



Joint Monitoring and Evaluation Commission
(JMEC)

REPORT BY

H.E AMB. LT. GEN AUGOSTINO S.K. NJOROGI (Rtd)

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

1st October to 31st December 2018

JUBA, SOUTH SUDAN

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List of Acronyms

<i>AJMCCs</i>	<i>Area Joint Military Ceasefire Committees</i>
<i>AU</i>	<i>African Union</i>
<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>CTRH</i>	<i>Commission on Truth, Reconciliation and Healing</i>
<i>CTSAMVM</i>	<i>Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism</i>
<i>FDs</i>	<i>Former Detainees</i>
<i>HCSS</i>	<i>Hybrid Court for South Sudan</i>
<i>HLRF</i>	<i>High Level Revitalisation Forum</i>
<i>IBC</i>	<i>International Boundaries Commission</i>
<i>IGAD</i>	<i>Inter Governmental Authority on Development</i>
<i>IDPs</i>	<i>Internally Displaced Persons</i>
<i>JIP</i>	<i>Joint Integrated Police</i>
<i>JDB</i>	<i>Joint Defense Board</i>
<i>JMCC</i>	<i>Joint Military Ceasefire Commission</i>
<i>JTSC</i>	<i>Joint Transitional Security Committee</i>
<i>MVTs</i>	<i>Monitoring and Verification Teams</i>
<i>NCAC</i>	<i>National Constitutional Amendment Committee</i>
<i>NPTC</i>	<i>National Pre-Transitional Committee</i>
<i>OCHA</i>	<i>UN Office for the Coordination of Humanitarian Affairs</i>
<i>OPP</i>	<i>Other Political Parties</i>
<i>PCTSA</i>	<i>Permanent Ceasefire and Transitional Security Arrangements</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>R-TGoNU</i>	<i>Restructured Transitional Government of National Unity</i>
<i>SDSRB</i>	<i>Strategic Defence and Security Review Board</i>
<i>SPLM</i>	<i>Sudan People's Liberation Movement</i>
<i>SPLM-IO</i>	<i>Sudan People's Liberation Movement in Opposition</i>
<i>SSOA</i>	<i>South Sudan Opposition Alliance</i>
<i>TBC</i>	<i>Technical Boundaries Committee</i>
<i>TCRSS</i>	<i>Transitional Constitution of the Republic of South Sudan</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>

Executive Summary

1. This first Report of the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) on the status of implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) covers the period from 1st October to 31st December 2018. It highlights activities around the establishment or reconstitution of all but two of the Agreement institutions and mechanisms, as well as confidence building measures that has taken place since the signing. In addition, it focuses on incidents of compliance or lack thereof with the terms of the agreement, report violations of the provisions of the R-ARCSS, and underscores the engagement of the RJMEC leadership with the parties, regional guarantors and stakeholders of the R-ARCSS.
2. The general political and security atmosphere has been conducive for implementation of the R-ARCSS with a commendable show of commitment and cooperation exhibited by all the Parties, even though economic hardship and logistical constraints persists. Overall, there has been significant progress made in the establishment and reconstitution of the requisite Agreement institutions and implementation mechanisms for the Pre-Transitional Period. Only the Independent Boundaries Commission (IBC) and the Disarmament Demobilization and Reintegration (DDR) Commission remain outstanding. All the others have commenced their work and are making progress.
3. The Report notes that since October 2018, the implementation of the Permanent Ceasefire has improved as demonstrated by the gradual decrease in fighting among the warring Parties as reported by the CTSAMVM. This is mainly attributed to the confidence building measures initiated by the IGAD Mediation in early October, and the Party leaders' demonstrable political will to work together. These measures included several visits to Wau and Leer by senior Government and military leaders, following fighting between SSPDF and SPLA-IO forces. This reportedly ended the skirmishes in mid-November.
4. There is a great deal of work that still needs to be done by the security mechanisms in a very short time frame. There are also very obvious areas of contention and disagreement. Moreover, little has been done to prepare the population in general and the armed forces in particular for cantonment, DDR and unification of forces, which are critical before the Transitional Period commences.
5. On the humanitarian front, the Report notes that at least 4.4 million people were severely food insecure during the reporting period and this number is expected to increase to over 5 million by early 2019. Moreover, aid workers reportedly experienced denial of access to certain areas and the killing of two aid workers in October, brought the total killed in 2018 to 14. On the economy the exchange rate remained relatively stable and inflation dropped appreciably. However, at the same time world oil prices began a marked decline during October and persisted throughout the period adversely impacting government's revenue.
6. The report concludes that while it is commendable that all members of the Agreement institutions and mechanisms already established and reconstituted are now working from Juba, much work remains to be done. Funding and technical expert support are major challenges in the implementation of the R-ARCSS. Moreover, the presence of non-signatory armed groups in the field is a matter of serious concern that requires sustained diplomatic and political actions by the IGAD and the international community.

