



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

STATEMENT

BY

H.E. MAJ GEN CHARLES TAI GITUAI (RTD)

INTERIM CHAIRPERSON, RJMEC

TO THE

17th RJMEC MONTHLY MEETING

**Thursday, 20 May 2021
Juba, South Sudan**

**Honourable Ministers,
Excellencies,
Distinguished Ladies and Gentlemen,**

Good morning.

1. It is a pleasure and honour to be able to meet in person once again following the lifting of the COVID-19 partial lockdown measures. I hope that our meeting today will lead to a very fruitful discussion as much work remains to be done. I hope that you all kept healthy and engaged in our collective endeavours to ensure the full implementation of the Revitalised Agreement on Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).
2. Today, as usual, I will provide an update on the status of implementation of the R-ARCSS since our last monthly meeting, highlight key outstanding issues and recurring challenges and conclude with my recommendations.

Excellencies, Ladies and Gentlemen,

3. To begin with, governance. It is important to note that since we last met, there has been some commendable progress towards implementation of some provisions of Chapter 1. On 8 May 2021, H.E. Salva Kiir Mayardit, President of the Republic of South Sudan, dissolved the Transitional National Legislative Assembly (TNLA) and the Council of States through a Republican Decree. The TNLA was subsequently expanded and reconstituted on 10

May 2021. This is a welcome development, as it has long been seen as a vital step in implementing Chapter 1 of the R-ARCSS. There now remains the reconstitution of the Council of States, and the state legislative assemblies, and the restructuring and reconstitution of institutions and commissions at the national level.

4. It is my hope and expectation that now, the reconstituted TNLA can ratify some important legislation that has been held up, such as the amended security bills and the Constitutional Amendment Bill No. 8 (2020), which were drafted by the National Constitutional Amendment Committee (NCAC) and presented to the Minister of Justice and Constitutional Affairs. We are still analysing the detailed lists of TNLA appointments to assess whether the 35% level of women's representation was met. We are also keen to understand the extent to which the youth are represented in these appointments, as per article 1.4.5.
5. Furthermore, I am pleased to inform you that RJMEC Secretariat has been participating in leadership retreats in the states within a framework of institutional collaboration and partnerships. UNMISS organised these retreats for the appointed RTGoNU Executives in Northern Bahr el Ghazal and Western Bahr el Ghazal States. The retreats, attended and supported by the RJMEC Secretariat and the IGAD South Sudan Liaison Office, aimed at assisting the state executives to better understand the R-

ARCSS, enhance trust and confidence building amongst them and strive to deliver quality public services in their respective states.

6. I am also pleased to report that all the Parties to the RTGoNU have agreed to extend the NCAC's mandate, which expired in February this year, to enable the NCAC to complete its pending tasks. It now remains for the process to be finalised by IGAD. This is a welcome development, because much work awaits the NCAC, including the review of the National Elections Act 2012, the Non-Governmental Organisation Act 2016, the Bank of South Sudan Act 2011, the Anti-Corruption Commission Act 2009, the National Audit Chambers Act 2011, and the National Petroleum Act 2012.
7. Next, on security. Since the last RJMEC monthly meeting, held in February, there has been no significant progress in any of the Transitional Security Arrangements (TSAs). The unification of forces remains stalled. No graduation and redeployment for Phase One of the Necessary Unified Forces has taken place since my last report. Cantonment sites and training centres continue to be abandoned due to a chronic lack of food, medicines, shelter facilities and hygiene items for women. The conditions in both cantonment sites and training centres continue to deteriorate and can only get worse with the onset of the rainy season. Unfortunately, no funding has been provided to the Security Mechanisms since my last report.

8. I understand that agreement has been reached on the ratio of the Unified Command Structure, and I expect that the Joint Defence Board (JDB) can confirm this to the plenary. It now remains for the Parties to appoint nominees, in particular regarding the key posts at the highest levels of the Defence and Security Services. The completion of this is critical to the implementation of the TSAs.

9. Regarding the Strategic Defence and Security Review process, the SDSR Board convened a 3-day workshop in May 2021, with support and assistance from RJMEC Secretariat and UNMISS, with the aim of completing the Strategic Security Assessment. This initial part of the SDSR Board's remit, in accordance with the R-ARCSS, is long overdue. However, its completion will pave the way for the finalisation of the Strategic Defence and Security Review which in turn will determine the role, organisation and structure of the national unified forces. I look forward to hearing the report from the Chairperson of the SDSR Board, particularly regarding the timeline for the completion of these vital national security tasks.

