



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

REPORT

BY

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**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 April to 30th June 2024

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List of Acronyms

AU	African Union
CDC	Constitutional Drafting Committee
CRA	Compensation and Reparation Authority
CTRH	Commission for Truth Reconciliation and Healing
CTSAMVM	Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism
CTC	CTSAMVM Technical Committee
DDR	Disarmament Demobilization and Reintegration
EAC	East African Community
EFMA	Economic Financial and Management Authority
IDPs	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
IOM	International Office of Migration
JDB	Joint Defense Board
JMCC	Joint Military Ceasefire Commission
JRC	Judicial Reform Committee
JTSC	Joint Transitional Security Committee
MAFS	Ministry of Agriculture and Food Security
MVT	Mobile Verification Teams
NAS	National Salvation Front
NBS	National Bureau of Statistics
NCAC	National Constitutional Amendment Committee
NCRC	National Constitutional Review Commission
NEC	National Elections Commission
NGOs	Non-Governmental Organisations
NSS	National Security Service
NUF	Necessary Unified Forces
PFM	Public Finance Management
PPC	Political Parties Council
PSC	Preparatory Sub Committee
R-ARCSS	Revitalised Agreement on the Resolution of Conflict in the Republic of South Sudan
RJMEC	Reconstituted Joint Monitoring and Evaluation Commission
RTGoNU	Revitalized Transitional Government of National Unity
SDSRB	Strategic Defence and Security Review Board
SPLM -IG	Sudan People's Liberation Movement – In Government
SPLM-IO	Sudan People's Liberation Movement- In Opposition
SRF	Special Reconstruction Fund
SSBF	South Sudan Business Forum
SSPDF	South Sudan People's Defence Force
SSRA	South Sudan Roads Authority
TNL	Transitional National Legislature
TNLA	Transitional National Legislative Assembly
UN	United Nations
UNDP	United Nations Development Programme
UNMISS	United Nations Mission in South Sudan
UNHCR	United Nations High Commission for Refugees

Executive Summary

This report covers the status of implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) during the period 1st April to 30th June 2024, and builds on similar previous Reports Nos. 001/19 - 022/24 prepared since the signing of the peace agreement on 12th September 2018. In addition to the status update on implementation, it highlights the activities of the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) in its oversight, monitoring and evaluation mandate within the R-ARCSS; and provides key recommendations to the various stakeholders and guarantors.

Under governance, some progress was made during the quarter in terms of legislative reforms, institutional building for the National Elections Commission (NEC) and Political Parties Council (PPC) in preparations for elections, inter-party dialogue to provide the way forward for elections, and commencement in Nairobi of the High-Level Mediation for South Sudan (Tumaini Initiative) between the Revitalized Transitional Government of National Unity (RTGoNU) and the non-signatories of the R-ARCSS.

The High-Level Standing Committee (HLSC) of the Parties charged with the implementation of the R-ARCSS commenced the inter-party dialogue during the quarter, focused on review of the Roadmap and determining the best way forward given the time remaining before the holding of elections. The Committee subsequently prepared a report with recommendations, which was submitted to the Presidency for their consideration.

In April 2024, the RJMEC briefed the reconstituted TNLA on the status of implementation of the R-ARCSS, pursuant to Article 7.9, which mandates RJMEC to, among others, report quarterly on the status of implementation of the Agreement, followed by detailed briefings to the Executive of the RTGoNU and its Council of Ministers and the reconstituted TNL. RJMEC appealed for expeditious enactment of all the pending amendment bills and, to support funding of the constitution and election-making processes.

In December 2023, H.E. Salva Kiir Mayardit, President of the Republic of South Sudan requested H.E. Dr William Ruto, President of the Republic of Kenya to mediate between the RTGoNU and the Non-Signatory Opposition Groups to bring a speedy conclusion to getting the holdout groups into the peace process. H.E. Dr William Ruto acceded to the request in February 2024 after consultation with the Community of Sant 'Egidio and the acceptance of the Non-Signatory Opposition Groups (NSOGs), and launched the Tumaini Initiative for South Sudan on 9 May 2024.

Concerning the Transitional Security Arrangements, there has been very little progress since the last RJMEC report. CTSAMVM reported that on 19 April 2024, the Joint Defence Board (JDB) deployed two battalions of the army to Malakal and Bentui in addition to the 6 battalions that were deployed in 2023. One battalion from Moum Training Center was deployed to Jamus (Barkour). The VIP battalion that was deployed to Anet between Abyei and Warrap in 2023, was redeployed to the 2nd Division in Malakal, Upper Nile State. Therefore, the total number of Necessary Unified Forces deployed so far is eight (08) battalions.

With regards to the unification of the second command echelon of the unified forces, H.E. Dr. Riek Machar Teny, First Vice President, and Chairman and Commander-in-Chief of the SPLM/A-IO; and the Chairperson of the SSOA submitted lists of the names of their officers to H.E. Salva Kiir Mayardit, President of the Republic of South Sudan and the Commander-in-

Chief of the Armed Forces. On Phase II training, there is no evidence of any preparations, nor funding for the DDR Commission and Security Mechanisms. Currently, the DDR Commission, with UNDP support are conducting a Community Violence Reduction (CVR) project in Central Equatoria State, as they await RTGoNU funding for the conduct of DDR programs as mandated by the Revitalized Peace Agreement.

During the quarter, access to those in need continued to be impeded with incidences involving violence against humanitarian assets and personnel consistently recorded in Upper Nile State followed by Unity and Jonglei States. In May, 47 humanitarian access incidents were recorded compared to 33 in April with the majority (23) incidents compared to 14 in April, involving violence against humanitarian assets and personnel while 10 incidents were related to bureaucratic access impediments, which included illegal taxation and interferences in staff recruitment procedures.

