



Joint Monitoring and Evaluation Commission
(JMEC)

REPORT BY

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

FOR THE PERIOD

December 1st, 2017 – March 31st, 2018

JUBA, SOUTH SUDAN

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List of Acronyms

AJMCCs	Area Joint Military Ceasefire Committees
ARCSS	Agreement on the Resolution of Conflict in the Republic of South Sudan
AU	African Union
AUC	African Union Commission
CoHA	Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access
CRA	Compensations and Reparations Authority
CTRH	Commission on Truth, Reconciliation and Healing
CTSMM	Ceasefire and Transitional Security Arrangements Monitoring Mechanism
DCAB	Draft Constitutional Amendment Bill
DDR	Disarmament Demobilisation and Reintegration
DoP	Declaration of Principles
EALA	East African Legislative Assembly
HLRF	High Level Revitalisation Forum
IGAD	Inter Governmental Authority and Development
IDPs	Internally Displaced Persons
JIP	Joint Integrated Police
JMCC	Joint Military Ceasefire Commission
JMCTs	Joint Military Ceasefire Teams
JMEC	Joint Monitoring and Evaluation Commission
JOC	Joint Operations Centre
MHADMM	Ministry of Humanitarian Affairs and Disaster Management
MVTs	Monitoring and Verification Teams
NCAC	National Constitutional Amendment Committee
NCRC	National Constitutional Review Commission
NEC	National Election Commission
NRA	National Revenue Authority
OAGs	Other Armed Groups
OCHA	UN Office for the Coordination of Humanitarian Affairs
OLC	Office of Legal Counsel
PPC	Political Parties Council
SDSR	Strategic Defence and Security Review
SDSRB	Strategic Defence and Security Review Board
SPLM	Sudan People's Liberation Movement

SPLM-IO	Sudan People’s Liberation Movement in Opposition
TCRSS	Transitional Constitution of the Republic of South Sudan
TGoNU	Transitional Government of National Unity
TNLA	Transitional National Legislature
UNDP	United Nations Development Program
UNMISS	United Nations Mission in South Sudan

Executive Summary

This Report which covers the period from December 1st, 2017 to March 31st, 2018 highlights the status of implementation of the Agreement on the Resolution of Conflict in the Republic of South Sudan (ARCSS) and the ongoing High Level Revitalization Forum (HLRF) convened by The Intergovernmental Authority and Development (IGAD) in an effort to revitalize implementation of the Peace Agreement. The report presents observations and makes recommendations pursuant to the current peace process in South Sudan.

The HLRF was mandated to: (a) agree on concrete measures to restore the permanent ceasefire; (b) return to full implementation of the Peace Agreement; and (c) develop a revised and realistic timeline and implementation schedule towards democratic elections at the end of the transitional period.

The first phase of the HLRF, which took place in Addis Ababa, Ethiopia from December 5th – 21st, 2017 resulted in the signing of an Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (CoHA). This was quickly followed by a workshop aimed at clarifying responsibilities and equipping the parties with the requisite tools to implement critical provisions of the Agreement. It also developed specific modalities that would enable full implementation of the CoHA, and was facilitated by JMEC and the Ceasefire and Transitional Security Arrangement Monitoring Mechanism (CTSAMM).

The second phase of the HLRF was convened from February 5th to 16th, 2018, with delegates agreeing on a set of principles designed to guide their deliberations at the HLRF. Deliberations were also held on Chapters I and II of the ARCSS. Agreement was reached on several articles in Chapter 1 including on the mandate of a restructured TGoNU; the establishment and expansion of Transitional Institutions and Mechanisms; and National Elections. Other issues such as reforms of the Judiciary and a time frame for the pre-Transitional Period, and on the expansion of membership of the National Constitutional Amendment Committee (NCAC) were only partially agreed.

With regard to Chapter II, deliberations were held on the provisions of the permanent ceasefire; separation, assembly and cantonment; national architecture for permanent ceasefire and unification of forces; Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), and Transitional Security Arrangements and the Strategic Defense and Security Review (SDSR). Whereas agreement was reached on some issues, there remain some outstanding issues on which discussion will resume in the next session of

the Forum. It is expected that the parties will engage in discussions on the outstanding issues and reach compromise to advance progress during the next phase of the forum.

