which is also greatly anticipated by the people of South Sudan appears not to be progressing with the legislation still stuck at the TNLA. It is therefore imperative that the TNLA kick-start the process of Permanent Constitution making.

### **Recommendations**

75. In an effort to increase the pace of implementation of the R-ARCSS, the report therefore offers the following recommendations to the RTGoNU, TNLA, and IGAD.

#### *a. To the RTGONU*

- 75.1. expedite the endorsement of the revised bills submitted by the NCAC, including the National Security Services Bill, which is still pending;
- 75.2. move quickly to complete the graduation and redeployment of the NUF, and provide the requisite funding;
- 75.3. establish the board of the Special Reconstruction Fund to serve as the basis for attracting resources for reconstruction and development;
- 75.4. restructure and reconstitute existing commissions at the National level such as the Civil Service, Land, Refugee Commissions and others as outlined in article 1.19 of the R-ARCSS;
- 75.5. reconstitute the Anti-corruption Commission and the National Audit Chamber in order to promote increased transparency and accountability in the management of the country's resources;
- 75.6. pursue full establishment and operationalisation of the various enterprise development funds in order to provide new opportunities to the women, youth and other disadvantaged groups all over South Sudan;
- 75.7. implement key activities such as the Permanent Constitution Making process in order to pave the way to the holding of free, credible and fair elections; and
- 75.8. pursue the Sant'Egidio mediation process, including adherence to the COHA, the Rome Declaration of January 2020, and the Declaration of Principles of March 2021.

#### *b. To the RTGONU*

- 75.9. expedite enactment of the Legislation that is still outstanding in support of the implementation of the R-ARCSS, including the *Permanent Constitution Making Process Bill*, *The Sudan People's Liberation Army (Amendment) Bill, 2022*, *The Police Service (Amendment) Bill, 2022*, *The Prisons Service (Amendment) Bill, 2022*, *The Wild Life Service (Amendment) Bill, 2022*, and *the Civil Defence Service Amendment) Bill, 2022*.

**c. To IGAD**

75.10. use its leverage to assist the RTGoNU in mobilising the requisite resources for conflict prevention, post-conflict reconstruction, strengthening state institutions and nation building in the Republic of South Sudan;

75.11. continue to engage the leadership of the RTGoNU and assist in mobilising the political support and goodwill necessary for full implementation of the R-ARCSS; and

75.12. work closely with the RTGoNU to foster trust and confidence of the various Parties.

## **IV. Conclusion**

76. The failure of the RTGoNU to move forward with the graduation of the NUF continues to be a source of grave concern given the critical importance of accomplishing this task to the overall peace and security of South Sudan. Similarly, greater efforts must be placed by the RTGoNU in completing the roadmap towards the holding of free and fair elections. This Roadmap should ideally prioritise activities that must be achievable and the requisite resources obtained to ensure that the tasks are carried out. There is increasing uneasiness among the population, the longer it takes to complete these two important tasks, given the proximity to the end of the Transitional Period. Now is the time for the RTGoNU to recommit to the full implementation of the R-ARCSS, commit the necessary level of resources and work tirelessly to take the country down the road to lasting peace and prosperity.

77. On its part and pursuant to its mandate as provided for in Chapter 7 of the R-ARCSS, the RJMEC will continue to monitor, evaluate, report on the status of implementation of the R-ARCSS, as circumstances demand, intervene to break any deadlock that may emerge in the course of implementation. It will regularly provide reports and briefings to the RTGoNU, the reconstituted TNLA, Chairperson of the IGAD Assembly of Heads of State and Government, Chairperson of the IGAD Council of Ministers, the Chairperson of the African Union Commission, the Peace and Security Council of the African Union and to the Secretary General of the United Nations and the Security Council of the United Nations.

**END**