In terms of revenue mobilization, management and accountability, there has been steady progress in non-oil revenue collection as the South Sudan Revenue Authority (SSRA) reported an increase over and above the estimated revenue collection for the first three quarters of the FY 2023/2024 as the Authority continues to implement its reforms contained in its five-year strategic plan. However, data on oil revenue has not been made available since the end of the first quarter of the same financial year.

The RJMEC leadership urged the Parties to the Agreement to continue to dialogue in good faith towards consensus in order to provide clarity on the best way forward with respect to the implementation of the Agreement and the critical issue of the holding of elections in 2024. The leadership also urged the RTGoNU to continue its pursuit of the Tumaini Initiative with a view to involving the holdout groups in the R-ARCSS, and enhance peace inclusivity in the country.

There has been very little progress made during the reporting period on the pace of implementation with the key tasks such as the permanent constitution making process and the unification of forces remaining at the same stage as they were at the end of the last quarter. Failure to move on these key aspects of the implementation could only hinder the holding of elections, which are scheduled to be held in December 2024.

The recommendations which follow, including to the Parties to the Agreement, RTGoNU, TNL, IGAD and International Partners are geared towards encouraging a faster pace of implementation of the R-ARCSS and will better prepare the country for the upcoming elections, if acted upon.

a. To the Parties to the Agreement and Relevant Stakeholders:

- engage in dialogue in the spirit of collegiality on the best way forward for the holding of elections and provide a detailed plan to the people of South Sudan on the implementation of the Roadmap; and
- embrace the Tumaini Initiative as a means of bringing in the holdout groups into the Revitalized Peace Agreement in the spirit of inclusivity and furthering the prospects for peace in the country.

b. To the RTGoNU:

- seize this constitution-making moment given the importance of a people-led and a people-owned permanent constitution, as the basis to guide the conduct of credible free, fair and peaceful elections;
- avail requisite funding, in a timely manner, to the NCRC to enable the effective discharge of its mandate in overseeing the making of a Permanent Constitution;
- facilitate the Judicial Review Commission (JRC) to validate its final report and officially submit it to the RTGoNU in order to ensure that the judicial reforms process compliments the permanent constitution-making process and the conduct of elections;
- complete judicial reform process, including the review of the Judiciary Act and establishment of an independent, impartial and credible Constitutional Court;
- create an enabling civic and political space for citizens' participation in governance;
- expeditiously undertake, through the NEC, elections-related activities listed in Article 1.20.8, such as establishment of subsidiary electoral management bodies at state level, the establishment of procedures for the voter registry and registration, and support to civic education and voter outreach, the publication of the Voters Register six months prior to the holding of elections (Article 1.20.10); and the delimitation of constituencies;
- provide, as a matter of urgency, all the resources necessary to complete redeployment of the remaining NUF, and in addition complete harmonization of the command structure so that the country can have a unified force with a national character under one Commander in Chief; and
- pursue establishment of the Special Reconstruction Fund (SRF) and Board with a view to helping address the ongoing humanitarian crisis in the country.

c. To the TNLA:

- expedite the enactment of all pending amendment bills, including the NGO, CTRH and CRA Bills; and
- support the process of providing the requisite funding of the Constitution and election making processes by passage of the necessary spending and budget bills to secure funding for their operationalisation.

d. To International Partners and Friends of South Sudan

- provide support to the permanent constitution-making process, including by directly funding some of the critical mechanisms, civic education, and capacity building.

I. Introduction

1. This report covers the status of implementation of the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) during the period 1st April to 30th June 2024 and builds on similar previous Reports Nos. 001/19 - 022/24¹ prepared since the signing of the peace agreement on 12th September 2018. In addition to the status update on implementation, it highlights the activities of the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) in the fulfilment of its oversight, monitoring and evaluation mandate within the R-ARCSS; and concludes with providing key recommendations to the various stakeholders and guarantors.
2. Set against the backdrop of elections, which according to the Roadmap on Implementation of the R-ARCSS², are due in December 2024, the report highlights the relatively slow pace of implementation by the Revitalised Government of National Unity (RTGoNU) of the key tasks deemed necessary to allow for the conduct of free, fair and credible elections. In that regard, the partial funding and recent activities of key institutions such as the National Constitutional Review Commission (NCRC), the National Elections Commission (NEC), and the Political Parties Council (PPC) are highlighted. These institutions are expected to play pivotal roles in the holding of elections.
3. The Transitional National Legislature (TNL) in continuing with its legislative mandate passed the *Public Financial Management and Accountability Act 2011 (Amendment) Bill 2022* and is expected to debate other pieces of legislation including that of the *Commission for Truth Reconciliation and Healing (CTRH)*, and the *Compensation and Reparations Authority (CRA)* bills.³ Meanwhile, the National Constitutional Amendment Committee (NCAC) and the Judicial Reform Committee (JRC), both set up under Chapter 1 of the Agreement, completed their work.
4. Notwithstanding the general maintaining of the Permanent Ceasefire, there were reports of clashes and intercommunal violence resulting in the loss of innocent lives. In addition, the humanitarian situation worsened exacerbated by the deteriorating economic conditions linked largely to the steady depreciation of the local currency against the United States dollar. For its part, the RJMEC Chairperson engaged the Parties to the Agreement, the Africa Union Peace and Security Council (AUPSC), and the President of the United Nations (UN) General Assembly in efforts to alert them primarily to the delays in implementation and preparations for the scheduled elections.
5. Section I of the report provides an overview, followed by Section II, with an analysis of the status of implementation of the R-ARCSS, Section III proposes key observations and makes

¹ Article 7.9 of the R-ARCSS mandates the RJMEC to prepare and submit Quarterly Reports to the RTGoNU, the TNL, the Intergovernmental Authority on Development (IGAD), the African Union Peace and Security Council (AUPSC) and the United Nations (UN) and UN Security Council.