I. Introduction

1. This Report is submitted pursuant to Chapter VII, Article 9 of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) and covers the period 1st October to 31st December 2018. For the period under review most of the activities revolved around continuation of confidence building measures and the establishment and reconstitution of the various Agreement institutions and implementation mechanisms. The confidence building measures included meetings of the incumbent TGoNU leadership with that of the other Parties to the R-ARCSS and other stakeholders, a peace celebration in Juba, the release of several detainees and prisoners of war by both the incumbent TGoNU and other Parties, and the return to Juba by several high-ranking opposition members to participate in the various meetings of the Agreement institutions and implementation mechanisms.
2. Unfortunately, the period was also marred by some incidents of violations including sporadic fighting in a few areas of the country, a report of mass rape in Bentiu, and the obstruction, detention and abuse of members of a CTSAMVM team by the national security apparatus. With regards to these incidents the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) immediately wrote to the TGoNU requesting investigations and a subsequent report to RJMEC's leadership on any action taken. It also duly notified the IGAD Council of Ministers on the developments.
3. The Report therefore focuses on the activities of the newly established or reconstituted Agreement Institutions and Mechanisms and the prevailing political, security, humanitarian and economic situation in the Republic of South Sudan. It also highlights the activities of the RJMEC, and progress made since the signing of the R-ARCSS on 12th September 2018. Finally, it proposes a series of observations and recommendations aimed at setting the stage for successful monitoring and evaluation of the implementation of the R-ARCSS.

II. Establishment and Reconstitution of the Agreement Institutions and Mechanisms

Overview

4. During the period under review the main activities focused on either the establishment or reconstitution of the various Agreement institutions and implementation mechanisms by the Inter-Governmental Authority on Development (IGAD), all of which are mandated under the R-ARCSS. These are the Joint Monitoring and Evaluation Commission (JMEC), National Pre-Transitional Committee (NPTC), Joint Defense Board (JDB), Joint Military Ceasefire Commission (JMCC), Disarmament Demobilization and Reintegration (DDR) Commission, Joint Transitional Security Committee (JTSC), National Constitutional Amendment Committee (NCAC), Technical Boundaries Committee (TBC), International Boundaries Commission (IBC), and the Strategic Defense and Security Review Board (SDSRB). With the exception of the TBC, IBC and DDR Commission, all the other mechanisms and institutions were duly set up during the reporting period. The reconstitution of the Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanisms (CTSAMVM) took place in September 2018.

Agreement Institutions and Implementation Mechanisms

5. The NPTC was established in October 2018 in Khartoum where it adopted its Terms of Reference and rules governing the management of the NPTC Fund. Subsequent meetings of the Committee have been held in Juba with the participation of all ten members. It has established a Secretariat and constituted different committees responsible for the various tasks to be undertaken by the mechanism. Under the terms of the R-ARCSS the NPTC has the function of oversight and coordination of the implementation of the activities of the Pre-Transitional Period.
6. Following the reconstitution of the NCAC on 22nd October 2018 in Khartoum members reconvened in Juba where at least three weeks were spent incorporating the R-ARCSS into the Transitional Constitution of the Republic of South Sudan (TCRSS) 2011. However, the Committee did not reach an agreement on one provision relating to the description of the system of government during the Pre-Transitional and Transitional Periods. This issue was subsequently forwarded to the RJMEC for its consideration and intervention. RJMEC accordingly set up a Committee comprised of senior leadership of the Parties to resolve the matter. The NCAC has since embarked on making amendments to the national security laws.
7. The reconstitution meeting of JMEC took place on 19th November 2018 in Addis Ababa with the participation of all its 43 members where new Rules of Procedure were adopted. A subsequent meeting was held in Juba on 12th December. Reports were received from the NPTC, UNMISS, NCAC, CTSAMVM, and the SDSR Board. The interim Chairperson urged all parties and stakeholders to observe the permanent ceasefire provisions and ensure its observation in all parts of the country. He further appealed to the IGAD Special Envoy for South Sudan to persuade all groups who are non-signatory to the R-ARCSS to join in its implementation.