Other substantive issues to be discussed in the forthcoming session of the HLRF set for April 26 - 30 2018, once Chapter I and II are concluded, will include the incorporation of consequential amendments, development of a revised and realistic implementation schedule of all chapters of the ARCSS and a schedule towards a democratic election in South Sudan at the end of the transitional period; implementation and oversight mechanism for the revitalized ARCSS and resource mobilization mechanism for implementation.

The humanitarian situation remains dire with approximately 4.25 million people displaced, 2.4 million of whom have taken refuge in neighbouring countries. Food insecurity is widespread. It is reported by the United Nations Office of the Coordination of Humanitarian Affairs (UN-OCHA) that 5.3 million people are currently food insecure, with at least one million those estimated to be on the brink of famine. Compounding the situation, problems continue to be faced with respect to the protection of civilians and access to humanitarian aid and services to those most in need. On a positive note, a cholera outbreak, which broke out in 2017 was declared over in February 2018.

Regrettably the economy continues to experience a noticeable decline compounded by high inflation and a deteriorating exchange rate. On the fiscal front TGoNU's revenues are being severely affected as it seeks to pay down arrears due to the government of Sudan under the Oil Agreement, thus placing a tremendous burden on the government's ability to meet its other spending obligations. In that regard, an attempt to increase non-oil revenue through the establishment of a Revenue Authority is a welcome first step in addressing the issue. Overall implementation of Chapter IV is hindered by insufficient resources, failure to update key legislation, and in some cases a lack of political will, which have served to severely constrain progress.

Serious violations of human rights and international humanitarian law continued through 2017 and early 2018. Some of the most egregious violations reported by the Commission on Human Rights for South Sudan in March 2018 include targeted killings, the recruitment of children by armed groups; rape and gang rape of children, women and men, looting and destruction of property. The near total absence of accountability for these crimes has encouraged their continued perpetration. Accountability measures and mechanisms proposed in Chapter V of the ARCSS are yet to be established. Impunity has become entrenched thereby complicating prospects for healing and reconciliation.

The Chairperson of the JMEC continued his engagement with the TGoNU, particularly with H.E. Salva Kiir Mayardit, President of the Republic of South Sudan and H.E. General Taban Deng Gai, the First Vice President. There was also engagement in further diplomatic missions with the leadership of the United Nations, the African Union Commission (AUC), IGAD, and the various dedicated Special Envoys, all with the intention of finding a path out of the current crisis.

The success of the revitalization process is hugely dependent on the exercise of political will by the South Sudanese Parties and their willingness to compromise. IGAD must remain actively engaged during and in-between sessions of the HLRF at the highest level. Much has been achieved already, and IGAD, AU and the United Nations should work collaboratively with the parties to ensure that momentum for dialogue is not lost.

I. Introduction

1. This report is submitted pursuant to Chapter VII, Article 5 of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) and covers the period December 1st, 2017 to March 31st, 2018.
2. Highlighted in the Report is the prevailing political, security, humanitarian and economic situation in the Republic of South Sudan and their impact on the implementation of the Peace Agreement, or lack thereof. The Report also focuses on the High Level Revitalization Forum (HLRF) currently underway. Finally, it proposes a series of observations and recommendations to address some of the shortcomings in the peace process.

II. Revitalization of the Peace Agreement

3. The Intergovernmental Authority and Development Extra-Ordinary Summit of Heads of State and Government of June 12th, 2017 agreed to convene a High-Level Revitalization Forum (HLRF) of the parties to ARCSS, including estranged groups, with the key objectives of: (a) agreeing on concrete measures to restore the permanent ceasefire; (b) returning to full implementation of the Peace Agreement; and (c) developing a revised and realistic timeline and implementation schedule towards democratic elections at the end of the transitional period.
4. The Summit mandated the IGAD Council of Ministers to urgently convene and facilitate the HLRF. JMEC and IGAD Secretariat were tasked to provide the necessary secretariat and logistical support to the HLRF process. H.E Dr. Ismail Wais was also appointed the Special Envoy for South Sudan and mandated by the IGAD Council of Ministers to coordinate the process. Four JMEC advisors (Governance, Security, Legal and Transitional Justice) and JMEC's staff have been dedicated to the Special Envoy's office to provide technical and logistical support as required. During the reporting period, the IGAD Council of Ministers with support of the IGAD Special Envoy and the HLRF Taskforce has convened two sessions of the HLRF. These sessions were held in December 2017 and February 2018 respectively, in Addis Ababa, Ethiopia.
5. In preparation of the launch of the HLRF, IGAD appointed three high-level facilitators for the Forum; H.E. Ramtane Lamamra, High Representative of the Chairperson of AU Commission for Silencing the Guns in Africa, former Minister of Foreign Affairs of Algeria, and former Commissioner for Peace