² On 4 August 2022 the Parties to the R-ARCSS reached a consensus and signed the *Agreement of the Parties on a Roadmap to a Peaceful and Democratic end of the Transitional Period of the R-ARCSS*. The 'Roadmap' reviewed the timelines of the Peace Agreement and agreed to the holding of elections in December 2024 after allowing sufficient time for the implementation of outstanding tasks such as the unification of forces and the making of a Permanent Constitution.

³ On 3 July 2024 the TNL passed the *National Security Service Act 2014 (Amendment) Bill, 2023*.

recommendations to the RTGoNU, TNL, Parties and Stakeholders to the R-ARCSS, and the International Partners and Friends of South Sudan; Section IV is the conclusion.

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

Chapter 1: Revitalised Transitional Government of National Unity

6. Under governance, some progress was made during the quarter in terms of legislative reforms, institutional building for the NEC and PPC in preparations for elections, inter-party dialogue to provide the way forward for the elections, and commencement in Nairobi of the High-Level Mediation for South Sudan (Tumaini Initiative) between the RTGoNU and the non-signatories of the R-ARCSS.
7. During the quarter, it is encouraging to note that the RTGoNU Council of Ministers endorsed the *NGO Act 2016 (Amendment) Bill 2024*. The NGO Bill seeks to streamline the operations of NGOs and improve on their registration and regulations. This development is welcome and the expected subsequent step is for the Bill to be presented to the TNL for consideration and enactment.

Preparation for National Elections

8. The High-Level Standing Committee (HLSC) of the Parties charged with the implementation of the R-ARCSS commenced the inter-party dialogue during the quarter, focused on review of the Roadmap and determining the best way forward given the time remaining before the holding of elections. At the end of June, the Committee had completed the review and prepared a report with recommendations, which they submitted to the Presidency for their consideration.
9. Regarding the institutions charged with elections related activities, the NEC prepared its elections budget estimates of South Sudanese Pounds (SSP) 253.6 billion (US \$230.5 million) with a pre-election component being SSP 42. 1 billion (US \$38. 3 million). The NEC confirmed that the RTGoNU disbursed an equivalence of US \$15 million in SSP to the Commission as part of the pre-elections budget during the quarter.
10. Subsequently, the NEC has been able to undertake some preparatory activities, including, among others, conducting field visits to the States to assess their requirements for elections preparations, undertaking internal institutional strengthening, capacity building of personnel and drafting its programme pursuant to the *National Elections (Amendment) Act 2023*. In June 2024, the NEC reconstituted the state elections High Committees at the sub-national levels. However, the list of the Committees has been contested internally by some of the members of the Commission. There are also concerns that the list does not adhere to the 35% minimum threshold for women membership.
11. The PPC received US \$ 5 million from the RTGoNU to enable it to kickstart its operations. The Council has since, among others, conducted capacity building and awareness training of the Council members and political parties on relevant laws, reviewed and enacted the *Political Parties Fund Regulations 2024* and the *Political Parties Council Regulations 2015*. It should be recalled that in February 2024, the PPC announced the commencement of registration of political parties, and in June 2024, published a notice to political parties to turn up for registration ahead of elections with a cut-off date being the end of June 2024. According to the PPC, some new political parties turned up and were registered (See Box

1). However, some political parties contested the PPC registration fee of US \$ 75,000. Accordingly, they petitioned the Minister of Justice and Constitutional Affairs, who declared the PPC registration fees as null and void. The PPC has however persisted with the fee, although it has not yet been paid by those Parties seeking to register.

Box 1: Political Parties Deemed to be Registered at 27 June 2024

- African National Congress (ANC)
- Sudan People's Liberation Movement (SPLM)
- United Sudan African Party (USAP)
- United Democratic Salvation Front Mainstream (UDSF – M)
- National Liberation Party(NLP)
- National Congress Party (NCP)
- Democratic Change (DC) Party
- South Sudan Democratic Forum (SSDF)
- United South Sudan Party (USSP)
- South Sudan Democratic Alliance (SSDA)
- National United Democratic Front (NUDF) Party
- Sudan African National Union (SANU)
- United Democratic Salvation Front (UDSF)
- National Democratic Party (NDP)
- United Democratic Party (UDP)
- Federal Democratic Party (FDP)
- United Democratic Front (UDF)
- Communist Party of South Sudan (CPSS)
- Democratic Unionist Party (DUP)
- South Sudan African Union (SSANU)
- Generation Part (GP)
- South Sudan National Party (SSNP)
- National Democratic Front (NDF)
- Republican Party of South Sudan (RPSS)
- Popular Congress Party (PCP)
- South Sudan Generation Party (SSGP)
- Akut Bam Party (ABP)
- National Justice Movement Party (NJMP)

Transitional National Legislature

12. In April 2024, the RJMEC briefed the reconstituted TNL on the status of implementation of the R-ARCSS, pursuant to Article 7.9 of the Revitalised Peace Agreement, which mandates RJMEC to, among others, report quarterly on the status of implementation of the Agreement, followed by detailed briefings to the Executive of the RTGoNU and its Council of Ministers and the reconstituted TNL. RJMEC appealed for expeditious enactment of all the pending amendment bills, including the *National Security Services Bill*, *NGO Amendment Bill*, and *Transitional Justice* bills and, to support funding of the constitution and election-making processes.
13. The RJMEC report to the TNL was subsequently referred to the Committee on Peace and Reconciliation where it was scrutinised, endorsed and eventually returned to the TNL with recommendations for its implementation and follow-up. On its part, the TNL passed the *Public Finance Management and Accountability (PFMA) Act 2024*, which now awaits assent by the President. However, several amendment bills are still before the TNL, including the *National Audit Chambers Act 2012 (Amendment) Bill, 2022* and the *Tourism Bill 2024*.