Security Mechanisms

8. On 22nd October 2018 the IGAD Chiefs of Defence Staff/Forces and the Chief of Defence Forces of Rwanda met in Khartoum and discussed the way forward regarding the Regional Protection Force (RPF). Subsequently, an assessment team was sent to South Sudan to report on the political and security situation on the ground. The assessment team then submitted a report to the IGAD and Rwanda Chiefs of Defence. The Chief of Defence /Staff Forces after receiving the assessment team's report deliberated and agreed as follows:
 - restructure the current RPF within the ceiling established by the UNSC resolution 2406 (2018)¹ and its configuration to accommodate Djibouti, Kenya, Somalia, Sudan and Uganda to contribute troops to fill the deficit of 1695 identified by the assessment team taking into account the security situation on the ground;
 - troops contribution to be as follows: 499 each from Kenya, Uganda and Sudan and 99 each from Somalia and Djibouti;

¹ The Security Council maintained overall UNMISS force levels at the troop ceiling of 17,000 — which includes a Regional Protection Force of up to 4,000 troops — and the police ceiling of 2,101 personnel.

- type of capabilities of the above specified forces to be determined by the UN Department of Peace Keeping Operations (Force generation to be done in consultation with the troop contributing countries); and
 - the Chief of General Staff of the Federal Democratic Republic of Ethiopia to submit the decisions of the meeting to the Chairperson of the IGAD Council of Ministers for further submission to the AU PSC and to the UNSC.
9. From 25th to 29th November, the IGAD Special Envoy for South Sudan reconstituted and established the following key security implementation mechanisms: the JDB; the SDSRB; the JTSC; and the JMCC. All the four mechanisms held their initial meetings in Khartoum and worked on and produced their rules of procedure, terms of reference, and made decisions on critical issues they needed to take action on in their future meetings. These mechanisms subsequently met in Juba in December 2018 with the exception of the JTSC.
10. The JDB was established on 26th November 2018. The South Sudanese Peoples Defense Forces (SSPDF) Chief was selected as the Chair of the Board with the SPLM/A-IO and SSOA Chiefs as Co-Chairpersons. The Board subsequently met in Juba on 11th December. The SDSR Board was reconstituted on 29th November 2018 with SPLM/A-IO as its Chairperson and the Women's Coalition representative as the Secretary to the Board. The Board is partially comprised of five women from Civil Society Organizations (CSO) and the SPLM/A-IO. A follow up meeting was held in Juba from 21st to 22nd December 2018. The JMCC was reconstituted on 28th November 2018 and the JTSC was established on 30th November 2018.

III. Prevailing Political Security Humanitarian and Economic Situation

11. In general, the political situation in South Sudan during the reporting period has been calm and stable. The confidence building measures highlighted earlier contributed to an improved relationship between the leadership of the various Parties to R-ARCSS. That notwithstanding, the period also witnessed internal leadership wrangles within the South Sudan Opposition Alliance (SSOA)², which threatened to fracture the Alliance into rival camps.

Status of the Permanent Ceasefire

12. Since October 2018, the implementation of the Permanent Ceasefire has improved as demonstrated by the gradual decrease in fighting among the warring Parties reported by the CTSAMVM. This is mainly due to confidence building measures that were first initiated by the IGAD Mediation in early October, and by the Parties through their political leaders' demonstrable political will. In particular, the National Peace Day that was celebrated in Juba on 31 October 2018, and attended by thousands of South Sudanese, political leaders from all the Parties to the R-ARCSS, as well as IGAD Heads of State and government and the international community representatives in Juba, all contributed. In addition, incidents of obstruction of the

² The SSOA is the third largest of the five parties and signatories to the R-ARCSS and is comprised of eight opposition political parties.

delivery of humanitarian assistance and denial of access declined between October and December 2018.

13. Despite these positive developments, CTSAMVM reported frequent fighting in Yei River State, Wau, Leer, and Guit in former Unity State in October. Conflict between the SSPDF and the Sudan Peoples' Liberation Army - In Opposition (SPLA-IO) in Yei River State reduced to a tense standoff following visits to the area by the SSPDF Chief of Defence Forces and senior SSPDF and SPLA-IO commanders. By the end of December 2018, the situation between SSPDF and SPLA-IO Forces improved from a tense standoff to relative stability in most parts of the country as field commanders from all sides convened occasional meetings to build trust and confidence.
14. The Parties' efforts to fully implement the Permanent Ceasefire notwithstanding, CTSAMVM's new concept of operations helped to improve the situation on the ground. Its operations were decentralized through the introduction of a sector system of Monitoring and Verification Teams' deployment. This concept coupled with the addition of two more helicopters, afforded CTSAMVM quick response capability to incidents and flexibility, which was lacking during the implementation of the ARCSS from 2015 to mid-2018. In addition, CTSAMVM proactively initiated confidence building measures such as regular meetings and information sharing between and among field commanders of the warring Parties, thereby preventing clashes, rather than reacting to incidents.
15. Examples of the above-mentioned confidence building measures are: several visits to Wau and Leer by senior government and military leaders, following fighting between SSPDF and SPLA-IO forces, which arguably influenced the ending of the skirmishes in mid-November. At the time of this Report Wau was calm and the surrounding region quiet. Government and military leaders continued to make frequent visits.
16. CTSAMVM continued to report the Parties' compliance with several provisions of the Permanent Ceasefire in many parts of the war affected areas. This includes the freezing of forces, access to CTSAMVM MVTs to verify forces, notification of movement of forces and efforts to disseminate Chapter II provisions of the R-ARCSS to all forces. Despite these positive reports and efforts by the signatories to pursue implementation, there has nevertheless been some disturbing incidents of violations.