and Security of the AU Commission; H.E Hanna Serwaah Tetteh, former Minister of Foreign Affairs of Ghana, and H.E Georges Rebello Chikoti, former Minister of Foreign Affairs of Angola.

6. During the first phase of the Forum, deliberations focused on achieving a cessation of hostilities and culminated in the signing of an Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access (CoHA) on December 21st, 2017. The signing of the CoHA was witnessed by other South Sudanese stakeholders, regional guarantors, and others including international partners. The COHA has contributed to the reduction of fighting even though violations have occurred.
7. Related to the implementation of the CoHA, a follow-up workshop facilitated by JMEC and the Ceasefire and Transitional Security Arrangement Monitoring Mechanism (CTSAMM) was held on January 24th - 25th, 2018, in Addis Ababa, Ethiopia with the aim of clarifying responsibilities and equipping the parties with the requisite tools to implement critical provisions of the Agreement. The workshop also developed specific modalities that would enable full implementation of the CoHA.
8. The second phase of the Forum, convened from February 5th – 16th, 2018, kicked off with deliberations on the Declaration of Principles (DoP) to guide the dialogue. The Forum deliberated on governance (Chapter I of the ARCSS); and Permanent Ceasefire and Transitional Security Arrangements (Chapter II of the ARCSS). The outcomes of the deliberations included full, partial and pending agreements on provisions of the articles of the DoP as well on chapter I and II of the ARCSS. The parties agreed on 27 principles of the DoP but TGoNU objected to principle 28 on accountability for spoilers and violators and consequently did not sign the DoP.
9. On chapter I, the Parties deliberated and agreed on the mandate of a restructured TGoNU; the establishment and expansion of Transitional Institutions and Mechanisms; and on National Elections. There was partial agreement on provisions on the reform of the Judiciary and a time frame for the pre-transitional period and on the mandate and composition of the National Constitutional Amendment Committee (NCAC). There were widely divergent views and disagreement on provisions relating to responsibility sharing, the structure of the state and government, and on the size and composition of the Legislature.

10. With regard to Chapter II of the ARCSS, a technical sub-committee on security deliberated on provisions of the permanent ceasefire; separation, assembly and cantonment; national architecture for permanent ceasefire and unification of forces; Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), and Transitional Security Arrangements and the Strategic Defense and Security Review (SDSR). As was the case with chapter I, parties were able to reach agreement on some of the articles and adjourned discussion on others to the next session.
11. The other substantive issues intended to be discussed in Phase two i.e. development of a revised and realistic implementation schedule for all chapters of the ARCSS towards a democratic election in South Sudan at the end of the transitional period; implementation and oversight mechanism for the revitalized ARCSS; and resource mobilization mechanism will be discussed at the next convening of the HLRF now set for 26th – 30th, 2018 in Addis Ababa, Ethiopia.

Chapter I -- Transitional Government and National Unity

12. During this reporting period, the NCAC engaged in and accomplished a number of activities as outlined below. Ambassador Anas Eltayeb Elgailani Mustafa was appointed as the Deputy Chairperson of the NCAC by the Sudan Government replacing Ambassador Hassan Ali Hassan who has been appointed as Sudan's Ambassador to The Netherlands.
13. The NCAC has made commendable progress in the review and amendment of key National Security related legislation as required by the Peace Agreement. During the month of December 2017, the Committee continued with the review and finalization of the Amendment Bills to the five (5) Security Laws. These were handed over to the Minister of Justice and Constitutional Affairs on January 25th, 2018 in accordance with Article 13.1.2 of the ARCSS. The submitted Bills include: SPLA Act 2009 (Amendment) Bill, 2018, National Security Act 2014 (Amendment) Bill, 2018, Police Service Act 2009 (Amendment) Bill, 2018, Prisons Service Act 2011 (Amendment) Bill, 2018 and the Wildlife Service Act 2011 (Amendment) Bill, 2018.
14. In January 2018, NCAC provided a detailed report to JMEC on the approach, methodology and process of carrying out the amendments to the Security Laws. This methodology included consultations with experts and all stakeholders.