High-Level Mediation for South Sudan (Tumaini Initiative)

14. In December 2023, H.E. Salva Kiir Mayardit, President of the Republic of South Sudan requested H.E. Dr William Ruto, President of the Republic of Kenya to mediate between the RTGoNU and the Non-Signatory Opposition Groups to bring a speedy conclusion to getting the holdout groups⁴ into the peace process.⁵ H.E. Dr William Ruto acceded to the request in February 2024 after consultation with the Community of Sant ‘Egidio and the acceptance of the Non-Signatory Opposition Groups (NSOGs), and launched the Tumaini⁶ Initiative for South Sudan on 9 May 2024.⁷
15. The mandate of the High-Level Mediation has also included discussion on the root causes of the conflicts in South Sudan and recommends appropriate constitutional, legal and policy reforms that will restore lasting and sustainable peace in the country. Lieutenant General (Rtd) Lazarus Sumbeiywo was appointed as the Chief Mediator to the process, and Ambassador Mohamed Ali Guyo as his Deputy. Kenya also involved the Community of Sant ‘Egidio and H.E. Dr Ismail Wais IGAD Special Envoy to South Sudan as Co-Mediators to the process.

⁴ Some of the groups had participated in the Rome Talks including the South Sudan Opposition Movements Alliance (SSOMA) composed of the South Sudan National Democratic Alliance (SSNDA) of Gen. Thomas Cirillo, Real Sudan People’s Liberation Army of Pagan Amum and South Sudan United Front/Army of General Paul Malong and the RTGoNU.

⁵ Between January 2020 and March 2023 six rounds of talks were conducted in Rome led by the Community of Sant ‘Egidio and one in Naivasha: 11-12 January 2020; 12-13 February 2020; 9-12 October 2020; 2-6 December 2020; 8-12 March 2021 (Naivasha); 15-18 July 2021; and 21-24 March 2023. From 9 to 13 November 2020, CTSAMVM conducted a technical workshop in Rome aimed at establishing modalities for the inclusion of the SSOMA into CTSAMVM structures.

⁶ Tumaini is a Kiswahili word which means “hope”.

⁷ The occasion was also attended by H.E. Salva Kiir among other Heads of State and Government, the RJMEC Interim Chairperson, and members of the diplomatic corps.

16. On 16 May 2024, the RTGoNU and the opposition groups agreed to a negotiated mediation process by signing the *Declaration of Commitment to the Tumaini (Hope) Initiative for the South Sudan Peace Process*. This Declaration commits to a sustained and continuous negotiation until a peaceful settlement is reached. The High-Level Mediation for South Sudan has adopted Rules of Procedure, and the Rome Agenda with issues for mediation including justice, economic and social issues, security and political governance. The parties have also identified constitution making and implementation as a fifth issue for mediation.
17. Thus far the Initiative has resulted in:
 - a. all parties and stakeholders submitting their positions on the agenda items;
 - b. drafting a consolidated report that crystalizes all positions and proposed solutions as submitted by the parties and stakeholders;
 - c. generating a draft '*consensus document*', which narrows down issues for further mediation, including the humanitarian situation, confidence and trust building, responsibility sharing, justice sector reforms, security sector reforms, management of resources, public finance management, constitution-making and implementation modalities. The draft consensus negotiating document however generated concerns, including from the First Vice President, over its lack of focus, duplication of the R-ARCSS provisions, and for purporting to replace the R-ARCSS. These concerns were addressed to the Tumaini Mediation with a clear call to anchor the mediation within the framework of the Revitalized Peace Agreement, and to ensure that its outcome would complement its full implementation, as opposed to any attempt to replace it.

National Constitutional Amendment Committee

18. The NCAC has successfully concluded its mandate, reviewed and drafted amendments to 24 pieces of legislation, as per the Revitalized Peace Agreement and handed over all the amendment bills to the Minister of Justice and Constitutional Affairs. However, plans to do an official handover of their activities' report to the RTGoNU has not yet materialised. During this reporting period, the RTGoNU disbursed to the NCAC members about US \$ 500,000 to cover a portion of outstanding allowances owed to the members.
19. In terms of legislative reforms, some of the drafted amendment bills by the NCAC have since been endorsed by the RTGoNU Council of Ministers, while others are still pending. During this reporting period, *the NGO Act 2016 (Amendment) Bill 2024* was endorsed by the Cabinet, and now awaits presentation to the TNL. The Bill seeks to streamline the operations of NGOs and improve their registration and regulations.

Judicial Reforms

20. In terms of the judicial reforms process, the *ad hoc* JRC completed its work, and drafted a report with recommendations for judicial reforms. However, the scheduled stakeholders' validation and official handover of the Report to the RTGoNU remains pending. During this reporting period, the RTGoNU disbursed to the JRC about US \$300,000, which partially covers some of their outstanding allowances. Further, the other pending tasks under this provision of the R-ARCSS include: (a) the review of the Judiciary Act; (b) building the capacity of the judicial, personnel and infrastructure; (c) reconstitution of the Judicial Service Commission; (d) and establishment of an independent, impartial and credible Constitutional Court. It is therefore essential for the RTGoNU to expedite the conclusion of the JRC's final report to pave the way for judicial reforms.