Violations of the Permanent Ceasefire

17. In December, CTSAMVM reported significant skirmishes between the SPLA-IO and SSPDF in former Unity State and small-scale clashes that continued until December 2018 between armed groups and the SSPDF. The situation was further complicated by a rising number of inter-communal clashes in the State, much as a result of cattle rustling. The Parties to the R-ARCSS are very concerned about the threat to the Peace Process these clashes present and the incumbent TGoNU has placed a high priority on re-establishing the rule of law in the region.

18. In early December an international media source reported cases of sexual and gender-based violence perpetrated on women in an area south west of Bentiu. The information was detailed insofar as it provided dates of the attacks between the 19th to 29th November 2018, and it taking place on or near the roads leading to and from humanitarian aid distribution points, the victims ranging from 10 to 60+ years of age, and the attackers wearing mixed civilian and military clothing, many covering their faces. These incidents triggered condemnation and calls for accountability from South Sudanese, the region and the international community.
19. Following these reports CTSAMVM sent an investigative team, which submitted an initial report to the RJMEC confirming the alleged reporting of the rape incidents. President Salva Kiir Mayardit issued a presidential decree naming a six-member team to investigate the reports. As yet neither the government nor CTSAMVM has concluded investigations.
20. On 18 December 2018, a CTSAMVM Monitoring and Verification Team was denied access to investigate alleged recruitment and training at the National Security Service (NSS) Training Center in Luri, in violation of the Permanent Ceasefire and Transitional Security Arrangements. According to the Team's report, the four members were subjected to physical and emotional violence (stripped of their clothing, blindfolded, handcuffed, made to kneel for a considerable time and verbally threatened) while in detention for at least five hours. The leader of the attackers identified himself as "a Brigadier General in National Security." The incident was condemned by RJMEC, all Parties to the R-ARCSS, the regional and the international community, and calls were made for the incumbent TGoNU to apprehend and hold the perpetrators accountable.
21. The SSPDF Chief of Defence Forces and the JDB were informed of the incident on 19th December at its first meeting in Juba. The JDB immediately dispatched a senior NSS General to Luri to investigate. At the 3rd Meeting of the JDB on 29th December, the Director of NSS, General Akol Koor, personally briefed the JDB on the incident. He stated that the accused NSS officers denied all the accusations made by the CTSAMVM Team and the only evidence was that of the Team's statements. He also accused the Team of attempting to enter the training center without authority and without prior permission, and accused the Team of spying. He recommended that a Joint Investigative Team, comprising SSPDF, SSPS, NSS and CTSAMVM be established and tasked with investigating both NSS Luri and CTSAMVM. The JDB accepted his recommendation. CTSAMVM awaits written correspondence on the establishment of the proposed inquiry.
22. CTSAMVM also reported that the existence of non-signatory armed groups in the Yei area is straining the implementation of the Permanent Ceasefire and Transitional Security Arrangements. CTSAMVM reports indicate clashes between the signatory Parties especially SSPDF and SPLA-IO, and a non-signatory faction of the National Salvation Front (NAS) led by Lt. Gen. Thomas Cirillo Swaka. The presence of non-signatory armed groups in South Sudan is an issue of great concern to all signatories to the R-ARCSS as well as RJMEC and IGAD as it threatens the restoration of peace and stability in the country.

23. The IGAD Council of Ministers tasked Ambassador Ismail Wais, IGAD Special Envoy for South Sudan, to reach out to the non-signatory groups and encourage them to join the implementation of the R-ARCSS. The decision followed the RJMEC Interim Chairperson's recommendation to the Council. Accordingly, Ambassador Ismail Wais conducted initial separate consultative meetings with Lt. Gen. Thomas Cirillo Swaka and Lt. Gen. Paul Malong in December 2018 and follow-up meetings are expected.
24. Conflict in hot spots and other violations during the reporting period are generally the result of the slow and inadequate dissemination of the Agreement to field commanders and a lack of immediate remedial measures taken by senior commanders against violators. However, the key factor that has been affecting the full implementation of Chapter II activities has been the delay in the establishment or reconstitution and operationalization of the critical transitional security implementation mechanisms, namely the JDB, the JTSC, the SDSRB and the JMCC. Details on the status of these mechanism are presented below.