15. In January 2018, the Committee met with and received joint submissions on proposed amendments to the Political Parties Act, 2012 and the National Elections Act, 2012, from representatives of 12 of the 14 registered political parties. The NCAC has since completed an initial review of these two laws incorporating the submissions received from the parties and stakeholders. A stakeholders meeting has subsequently been scheduled for May to validate the proposed amendments.
16. During this reporting period, JMEC supported a workshop by the South Sudan Chamber of Commerce for the NCAC to share information with the business community on their work. This interaction was especially useful for the Committee considering the provisions relating to the establishment of the Economic and Financial Management Authority (EFMA) Chapter IV of the ARCSS.
17. Still pending however is the ratification of bills including the Constitution Amendment Bill (2018) and the Security Bills by the Transitional National Legislature (TNLA). Also pending is the reconstitution of several transitional institutions and mechanisms, including the Political Parties Council and National Elections Commission, which are critical for paving way for the registration of political parties, and the preparation and conduct of elections at the end of the Transitional Period. These are all tasks that will require a considerable amount of time and resources to be credible.

Chapter II - Permanent Ceasefire and Transitional Security Arrangements

18. Fighting between government and opposition forces has continued sporadically in different parts of the country. The main highways and commercial transit arteries especially South Sudan-Uganda and South Sudan- Kenya remain dangerous due to the large number of robberies, ambushes and physical assaults including killings.

Ceasefire Violations

19. During the period of reporting, nine (9) warring parties signed the Cessation of Hostilities, Protection of Civilians and Humanitarian Access Agreement in order to end the fighting in South Sudan. Despite significant reduction in fighting in most parts of the country, fighting continued intermittently especially in the areas of Yei and Kajo Keji in Central Equatoria State, Nassir in Upper Nile State, and finally Koch and Leer in southern Unity State. Most of the fighting is between SPLA-IG and SPLA-

IO led by Dr. Riek Machar. CTSAMM is verifying all violations and is in touch with all the warring parties through their liaison officers as well as field commanders, and final violation reports are submitted to JMEC and the IGAD Council of Ministers for their action.

20. Tensions in some areas are still high, mainly due to non-compliance with the Articles requiring the freezing of forces and advance notification of unit movements to CTSAMM. To date, CTSAMM has yet to receive any responses from the named parties addressing the violations named in its reports as is required by the CoHA

Status of Transitional Security Arrangements Mechanisms

21. The work within the Transitional Security Arrangements mechanisms such as the Joint Military Ceasefire Commission (JMCC), the Joint Operations Centre (JOC), the Joint Integrated Police-Management Team (JIP-MT) and the Strategic Defence and Security Review Board (SDSRB) continued; however, the addition by the HLRF of new opposition groups now requires a revision and restructure of these mechanisms in order to appropriately include membership from the new groups. Promised funding by the TGoNU in support of the Chapter II Mechanisms has not yet materialized, which is delaying the implementation of these critical components which would contribute to and support greater adherence to a cease fire.

The Joint Military Ceasefire Commission

22. The JMCC met routinely, focusing efforts on the cantonment of forces under FVP Taban Deng. The National Architecture development and other security related concerns, which includes the Area Joint Military Ceasefire Committees (AJMCCs), and the Joint Military Ceasefire Teams (JMCTs), are yet established due to a persistent lack of funding and resources. The development of the National Architecture is necessary to support cantonment operations and other security related verification duties for the TGoNU and in coordination with CTSAMM.
23. The Opposition aligned with FVP Taban Deng under the JMCC has completed initial preparations for cantonment at the Malobure site near Juba. 450 troops have moved onto the site, but are only provided with minimal shelter in the form of plastic covered structures. Vital logistical support such as food, water and medical supplies are virtually non-existent, with no clear understanding of future donor support to improve this situation.