Chapter 2: Permanent Ceasefire and Transitional Security Arrangements

21. During the period of reporting, the Permanent Ceasefire continued to hold with no major clashes among the forces of the signatory Parties. However, clashes between the South Sudan People's Defence Forces (SSPDF) and the National Salvation Front (NAS) of Lt Gen. Thomas Cirillo Swaka were reported in Mundri East County, Western Equatoria State and in some parts of Central Equatoria State. CTSAMVM subsequently submitted seven (07) violation reports as follows:
 - a. *CTSAMVM Report 2024/01: Incident at Tonga;*
 - b. *CTSAMVM Report 2024/02: Tension and Violence in Unity State;*
 - c. *CTSAMVM Report 2024/03: Killing of Two Civilians by SSPDF in Central Equatoria;*
 - d. *CTSAMVM Report 2024/04: Violations Against Civilians at Gondokoro, Central Equatoria State;*
 - e. *CTSAMVM Report 2024/05: Creation of a New SSPDF Division in Rumbek, Lakes State;*
 - f. *CTSAMVM Report 2024/06: Incident at Nasir Count – Upper Nile State, February 2024; and*
 - g. *CTSAMVM Report 2024/07: Alleged Recruitment of Soldiers by SSPDF in Mathiang Barracks of Aweil Town, Northern Bahr El Ghazal State.*
22. However, *Violation Report 2024/07* absolves the SSPDF of any violation of the Revitalized Peace Agreement since there was no evidence of recruitment by the SSPDF 3rd Division at Mathiang Barracks. RJMEC submitted the reports to the Chief of Defence Forces (CDF) of the SSPDF urging accountability for violations committed. The RJMEC is awaiting follow-up action from the CDF.
23. Concerning the Transitional Security Arrangements, there has been very little progress since the last RJMEC report. CTSAMVM reported that on 19 April 2024, the Joint Defence Board (JDB) deployed two battalions of the army to Malakal and Bentui in addition to the 6 battalions that were deployed in 2023. One battalion from Moum Training Center was deployed to Jamus (Barkour). The VIP battalion that was deployed to Anet between Abyei and Warrap in 2023, was redeployed to the 2nd Division in Malakal, Upper Nile State. Therefore, the total number of Necessary Unified Forces deployed so far is eight (08) battalions.
24. With regards to the unification of the second command echelon of the necessary forces, H.E. Dr. Riek Machar Teny, First Vice President, and Chairman and Commander-in-Chief of the SPLM/A-IO, as well as the Chairperson of the SSOA submitted lists of the names of their officers to H.E. Salva Kiir Mayardit, President of the Republic of South Sudan and the Commander-in-Chief of the Armed Forces. The SPLM/A-IO also submitted their proposed structure of the army command for the President's consideration. The SPLM/A-IO and the SSOA are still awaiting the President's response.
25. On Phase II training, there is no evidence of any preparations, nor has funding been availed for the DDR Commission and Security Mechanisms. Currently, the DDR Commission, with UNDP support are conducting a Community Violence Reduction (CVR) project in Central

Equatoria State, as they await RTGoNU funding for the conduct of DDR programs as mandated by the Revitalized Peace Agreement.

26. The SDSR Board completed the validation of the five documents of the Strategic Defence and Security Review process, namely the *Strategic Security Assessment*, *Security Policy Framework*, *Revised Defence Policy*, the *White Paper on Defence and Security*, and the *Security Sector Transformation Roadmap*. These documents are yet to be presented to the Party leaders for their approval.

Chapter 3: Humanitarian Assistance and Reconstruction

27. The worsening humanitarian situation in the country continues to be manifested through increasing food insecurity and malnutrition, especially among populations that are already acutely food insecure. Recent United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reports estimate that 7.1 million people will likely experience levels of acute food insecurity between April and July 2024 with the number facing starvation projected to almost double to 79,000, compared to 35,000 in the same period in 2023. The situation is expected to further worsen with the cumulative effects of the deteriorating economic situation, diminishing funding, endemic violence, continued influx of refugees and returnees from Sudan, climatic shocks, disease outbreaks and anticipated flooding.⁸
28. Due to earlier funding cuts, humanitarian response has been reprioritized to cover only those with the greatest needs and at a bare minimum, focusing on about 4.5 million out of the approximately 9 million people in need in 32 of the 78 counties in South Sudan. This situation will further worsen as only about 20 percent of the \$1.8 billion budget of the Humanitarian Response Plan (HRP) has so far been realized.
29. During the quarter, access to those in need continued to be impeded with most incidences involving violence against humanitarian assets and personnel consistently recorded in Upper Nile State followed by Unity and Jonglei States. In May, 47 humanitarian access incidents were recorded compared to 33 in April with the majority (23) incidents compared to 14 in April, involving violence against humanitarian assets and personnel while 10 incidents were related to bureaucratic access impediments, which included illegal taxation and interferences in staff recruitment procedures. Once *the NGO Bill* is enacted by the TNL and operationalized, it is expected to play a critical role in creating a conducive working environment for NGOs in South Sudan thus improving access to those in need.

Return Resettlement and Reintegration

30. According to the Relief and Rehabilitation Commission (RRC), by the end of April 2024, a year after the onset of war in Sudan, about 655,700 returnees from Sudan were registered in South Sudan through various open border points, especially from Sudan. The RRC continued to decry the conditions of transit centres especially Renk where returnees lack basic needs including shelter from the heat and rain. During the quarter, the RTGoNU through the RRC participated in joint border monitoring, onward transport of returnees to their final destinations and the biometric registration of refugees in collaboration with the

⁸ The impact of the rising water levels has already led to flooding and the displacement of about 5,000 people in Panyijiar County, Unity State. An estimated 20 counties in Central Equatoria, Northern Bahr el Ghazal, Unity, Warrap, Jonglei and Upper Nile States are projected to experience heavy flooding in the next few months due to above average rainfall and the rising levels of water in the Nile River.