Status of the Transitional Security Arrangements and Mechanisms

25. In addition to the Permanent Ceasefire, Chapter II also provides for key Transitional Security Arrangement tasks that must be accomplished within eight (8) months, or during the Pre-Transitional Period in order to pave the way for the establishment of the R-TGoNU. Key activities include: disengagement and separation of forces; withdrawal from areas of operations to cantonment and barracks; registration and screening in preparation for the unification of forces and the disarmament, demobilization and reintegration processes; and the training and unification of forces to form one army and other security forces.
26. Following the signing of the Agreement on 12th September 2018, CTSAMVM commenced the inclusion of SSPDF, SPLA-IO and SSOA representatives in its structures. It has also begun bi-weekly Joint Task Force (JTF) flights to key locations such as Wau, Bentiu, Yambio and Bor. The JTF personnel include senior government, military and CSO representatives, tasked to address the local leadership and population on the issues of the Peace Process. This development has improved liaison and coordination between the warring parties, building confidence among them. CTSAMVM received and trained 52 officers from the various opposition parties and have begun deploying them into MVTs. In addition, CTSAMVM has held two Board meetings focusing on the joint resolution of violations by the Parties. Issues that field commanders cannot resolve are referred to the Parties' political leaders, IGAD and RJMEC.
27. The JDB convened its 2nd meeting on 19th to 20th December 2018 in Juba. It was chaired by Gen. Gabriel Jok Riak, CDF SSPDF, Co-Chaired by Lt Gen James Koang Chol (SPLA-IO) and Cdr. Dr. Sallam Albag Abdalla Baballa (SSOA). The main issues of note were concern over the rising use of social media to spread disinformation in an attempt to undermine the peace process, the slow pace of sensitization of both the security forces and the public about the peace process, and concern about the continuing close proximity of opposing forces. The Board instructed the JMCC to push for the complete mapping of force locations and organize the deconfliction of forces as their top priority tasks.

28. There was unanimous concern too about the slow pace towards cantonment, DDR, unification and joint training of forces. The subsequent meeting of the JMCC demonstrated that the Parties have not agreed on a plan for cantonment and far from producing a coherent and comprehensive plan for DDR and unification of forces. The Board met again in Juba on 29th December 2018, agreed on their terms of reference and were briefed on the JMCC plan and budget for cantonment. The Board accepted the draft budget and agreed to present it to the NPTC.
29. The SDSR Board convened its 2nd meeting on 21st December 2018 under the aegis of the Chairperson, Madam Angelina Teny (SPLM/A-IO), and Co-Chairperson the Hon. Lt. Gen Malek Ruben, Deputy Minister of Defence (incumbent TGoNU). Although all parties except the Youth Representative were in attendance, the meeting did not achieve a quorum of thirteen (13). The Chair decided to adjourn the meeting. Before doing so, she ordered the draft budget for SDSR Board to be distributed to the members, with an observation that comments were required within 48hrs. Failure to comment within this time period would be taken as concurrence. The date for the next SDSR Board was set then set for 7th January 2019.
30. The JMCC convened its 2nd meeting on 22nd December 2018. The discussion centered around the proposed draft budget for cantonment. The Commission was advised that the draft plan for cantonment and the budget of US \$55 million to support it was excessive.
31. On 28th December 2018, the 2nd meeting of JMCC reconvened under the aegis of the Chairperson Lt Gen Matuk of the SSPDF. Only two matters were discussed, the number of cantonment sites required by each of the Parties and the budget to support the cantonment plan. On adjournment, the Commission was still in disagreement on the overall number and locations of sites required but agreed to present broad totals. Calculations were made as to total personnel the sites would process. The SPLA-IO used the R-ARCSS guidance as a minimum of a battalion (700). SSPDF and SSOA used between 700 and 2000 per site: (i) SSPDF – 233 sites (existing SSPDF barracks) – Total personnel 163,000 - 460,000; (ii) SPLA-IO - 96 sites – 67,000; and (iii) SSOA – 35 sites – 24,500 – 70,000. However, these troop levels have not been verified by CTSAMVM as is required.
32. The JMCC presented its proposed plan to the JDB on 29th December 2018. The proposed budget had been revised upwards to \$59m. Despite reservation expressed by the Chairperson, Co-Chairpersons and members of the Board in general, the JDB agreed to present the proposed plan and budget to the NPTC for consideration.
33. At the time of compiling this Report, there remained a great deal of work to be done by the four mechanisms, in a very short time frame. There were also very obvious areas of contention and disagreement. Moreover, little was done to prepare the population in general and the armed forces in particular, for cantonment, DDR and unification of forces. The results of future meetings of the SDSR Board and JDB will be key indicators as to the pace of security reform. It will be essential as well that the JTSC start its work in January 2019.