24. Other troop assembly locations are reported to have been initiated within other areas by the forces aligned with FVP Taban Deng. These are: Magwi, 1500 troops; Khor Englith, 750 troops; Wau, 600 troops; Malakal, 700 troops; Terekak, 250 troops; Monduri, 150 troops; Bentiu, 9500 troops, for a total of 13,450 troops assembled.

The Joint Operations Centre

25. The Joint Operations Centre (JOC), which had been established prior to the July 2016 conflict, is fundamentally operational; however, not to the full extent as per the expectations of the ACRSS. Operations of the JOC continuously over a 24 hour period are still not accomplished, with the JOC only serviceable during daytime shifts and hours. The funding support to maintain JOC operations and expand its effectiveness, including additional training and advisory support, needs to be addressed.

The Joint Integrated Police

26. The background vetting of the JIP is still not completed. Deployment of the JIP was initiated; however, there is a severe lack of logistical support to the units and they are not functioning as per the expectations of the ARCSS. CTSAMM monitoring reports that JIP mostly are stationary units that only respond to incidents and are not actively performing preventative patrols as was expected.

Ceasefire and Transitional Security Arrangements Monitoring Mechanism

27. The signing of the Cessation of Hostilities Agreement on 21st December 2017 and the provisional agreement by the Parties on the reconstitution of the CTSAMM during the HLRF Phase II discussions have energized CTSAMM activities. CTSAMM's monitoring and verification activities are now guided by the provisions of the COHA signed in December, and has already been restructured as agreed to by all parties. Unlike in the 2015 Agreement where CTSAMM reported to JMEC, the current COHA mandates CTSAMM to report violations directly to the IGAD Council of Ministers for action, but copies JMEC for information and further directions regarding technical remedial measure to prevent or reduce violations by the Parties. The Parties during the HLRF Phase II discussion agreed to the reconstitution of the CTSAMM board to include other warring parties, and also agreed to sector based operational deployment of CTSAMM Monitoring and Verification Teams.

28. CTSAMM reporting has been able to provide JMEC confirmation that the CoHA is being violated by SPLM/A-IG, SPLM/A-IO and other armed parties. CTSAMM continues receiving official allegations and counter-allegations from the signatories of the CoHA and allegations pulled from other sources. The Parties have failed to distribute copies of the CoHA and no procedures or plans are observed for informing and training subordinate units and civil servants on the CoHA.
29. CTSAMM executed the CoHA Phase 1 verification of forces, in which they sought to verify the names of major commanders, their contact information and locations. CTSAMM is still encountering obstructionism from some of the signatories who refuse to disclose unit locations to its Monitoring and Verification Teams (MVTs). This is particularly true of the SPLA-IG in Yei River State (Central Equatoria) and in Wau, Western Bar el Ghazal. Cooperation from the SPLA in Malakal has been very good.

Strategic Defence and Security Review Board

30. The Strategic Defence and Security Review (SDSR) Board last met in September 2017 when it completed Stage 1 of the security reform process and published the Strategic Security Assessment, the Security Policy Framework and the Revised Defense Policy. The chairmanship of the Board was passed to Lt Gen Johnson Juma Akot, the Deputy Chief of Defense for Administration, Personnel and Finance. No future meetings have been announced.

The Regional Protection Force

31. The deployment of the Regional Protection Force (RPF), accompanied by the right mandate, is pivotal in ensuring the inclusive implementation of the peace agreement. The effective implementation of the revitalized peace agreement with full participation of all south Sudanese stake holders can be realized inter alia by the security and safety to be provided by the RPF. JMEC therefore strongly recommends that the outstanding RPF units be expeditiously deployed and the RPF mandate be reviewed to enable the RPF to adequately cope with the existing political and security reality on the ground

Chapter III - Humanitarian Assistance and Reconstruction

32. The provisions in Chapter III of the Peace Agreement and in the CoHA on humanitarian access and protection of conflict-affected people access are only partially implemented. Secure access to civilian populations in need of

emergency humanitarian assistance and protection has not been established or assured. Displacement of populations continues.