International Office of Migration (IOM) and the United Nations High Commission for Refugees (UNHCR) among others.

31. In support of dignified return and relocation of refugees and IDPs, the RRC is now finalising the consolidated *National Framework for Durable Solutions for Refugees*, internally displaced persons, returnees, and host communities. The RRC is also drafting a community led campaign strategy aimed at supporting free, voluntary and dignified return and reintegration. Overall, dignified return and reintegration continues to be hampered by limited funding for onward travel to points of resettlement, and lack of services at the final points of return. The situation is further aggravated by intercommunal violence, which has led to displacement, reported cases of abduction, civilian death, sexual assault, and destruction of public facilities negatively impacting humanitarian efforts to assist the affected populations.
32. The RRC has attributed the slow return, relocation, and reintegration processes to the delayed establishment of the Special Reconstruction Fund (SRF). By the end of the quarter, concerted efforts were being made by the Ministry of Humanitarian Affairs and Disaster Management in collaboration with the AU, IGAD, UNMISS and RJMEC to encourage the establishment of the Fund, which would offer an opportunity to respond to people's current needs and lay a foundation for systems of service delivery and reconstruction beyond the transition period. It is worth noting that the slow implementation of Chapter III affects inclusivity, fairness, and meaningful participation of citizens especially women who make up the majority of the IDPs, returnees, refugees and populations in need.

Chapter 4: Resource Economic and Financial Management

Public Financial Management

33. The Public Procurement and Asset Disposal Authority (PPDAA) has been created and is almost fully functional as required by Article 4.6.1.1 of the R-ARCSS. This Authority is to provide for the control and regulation of public procurement and the disposal of public assets in a manner that is transparent, fair, honest, cost-effective and competitive. With the support of development partners, PPDAA formed seventeen procurement committees for various Ministries and a further eighteen for Government agencies and departments. It has also provided training on procurement procedures for the members of these committees. However, the institution is challenged by the absence of the Procurement Regulation, which is yet to be approved by Parliament. Another challenge is the lack of cooperation from some Ministries, agencies and departments of government to comply with the PPDAA in setting up procurement committees in their institutions. The Authority is also constrained by an inadequate subvention as it continues the staffing process.
34. In terms of revenue mobilization, management and accountability, there has been steady progress in the non-oil revenue collection as the South Sudan Revenue Authority (SSRA) reported an increase over and above the estimated revenue collection for the first three quarters of the FY 2023/2024. This increase can be attributed to reforms being implemented by the Authority and contained in its five-year strategic plan. However, data on oil revenue has not been made available since the end of the first quarter of the same financial year.

35. The Bill of the Fiscal Financial Allocation Monitoring Committee, which is to ensure transparency of allocations of national revenue to States and Counties has been approved by the Council of Ministers and now needs to be tabled at Parliament. The *Public Financial Management and Accountability (PFMA) Bill* was passed by the TNLA and awaits assent by the President.
36. Cleansing of the payroll and the rollout of the biometric identification system that had commenced in earnest in 2023 has stalled as a result of resistance from some government agencies in the States as well as the central government. This has not complimented the budget execution regarding the payment of salaries. Another key activity that has stalled is auditing all government financial statements from 2015 to 2018. So far those relating to 2011 -- 14 were prepared and tabled in Parliament where they remain, but subsequent Statements are yet to be submitted.

Management of Natural Resources

37. The Ministry of Agriculture and Food Security has initiated policies, strategies and programs that have resulted in several projects worth US \$334.26 million funded by the World Bank, AfDB and IFAD, that aim to improve food security, enhance resilience, and support cultural development in South Sudan. These include the emergency locust project targeting 184,476 households that responds to the threat posed by the locust outbreak. The Resilient Agricultural Livelihood project to strengthen the capacity of farmers to improve production targeting 410,000 households. This project targets 93,700 households and aims to empower communities in decision-making that will recover agriculture, livelihoods, build household resilience and promote stability.
38. Cash transfers and access to income generating opportunities target 96,000 vulnerable households and aims at strengthening the National SafetyNet Delivery system. Agriculture markets, value addition and trade development to reduce food insecurity and poverty reduction and build a resilience project that targets 20,000 households is also being pursued. Finally, there's a project that aims to build resilience for food and nutrition insecurity and climate change through agropastoral production and value chain development projects for 45,231 households. The project will attempt to increase production productivity and reliance on agricultural systems in the three states of Eastern Equatoria, Western Bahr El Ghazal and Upper Nile.

Chapter IV Working Committee

39. The Committee under its Chairperson, Ambassador Marjan Schippers discussed enterprise development in South Sudan following presentations made by the Government on the status of implementation of Chapter IV of the R-ARCRSS. The private sector development Strategy was presented by the South Sudan Business Forum (SSBF) and the Ministry of Trade and Industry and informed the meeting that the implementation of the strategy is challenged by the lack of resources to support the SSBF charged with monitoring implementation. For Micro Small and Medium Enterprises in South Sudan in the agricultural sector accessing markets is constrained by the certification process. In general, most indigenous enterprises are faced with lack of access to finance and requisite business skills. The need for recapitalization of the banking system to all banks to extend their loan portfolio was recommended as well as creating a buffer institution to absorb the risk of collateralized loans.