34. The JTSC never managed to meet since its members arrived in Juba during the last two weeks of December 2018. The JTSC seemed to have faced organizational challenges and yet its work, that includes the training and unification of forces is critical for the conclusion of the Pre-Transitional Period. The NPTC need to advise the JTSC to expedite their work.

Humanitarian Situation

35. According to OCHA the number of people in need of humanitarian assistance stood at 7 million by the end of 2018 and should increase slightly to 7.1 million in 2019. According to data from the Integrated Food Security Phase Classification (IPC)³, around 4.4 million people are severely food insecure, a number that is expected to increase to over 5 million by early 2019. According to data from UNHCR and OCHA, more than 4 million people have fled their homes. Of these 2.18 million are in neighbouring countries and 1.98 million are internally displaced. The data available at this time does not indicate a large-scale return of refugees or IDPs.

Humanitarian Provisions in Chapters II and III

36. Article 2.1.10 of Chapter II of the R-ARCSS includes provisions related to humanitarian issues, including impediments to delivery of humanitarian assistance, attacks on humanitarian organisations' personnel and assets, and compliance with international humanitarian law. The R-ARCSS indicate that these provisions should be implemented immediately. Chapter III on Humanitarian Assistance and Reconstruction of the R-ARCSS also includes provisions that should be implemented immediately, including ensuring humanitarian access and guaranteeing the rights of refugees, IDPs, and returnees.
37. Chapter III also has provisions pertaining to the Transition Period. These include provisions for instituting programmes for returnees, facilitation of administrative procedures, review of the 2016 NOG Act, and the establishment of a Special Fund for Reconstruction. Despite the huge humanitarian needs as described earlier, there remains difficulties in delivering the required assistance. OCHA recorded several instances of access impediments sometimes accompanied by violence against personnel or assets.⁴ two aid workers were killed in October, one during an ambush on the Juba-Lainya road, and one at a nutrition clinic in Fangak. This brought the total number of aid workers killed in 2018 to 14.⁵ Between a third and half of the reported access impediments were attributed to state forces or authorities, the others to criminals/civilians and non-state forces.

The Economic Situation

38. The incumbent TGoNU has come a long way towards achieving economic stability over the past few months but much remains to be done to realise sustained growth. Over the reporting period the exchange rate remained relatively stable and inflation dropped appreciably. However,

³ The IPC is a multi-agency initiative globally led by 12 partners: Action Against Hunger, CARE International, CILSS, FEWS, FAO, the Global Food Security Cluster (GFSC), IGAD, Joint Research Centre of the European Commission, OXFAM, Save the Children, SICA, UNICEF, and WFP. South Sudanese Government entities, NGOs, and the UN are involved in the collection of data and analysis in South Sudan.

⁴ Data from November and December 2018 have not yet been released.

⁵ Data from November and December 2018 have not yet been released.

at the same time world oil prices⁶ began a marked decline in October that persisted until the late December, before recovering somewhat. Low oil prices have in the past caused economic instability. However, the fiscal policy framework for the current budget year has been designed to avoid deficits even in the event of a large decline in oil prices.

39. During the period under review the incumbent TGoNU launched the National Development Strategy (NDS) thus putting in place a broad policy framework. The challenge ahead is to develop the NDS further into a consistent policy framework where a strategy for the implementation of the R-ARCSS is assessed in the context of the expected resource envelop and available technical capacity for enacting reforms.
40. In addition to Chapter IV, implementation of other chapters is expected to have large economic impacts relative to the present levels of expenditures. For instance, the repatriation of more than 4 million refugees and IDPs, a third of the estimated population, will constitute a sizable fiscal burden for many years to come. Added to this are other costly items such as provisions in the security sector and other capital spending. To ensure the economic viability of the implementation strategies, it is important to have cost estimates and agree on procedures for arriving at them. The RJMEC Secretariat has started work in this area.

IV. Engagements of the Reconstituted Joint Monitoring and Evaluation Commission

41. In November the RJMEC Chairperson addressed the 66th Extra-Ordinary Session of the IGAD Council of Ministers on the status of the implementation of the R-ARCSS. He lauded the key developments to date, including the ratification of the revitalized Peace Agreement by the Parties and the Transitional National Legislature, nomination of the parties' and stakeholders' representatives to the various Agreement Institutions and Mechanisms, and their establishment or reconstitution; and confidence building measures undertaken by the incumbent TGoNU.
42. The Chairperson urged the Council to sustain its diplomatic engagement with the AU, the UN, international partners and Friends of South Sudan and to appeal for the technical and financial support necessary for the implementation of the R-ARCSS. Importantly, he also called on the Council to prevail upon the South Sudanese stakeholders who are not signatory to the R-ARCSS to join in its implementation.
43. The RJMEC leadership engaged with the Regional guarantors of the R-ARCSS, the AU Commission, the AU C5 grouping, as well as the international community in the fulfilment of its mandate. The engagements included briefings with the ambassadors from TROIKA (US, UK and Norway), European Union, China, Germany, Canada and South Africa as well as engaging the parties to the R-ARCSS, and other stakeholders. In December the leadership also engaged the ambassadors of the AU C5 members, South Africa, Algeria, Chad, Rwanda and Nigeria on the matter involving nominations to the IBC.