33. In violation of the agreed principles for humanitarian assistance, the Agreement of Cessation of Hostilities, Protection of Civilians and Humanitarian Access (COHA) signed in December 2017, has been violated on several occasions as reported by CTSAMM. Further, the United Nations Office for the Coordination of Humanitarian Affairs has also reported a large number of access impediments with a total of 110 incidents reported during the month of February 2018. A total of 30 aid workers were reported killed in 2017.
34. The humanitarian needs in South Sudan remain immense. According to UNOCHA, approximately 4.25 million people displaced 2.4 million of who are in neighboring countries. Of those remaining in the country, 7 million people need humanitarian assistance. Food insecurity is widespread and 5.3 million people are food insecure, and of these 1 million are estimated to be on the brink of famine.
35. The parties engaged in the HLRF have reiterated the need to expedite the creation of enabling conditions for the safe and voluntary return of refugees and resettlement of Internally Displaced Persons (IDPs). In addition, the parties agreed in principle that in the revitalized agreement, an effective coordination mechanism for humanitarian response and assistance should be established and special procedures for the protection and participation of women, children, the elderly and persons with disabilities in the return and resettlement process.

Chapter IV - Resource, Economic and Financial Management

36. In the past few months the TGoNU has been faced with a worsening economic and fiscal situation. Regrettably the economy continues to experience a noticeable decline compounded by high inflation and a deteriorating exchange rate. In an effort to halt the slide in the exchange rate the TGoNU initiated measures to curb activity within the Black Market and also made more foreign currency available. These efforts appear to have halted the rapid deterioration for the time being. While curbing black market activity can have a dampening effect on the parallel exchange rate, it is not likely to exert any lasting impact. Ultimately the exchange rate level will be determined by the availability of foreign currency in the market. To keep inflation in check it is imperative to moderate the decline in the exchange rate.

37. On the fiscal front TGoNU's revenues are being severely affected as it seeks to pay down arrears due to the government of Sudan under the Oil Agreement. This has placed a tremendous burden on the government's ability to meet its other spending obligations in the interim. Ultimately the resulting cash flow allows little room for meeting salary payments, and other operating and capital expenditures. Currently, government owes public workers five months of salary arrears. The deteriorating fiscal situation has also limited the scope for peace expenditures envisaged under the Peace Agreement including the financing of State and other communities' budgets.
38. In light of these severe fiscal constraints, TGoNU must be commended on the work that it has started with the support of the African Development Bank, and consistent with the recommendations in Chapter IV of the Agreement, on the establishment of a Revenue Authority. To date a Commissioner from Rwanda has been appointed and work has started on auditing some of the larger business enterprises. Success in raising additional non-oil revenue is particularly important in the context of recent developments within the oil sector.
39. Steps have also been taken to unwind the fuel subsidy although it is not clear at this stage how far reaching these efforts are in meeting the desired objectives. These are important steps in improving revenue collection and expenditure performance. Going forward the TGoNU should press ahead with other urgently needed public finance reforms, including reorienting spending towards investment in order to set the foundation for growth and to better mitigate the declining economic situation.
40. Plans previously announced by TGoNU to strengthen expenditure management procedures, limit future borrowing; and prioritize payment of salaries, transfers to the States, and debt service obligations have met with limited success. Progress has been made with the closure of some government bank accounts in commercial banks, and limits imposed on medical and travel claims. However, further efforts at streamlining expenditure and increasing budget efficiency are required.
41. With regards to the overall implementation of Chapter IV, insufficient resources, failure to update key legislation, and in some cases a lack of political will have severely constrained progress. Further, key support structures like the Anti-Corruption Commission and the Economic and Financial Management Authority (EFMA) have been largely ignored.

Economic Outlook

42. Much rests on the successful conclusion of the HLRF and an urgent resolution to the conflict in South Sudan, which is a necessary condition to consolidate economic stability and begin the huge task of creating broader economic growth and development. The economy of South Sudan and ultimately its people can only truly begin to experience meaningful development in the absence of war and in a focused effort to stimulate agriculture production, improve oil and other revenue sources, and expand the private sector's role in development.
43. Inflation, deterioration of the exchange rate, and subdued oil revenues loom as major threats to the economic stability of the country. Consequently, continuing efforts by TGoNU to improve and streamline expenditure management, eliminate the fuel subsidy, consolidate and reduce domestic arrears, establish the NRA, enact appropriate legislation, and limit borrowing from the Central Bank can have the impact of further improving economic stability and setting the stage for future growth.
44. Going forward, successful implementation of Chapter IV of the Peace Agreement will depend to a large extent on the TGoNU's willingness to strengthen the economic policy framework, and aggressively pursue its reform agenda.