Chapter 5: Transitional Justice Accountability Reconciliation and Healing

40. The reconstituted TNLA Specialized Committee on Peace and Reconciliation is in possession of the two draft Bills on the Commission for Truth, Reconciliation and Healing (CTRH) and the Compensation and Reparation Authority (CRA) having received them from the Ministry of Justice and Constitutional Affairs. The Committee will work jointly with other relevant committees of the House such as the Justice and Legal Affairs Committee and the Human Rights and Humanitarian Affairs Committee as it reviews the Bills before submitting them for enactment in the TNL

Chapter 6: Parameters of Permanent Constitution

41. During this reporting period, the reconstituted NCRC received US \$800,000 to facilitate its work. The Commission held a five-day validation workshop in April which adopted all its revised internal governing instruments such as Rules of Procedure, Action Plans, Budget, Organogram, and Civil Education and Public Consultation Manual. In June, it held another capacity building workshop on comparative constitution-making processes with support from IGAD.
42. The Commission has continued to receive support from partners like UNDP, UNMISS and IGAD towards its internal readiness to commence the permanent constitution-making process, even as it awaits a political decision on the timelines, given the Roadmap schedule for the end of the Transitional Period. In their briefing to the RJMEC Constitutional Affairs Working Committee, the NCRC appealed for additional resources to, *inter-alia*, enable the Commission to renovate its premises, construct offices for the Constitutional Drafting Committee (CDC), establish storage facility for civic education and public consultation materials, acquire furniture and other items for office use, and to launch nation-wide civic education and public consultation campaigns to ensure that the constitution making process is indeed people driven.

Chapter 7: Reconstituted Joint Monitoring and Evaluation Commission

43. The RJMEC leadership held discussions with key members of the RTGoNU, including First Vice President H.E. Riak Machar and Vice Presidents H.E. Wani Igga and H.E Hussein Abdelbagi. Discussions centred around the implementation of the R-ARCSS, current challenges facing the Agreement in the build up to elections, and the ongoing Nairobi Talks. In addition, discussions were held with various ministers of government and the Chairpersons of the NCRC, NEC and PPC. The important roles of the three institutions in preparing the country for elections were underscored by the RJMEC leadership and in turn, the institutions outlined their main challenge of the lack of sufficient resources to fully embark on their mandates.
44. On 23 April 2024, the leadership of RJMEC formerly presented its Quarterly Report for the first quarter of 2024 before a full seating of the TNL.⁹ The members of Parliament were reminded that it was more than four years into the Transitional Period and less than nine months to the elections scheduled for December 2024. In addition, the members were informed that the progress made to date shows that the South Sudanese leaders and people have collectively demonstrated that lasting peace, stability and development are possible

⁹ <https://jmecsouthsudan.org/index.php/media-center/news/item/743-rjmec-presents-report-to-rtnla-urges-speedy-implementation-pending-tasks>.

and within reach. They were therefore encouraged to continue to play their part in enacting legislation critical to the implementation of the R-ARCSS currently before them and to strive to address the many challenges confronting the Agreement and which were highlighted in the report.

45. RJMEC held its 35th and 36th regular ordinary monthly meetings on 23 May and 27 June 2024 respectively. During the meetings, the Interim Chairperson noted that very little clarity exists regarding the position of the RTGoNU and the Parties over the conduct of elections as scheduled in December this year. He however pointed to the meetings of the High-Level Standing Committee of the Parties on the Implementation of the R-ARCSS, and also commented on the critical elections related tasks that remain outstanding. A number of resolutions came out of those meetings aimed at increasing the pace of implementation and the need to provide clarity on the way forward for the peace process.¹⁰
46. The RJMEC leadership continued its regular and close engagements with the RTGoNU Executives, the Parties to the Agreement, institutions and mechanisms implementing the R-ARCSS and different South Sudanese stakeholders and adherents. The Parties to the Agreement were urged to continue to dialogue in good faith towards consensus in order to provide clarity on the best way forward with respect to the implementation of the agreement and the critical issue of the holding of elections in 2024. The leadership also urged the RTGoNU to continue its pursuit of the Tumaini Initiative with a view to involving the holdout groups in the R-ARCSS, and enhance peace inclusivity in the country.
47. RJMEC additionally held a number of important engagements in Juba and within the region on the status of implementation of the R-ARCSS as well as challenges facing its implementation, the Nairobi talks, and prospects for the holding of elections. In this regard, updates were provided to H.E. Cyril Ramaphosa, President of the Republic of South Africa and Chair of the African Union High-Level Ad Hoc Committee for South Sudan (C5), the Facilitation Support Team for the South African Special Envoy to South Sudan, Mr. Dennis Francis, President of the UN General Assembly, H.E. Gen. Abubaker Jeje Odongo, Foreign Minister of Uganda, a visiting delegation of the AU Peace and Security Council and non-resident Ambassadors of Belgium and South Korea.

III. Key Observations and Recommendations

Observations

48. There has been very little progress made during the reporting period on the pace of implementation with the key tasks such as the permanent constitution making process and the unification of forces remaining at the same stage as they were at the end of the last quarter. Failure to move on these key aspects of the implementation could only hinder the holding of elections, which are scheduled to be held in December 2024. Meanwhile, partial funding has been availed to the NEC, PPC and NCRC, key institutions that are expected to play major roles in the constitution and election processes. It is important to stress the need for a people led and a people owned permanent constitution made in accordance with provisions of the *Constitution Making Process Act 2022*, as the basis to guide the conduct of a credible free, fair and peaceful election at the end of the Transitional Period.

¹⁰ The resolutions can be accessed at: <https://jmecsouthsudan.org/index.php/plenary/plenary-resolutions>.