⁶ A change in the oil price of USD 10, will tend to have a net impact on oil revenues of around USD 200 million.

44. On 4th December 2018, JMEC received a preliminary report from the CTSAMVM Chairperson titled *Status on Progress of Verification About Bentiu Recent Rape Allegations*. The report stated that an initial CTSAMVM investigation had revealed reports of “large numbers of rape cases in Bentiu, Rubkona County between the 19th – 28th November 2018.” The CTSAMVM team visited with the MSF Bentiu Hospital where first aid and treatment were provided to the victims, and it was confirmed that 138 rape cases were received at the facility. The perpetrators were suspected to be either armed civilians or military in the area.
45. Upon receiving the report RJMEC immediately issued a press statement denouncing the rapes and violence and requesting that the incumbent TGoNU launch its own immediate investigation into the atrocities. At the same time the JMEC Chairperson called on CTSAMVM to continue with its investigation in order to ascertain the identities of the attackers.
46. The RJMEC Chairperson wrote to the incumbent TGoNU following the serious violation of Chapter II of the R-ARCSS allegedly by members of its security forces stationed at Luri Training Centre on 18th December 2018. The Chairperson demanded a thorough investigation of the incident and that the perpetrators be held to account in accordance with Article 2.1.10.7.3 of R-ARCSS 2018 and Article 13 of CoHA 2017. He also requested that TGoNU report to RJMEC by December 27 on action taken in that regard. In addition to writing to the incumbent TGoNU he also wrote to the Chairperson of the IGAD Council of Ministers to inform him of the violation and of the action requested by RJMEC.
47. The RJMEC Secretariat met with UNMISS with a view to compare notes and discuss ways and means of working closely on matters relating to transitional justice. The need to forge a closer working relation between RJMEC, UNMISS, UNDP and the Transitional Justice Working Group – a coalition of South Sudanese NGOs working on transitional justice issues was also discussed. It was underscored that the initiation for the reconstitution of the Working Committee on Transitional Justice is overdue and should be done at the earliest time possible.
48. Following this meeting RJMEC participated in a Conference on transitional justice organized by the UNDP in collaboration with UNMISS, OHCHR and the Embassy of the Netherlands from 14th to 15th December 2018 in Juba, South Sudan. Six policy papers on the various thematic areas of the Commission for Truth Reconciliation and Healing (CTRH) were presented and discussed. The papers were on: the CTRH and Customary Practices; Temporal Mandate of the CTRH; Complementarities amongst the R-ARCSS institutions; CTRH and Gender; Selection of Commissioners of the CTRH; and Witness Protection.
49. RJMEC engaged women leaders from government, the security sector, civil society and women parliamentarians to discuss their role in the implementation and monitoring of the R-ARCSS, especially the 35% affirmative action provision for women and how to strategize for effective engagement. This was through two workshops held in Juba during the joint UN-AU mission to South Sudan and the Norwegian high-level delegation visit organised by UN Women. There was also engagement with women parliamentarians during the ‘*Women Parliamentarians Dialogue on the R-ARCSS: From Agreement to Action*’ organised by Crisis Management Initiative – Martti Ahtisaari Center to inform them on RJMEC’s role and mandate including its efforts to enhance women’s participation in the implementation of the R-ARCSS. Finally, JMEC participated in the 3rd Women Peace and Security (WPS) Group meeting in which the women’s engagement in the implementation of the peace agreement, the challenges they face and the support they need to address them were discussed.

50. Together with CEPO and UNESCO, RJMEC organised a media workshop on strengthening the role of media to constructively report on the implementation of the R-ARCSS. There was engagement with journalists to discuss on the status of implementation of the 35% affirmative action for women. RJMEC has carefully monitored this gender provision of the R-ARCSS, especially in the nomination of members to the established or reconstituted agreement institutions and mechanisms. The percentage of women nominated by the Parties and South Sudanese stakeholders were 9% and 40% respectively. The RJMEC Interim Chairperson appealed to the IGAD Council of Ministers to urge the Parties to show their commitment to gender parity by ensuring that the required level of women's representation is respected.
51. RJMEC instituted a monthly coordination meeting with CTSAMVM and UNMISS to consolidate the RJMEC networks and deepen the impact of its communications activities. In addition, a key foundational document setting out the parameters and rationale of the communications department's key activities was written and taken on board by RJMEC during this period. In the aftermath of the reported rapes and violent attacks of late November, RJMEC facilitated arrangements and its staff accompanied a Juba Monitor journalist to Bentiu.
52. It has also been engaged with the African Union Commission's Department of Political Affairs (Cluster on Constitutionalism and Rule of Law of the African Governance Platform), International Institute for Democracy and Electoral Assistance (IDEA) and the Incumbent TGoNU's Ministry of Federal Affairs at the inception and launch of the "Working Group on Federalism in South Sudan" and "Leadership Conversation on Federalism" in October and November 2018 respectively.
53. As part of its efforts to disseminate the R-ARCSS, RJMEC has produced a summary in English of the R-ARCSS, which can be found on its website and have been distributed around its social media networks. Progress is also being made in the translation and preparation of radio summaries of the Agreement's content.