Chapter V - Transitional Justice, Accountability, Reconciliation and Healing

45. The mechanisms intended to combat impunity and ensure accountability have not been established as required under Chapter V. Neither has those intended to foster reconciliation and healing. Some work towards healing and reconciliation has been undertaken within the context of the National Dialogue Initiative whose functions are complimentary to the proposed Commission for Truth, Reconciliation and Healing CTRH. Lack of accountability begets impunity which in turns encourages perpetrators to continue violating laws and committing human rights abuses.

Commission on Truth, Reconciliation and Healing

47. The multi-stakeholder technical committee established in December 2016, for the consultative process on the formation of the Commission for Truth, Reconciliation and Healing (CTRH) continued its targeted countrywide outreach missions during the reporting period. The committee has developed communications materials with support of UNDP in readiness for nationwide consultations on the mandate, structure and process of the CTRH due to begin in May 2018.

The Hybrid Court for South Sudan (HCSS)

48. The Africa Union Commission and TGoNU completed consultations on a draft statute for establishment of the HCSS. A Memorandum of Understanding (MoU) for the establishment of the HCSS was approved by the Council of Ministers on 13th December 2017. The process of enactment of the statute by the legislature constitutes the last step in the establishment process. This step has been pending since December 2017. The AU is currently undertaking administrative readiness to establish the HCSS with advertisement issued for the recruitments of relevant expertise at the Commission.

The Compensation and Reparation Authority (CRA)

49. The Compensation and Reparations Authority has not been established.

Chapter VI - Parameters of Permanent Constitution

50. The ARCSS provides for the making of a new Permanent Constitution during the Transitional Period under which an election should be held at the end of the Transitional Period. No progress has yet been made in this direction, and significant time has elapsed. There is need to finalize the Constitutional Amendment Bill to embark on the Permanent Constitution-making Process.
51. Under Chapter VI of the Peace Agreement, the TGoNU was required to initiate and oversee a permanent Constitution-making Process within the first six (6) months. The process was expected to be completed within eighteen (18) months into the Transitional Period. The Permanent Constitution-making Process has not yet started, and a credible Constitutional making process will require considerable time.

52. Key pending tasks required for a Permanent Constitution-making Process includes the review of the National Constitutional Review Commission (NCRC), drafting and enactment of legislation to guide the Constitution-making Process; consultation with all key stakeholders (political parties, CSOs, women, Faith based groups) and reconstituting the NCRC.

Chapter VII - Joint Monitoring and Evaluation Commission

53. The Chairperson of the JMEC continued his engagement with the TGoNU, particularly with H.E. Salva Kiir Mayardit, President of the Republic of South Sudan and H.E. General Taban Deng Gai, the First Vice President. There was also engagement in further diplomatic missions with the leadership of the United Nations, the African Union Commission (AUC), IGAD, and the various dedicated Special Envoys, all with the intention of finding a path out of the current crisis.
54. In January, the Chairperson attended and addressed a High-Level IGAD-AU and UN consultation on South Sudan in Addis Ababa, on the fringes of the AU Heads of State Summit. The meeting was attended by the UN Secretary General, the Chairman of the AU Commission and the Chairperson of IGAD. Additionally, JMEC has briefed the United Nations Security Council and AU Peace and Security Council.
55. The last JMEC Plenary was held on November 20th, 2017. During this plenary, the Chairperson of JMEC, in consultation with members agreed to postpone the December plenary to enable JMEC to dedicate its energies and resources in support of the IGAD Special Envoy and to focus on the convening of the revitalization forum.
56. The next JMEC plenary was initially scheduled for end of February 2018. However, following the signing of the COHA, which called for the restructuring and reconstitution of all Agreement institutions and mechanisms, and the subsequent adjournment of Phase II of the HLRF without full revitalisation, the JMEC Chairperson again postponed the JMEC Plenary, to consult with the IGAD Chairperson and key stakeholders in the South Sudan peace process.
57. The JMEC Secretariat and the Chairperson continues to engage with all parties and stakeholders to the Peace Agreement and HLRF process. While providing expertise and logistical support to the HLRF process and to the Office of the IGAD Special Envoy for South Sudan as part of the HLRF Taskforce, JMEC continues to work with CTSAMM, NCAC, JMCC, SDSR and JMEC members and partners to monitor all progress and lack thereof, in

the implementation of the ARCSS and the revitalization process, submitting relevant reports and making recommendations for remedial actions.