49. It was previously observed that as long as holdout groups are not part of the peace process or elections, ensuring sustainable peace in South Sudan will continue to prove challenging. Therefore, the ongoing Tumaini Initiative is a welcome step in helping to address this concern. Given the level of uncertainty that still exists over the holding of elections in a few months' time, it is imperative that the Parties to the Agreement dialogue on the best way forward.¹¹
50. The failure of the RTGoNU to complete the redeployment of Phase I of the unification of forces and begin Phase II remains a source of grave concern for the overall conduct of the success of the implementation of the R-ARCSS. Further, the delay in completing the unification of the second command echelon of the necessary forces can only add to the uncertainty about the future direction of the security arrangements. Moreover, the continuing clashes between NAS and SSPDF forces and the many incidents of intercommunal violence only serve to paint a very dire picture of the overall security situation in the country. While it is commendable that the overall ceasefire continues to hold more than five years after signing of the R-ARCSS, these ongoing incidences continue to paint a negative picture of the overall security situation.
51. With regards to the humanitarian situation, the worsening plight of the population and the increasing incidence of food insecurity warrants greater efforts by the RTGoNU to address this problem. Further, the RTGoNU is required under the terms of the R-ARCSS to provide a secure environment for the voluntary return of refugees and IDPs. Efforts to seriously address the ongoing crisis, which has been exacerbated by the conflict in the Republic of Sudan, will be greatly aided by the set-up of the SRF and its operationalisation. Recent efforts by the Ministry of Humanitarian Affairs to kickstart the process are welcome and need to be pursued with greater vigour and urgency.
52. The recent projects unveiled by the Ministry of Agriculture in its attempt to begin to address issues of food insecurity and livelihood improvement are steps in the right direction. While international support for the humanitarian situation falters it is important that the RTGoNU devise ways and means to improve the overall situation of the vulnerable population. Further, as the worsening economic situation disproportionately impacts the same vulnerable groups, the majority of whom are women, every effort must be made by the RTGoNU to strengthen the social safety nets and urgently deal with the economic crisis.

Recommendations

53. The recommendations which follow, including to the Parties to the Agreement, RTGoNU, TNL, and International Partners are geared towards encouraging a faster pace of implementation of the R-ARCSS and will better prepare the country for the upcoming elections, if acted upon.

¹¹ Since March 2024, RJMEC requested that the Parties to the Agreement agree to dialogue in order to reach consensus on the best way forward on the question of elections. In that regard, the leadership of the RTGoNU was particularly encouraged to embrace the dialogue, work collegially, and resolve all disputes peacefully. In addition, RJMEC made a call on the need to expand civic and political space and to build the social cohesion and public confidence needed to hold free, fair and credible elections.

a. To the Parties to the Agreement and Relevant Stakeholders:

- 53.1. engage in dialogue in the spirit of collegiality on the best way forward for the holding of elections and provide a detailed plan to the people of South Sudan on the implementation of the Roadmap; and
- 53.2. embrace the Tumaini Initiative as a means of bringing in the holdout groups into the Revitalized Peace Agreement in the spirit of inclusivity and furthering the prospects for peace in the country.

b. To the RTGoNU:

- 53.3. seize this constitution-making moment given the importance of a people-led and a people-owned permanent constitution, as the basis to guide the conduct of credible free, fair and peaceful elections;
- 53.4. avail requisite funding, in a timely manner, to the NCRC to enable the effective discharge of its mandate in overseeing the making of a Permanent Constitution;
- 53.5. facilitate the JRC to validate its final report and officially submit it to the RTGoNU in order to ensure that the judicial reforms process compliments the permanent constitution-making process and the conduct of elections;
- 53.6. complete judicial reform process, including the review of the Judiciary Act and establishment of an independent, impartial and credible Constitutional Court;
- 53.7. create an enabling civic and political space for citizens' participation in governance;
- 53.8. expeditiously undertake, through the NEC, elections-related activities listed in Article 1.20.8, such as establishment of subsidiary electoral management bodies at state level, the establishment of procedures for the voter registry and registration, and support to civic education and voter outreach, the publication of the Voters Register six months prior to the holding of elections (Article 1.20.10); and the delimitation of constituencies;
- 53.9. provide, as a matter of urgency, all the resources necessary to complete redeployment of the remaining NUF, and in addition complete harmonization of the command structure so that the country can have a unified force with a national character under one Commander in Chief; and
- 53.10. pursue establishment of the SRF and Board with a view to helping to address the ongoing humanitarian crisis in the country.

c. To the TNLA:

- 53.11. expedite the enactment of all pending amendment bills, including the NGO, CTRH and CRA Bills; and
- 53.12. support the process of providing the requisite funding of the constitution and election making processes by passage of the necessary spending and budget bills to secure funding for their operationalisation.

d. To International Partners and Friends of South Sudan

- 53.13. provide support to the permanent constitution-making process, including by directly funding some of the critical mechanisms, civic education, and capacity building.

IV. Conclusion

54. With elections scheduled for December 2024, the ongoing dialogue by the Parties to the Agreement should help bring clarity on the best way forward. It is therefore important to consider that while some progress has been made in establishing the key institutions charged with the conduct of the constitution-making and elections processes a lot remains to be done to fully equip them to carry out their mandates. At the same time, the level of resources made available to these institutions fall well short of their proposed budgets, further hindering their ability to complete the required tasks in line with the R-ARCSS.
55. Much therefore hangs on the outcome of the inter-party dialogue in helping to not only bring clarity to the holding of elections but also to the very future of the peace process. Due consideration must continue to be given to providing the requisite resources and strengthening the security situation in the country. In that regard, progress in the unification of forces remains imperative in helping lay the path to peaceful elections. The long-suffering people of South Sudan eagerly look to the Parties and the RTGoNU in helping to successfully steer the country on the road to sustained peace.
56. 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, and as circumstances may demand, intervene to break any deadlock that may emerge in the course of implementation. RJMEC will regularly provide reports and briefings to the RTGoNU, the reconstituted TNLA, the Chairperson of the IGAD Assembly of Heads of State and Government, the 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.

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