V. Observations and Recommendations

54. RJMEC welcomes the nomination of experts by IGAD and TROIKA to the TBC but again calls on the AU C5 countries to make available the remaining members of the IBC so that it too can begin its work. The work, conclusions, recommendations and their timing by the IBC has obvious implications for the length of the Pre-Transitional period and the putting in place of the R-TGoNU.
55. The Parties to the R-ARCSS are demonstrating commitment to the Permanent Ceasefire as exemplified by the number of confidence building activities that have been executed at all levels of command, the political will expressed and demonstrated by the coming to Juba by members of the opposition despite their initial security concerns, the TGoNU's commitment to fund activities by all security mechanisms despite the meagre resources, and the consequential gradual reduction in armed violence and humanitarian violations by the Parties.
56. The fighting in former Unity State, the reported serial SGBV attacks around Bentiu and the arrest, detention and abuse of the CTSAMVM MVT has undermined the confidence building

measures undertaken by SSPDF, SPLA-IO and SSOA field commanders, but has not derailed the implementation of the PCTSA. The presence of non-signatory armed groups in the field is a matter of serious concern that requires sustained diplomatic and political actions by the IGAD and the international community.

57. While it is commendable that all members of the security committees are now working from Juba, it is important to note that real work has not yet started, and hence they are encouraged to start rolling out their workplans with specific activities, timeframes and budgets. Funding and technical expert support are going to be some of the major challenges in the implementation of Chapter II activities. Therefore, the Parties should be more realistic in designing their workplans. However, even if all boards and committees start work, their efforts will be undermined by the absence of the DDR Commission.
58. To this end the IGAD Special Envoy and the NPTC should urgently meet and address all the issues regarding the reconstitution of the DDR Commission. The JDB and the JMCC should also work closely and agree on a feasible cantonment approach that takes into account local realities, scarcity of resources and the spirit of the Agreement that aims at the total and permanent termination of war.
59. RJMEC views with much concern the reported cases of rapes of women and girls in Bentiu and the detention and abuse of the CTSAMVM monitors. These actions can potentially undermine the conducive political security environment created for the implementation of the R-ARCSS. In that regard RJMEC renews its call to the incumbent TGoNU to conduct a speedy, transparent and timely investigation into the attacks, apprehend the perpetrators and hold them to account. Also the proposed joint investigation team into the violence perpetrated on the CTSAMVM MVT must be constituted and deployed so as to expedite issues of accountability.
60. Further, RJMEC calls on all Parties to facilitate alleviation of the humanitarian crisis by ensuring full and unconditional humanitarian access to all areas with populations in need as prescribed in the R-ARCSS and the 2017 CoHA. This includes upholding international humanitarian law, and an end to the killing and detainment of aid workers.
61. The decline in world oil prices has created further strains on the economy and threatens economic stability just at the time when it was appearing to turn around. Should the oil price remain low, the value of the in-kind deliveries to Sudan will not be sufficient to pay down arrears owed to Sudan and could lead to further complications in budget execution.

VI. Conclusion

62. After three months of implementation of the R-ARCSS which saw the establishment and reconstitution of all except two of the Agreement institutions and mechanisms much remains to be done if the Pre-Transitional period is to go in accordance with the agreement timelines. It's becoming quite clear that the delay in the work needed to be pursued by the security

mechanisms, and in particular the cantonment of forces and the building of the national army may delay the start of the Transitional period.

63. The NCAC will continue to pursue its review of the security laws with a view to creating a solid basis for a secure and stable security environment in which peace can prevail. CTASMVM despite the recent incident will continue with its monitoring, verification and reporting activities in a timely fashion to RJMEC and IGAD in order that the necessary action be taken when required.
64. RJMEC on its part shall continue to impartially monitor, evaluate and report as it vigorously carries out its oversight responsibilities with regards to the R-ARCSS, and make interventions when necessary. It will also continue regular reporting in writing to the incumbent 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.