58. JMEC has also embarked on aggressive outreach campaign to sensitize the population of South Sudan and engaging key stakeholders on the peace process to create awareness, enhance participation and local ownership of the peace process. JMEC Secretariat has compiled, printed and disseminated over 1000 copies of the new Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access signed December 21, 2017. JMEC Secretariat has also organized a series of dissemination and training workshops on the ARCSS and the revitalization process.

III. Observations and Recommendations

59. Alleged violations of the December 2017 CoHA were investigated by CTSAMM which found that flagrant violations of the COHA had been committed by both the SPLA-IG and SPLM-IO respectively over the reporting period. CTSAMM reports were submitted to IGAD Council of Ministers and to JMEC.
60. The IGAD Council has since decided vide its Communiqué dated March 26, 2018, to impose targeted sanctions against individual violators and has subsequently referred the matter to the AU Peace and Security Council for appropriate punitive measures. It is up to IGAD and AU-PSC to act with alacrity to implement this decision as a means of stemming more violations that regrettably have continue to be reported since this decision was made.
61. On deliberations during phase two of the HLRF, a notable lack of trust and confidence between the TGoNU and the opposition groups presented an obstacle to the parties' ability to make compromises on important issues on governance and security. The issues on which there are widely divergent views can only be resolved politically, and by the parties recommitting themselves to the agenda for the revitalization of the ARCSS.
62. The success of the revitalization process is dependent on the exercise of political will by the South Sudanese Parties and their willingness to compromise. IGAD must remain actively engaged during and in-between sessions of the HLRF at the highest level. Much has been achieved

already, and IGAD, AU and the United Nations should work collaboratively with the parties to ensure that momentum for dialogue is not lost.

63. In the period between sessions, IGAD should consider engaging the antagonistic parties to the HLRF on the issues that have the potential to derail the Forum. These issues include but are not limited to; the type of security guarantees that could be offered to returning opposition figures; practical measures on how to resolve the question of responsibility sharing in government; state structure, and transitional security arrangements.
64. The government faces a dire economic crisis, which if left unchecked could lead to a further deterioration, and possibly heightened social unrest, which could negatively impact the Peace Process. Indeed, unless the government succeeds in mobilizing financial assistance, we can expect a deepening crisis. It will be forced to monetize the deficit resulting in higher inflation and a greatly depreciated exchange rate, and all gains on the stabilization front achieved over the last year will evaporate. Real incomes will continue to drop and the hope for stability and recovery will be pushed further into the future.
65. After so many years of protracted conflict there is weariness among the general population and a heightened desire for peace. The country can ill afford to continue the current path. Much rests on the successful conclusion of the HLRF and a renewed commitment from all stakeholders to adhere to the CoHA and to fully implementing the revised ARCSS. My hope is that the HLRF process will result in all the parties agreeing to resolve disagreements over the remaining substantive issues, which appear to divide them.
66. Going forward concrete action must be undertaken to address the humanitarian situation including a focus on the safe and timely return of the IDPs and displaced persons. Also of importance are efforts aimed at stimulating economic growth and improving revenue collection while keeping inflation in check.
67. In the meantime, alongside providing active support to the IGAD Special Envoy for South Sudan as part of the Revitalisation Taskforce, JMEC will continue its oversight and monitoring responsibilities, receive reports from all ARCSS institutions and mechanisms, as well as report regularly in writing to the TGoNU, the TNLA, the Chairperson of the IGAD Council of Ministers, the Chairperson of the African Union Commission, the Peace and Security Council of the AU and to the Secretary General and Security

Council of the UN. JMEC Secretariat will also continue its public outreaches to create awareness on the ARCSS and the Revitalisation process.