10. I remain concerned that the Disarmament, Demobilisation and Reintegration (DDR) process is still lagging behind. As is the case with the Security Mechanisms, insufficient focus and support is being provided by the RTGoNU to the DDR Commission for what is a key national security undertaking, which requires

considerable resources, and the cooperation of many government ministries and agencies. I expect to hear more from the Chairperson of the DDR Commission in his report.

11. I am deeply concerned by the disruption to CTSAMVM's work due to the absence of National Monitors since April. The function of the Monitoring and Verification Teams is presently reduced, and in some instances, actively impeded. In this regard, I have written to the President of the Republic of South Sudan and the Chairperson of IGAD to make them aware of the situation and appealed to them to take remedial measures.
12. Around the country, there are reported incidences of violence. In Central Equatoria, fighting between the SSPDF and NAS has been reported. Furthermore, community-based violence in Jonglei, Lakes, Warrap, and Unity States has also been reported, resulting in many civilians being killed and wounded. Taken together, all these amount to a worrying composite picture for the country of South Sudan, and I urge the RTGoNU to take urgent steps towards their peaceful resolution.
13. Within the context of these growing incidences of insecurity, it is very saddening to learn that on 12 May, an aid worker was killed when a clearly marked humanitarian vehicle was fired at. This is the first aid worker killed in South Sudan in 2021, while nine were killed in 2020. The safety and security of humanitarian workers continues to be threatened by ongoing violence. For example, there have been recent compound intrusions and the

physical assault of aid workers in Upper Nile state, Unity State and Eastern Equatoria. Further, concerns on road security, notably in Lakes, Jonglei, and the Equatorias, continue to impede the delivery of aid to those who most need it.

Excellencies, Ladies and Gentlemen,

14. Now for a word on resource, economic and financial management. The oversight institution Economic and Financial Management Authority (EFMA), to have been established at the start of the Transitional Period, and which was referred to in the resolutions of our 16th meeting, is still pending. This body is crucial to oversee the implementation of the resource and financial sector reforms, and to ensure reporting to RJMEC on progress. That said, we welcome the creation in March 2021 of the Oversight Committee to oversee an audit of the Petroleum Sector. In addition, the Ministry of Petroleum has undertaken an environmental and cost recovery audit. Similarly, the Ministry of Finance has undertaken an audit of transfers to oil-producing communities and states. The audits are important for transparency and accountability in the management of the oil resource, and where necessary, corrective action should be taken.

15. Now for a word on transitional justice. Since my last report, the Minister of Justice and Constitutional Affairs established a Technical Committee on the establishment of the Commission on Truth, Reconciliation and Healing (CTRH). The Committee is expected to lead public consultations to be held in concert with other stakeholders and civil society, which will inform the

legislation governing the establishment of the CTRH, consistent with article 5.2.1.3. I look forward to hearing how this activity progresses.

16. Next, the Permanent Constitution-making process. In preparation for convening the Permanent Constitution-making process workshop, and in accordance with articles 6.7, 6.8, and 6.9, RJMEC and the Max Planck Foundation have to date conducted six sensitisation meetings with representatives of the Parties and stakeholders, and have held one joint consultative meeting with all the nominees. The workshop is scheduled for 25-27 May 2021 and is expected to be officially opened by the President of the Republic of South Sudan. The outcome of the workshop shall form the basis for drafting the legislation to be enacted to govern the constitution-making process.

Excellencies, Ladies and Gentlemen,

17. I would like to conclude with the following recommendations to this meeting.

- a) urge the RTGoNU to complete the reconstitution of the Council of States, and the state legislative assemblies, and the restructuring and reconstitution of institutions and commissions at the national level, while adhering to the 35% level of women's representation and giving due attention to representation of the youth;
- b) urge the reconstituted TNLA to enact the Constitution Amendment Bill No. 8 into the TCRSS 2011 (as amended), and

- enact the outstanding security laws and other laws already amended by the NCAC;
- c) urge the RTGoNU to adequately fund the Transitional Security Arrangements, to expedite and complete the unification of forces, and ensure well-coordinated DDR in conjunction with the required government ministries and agencies;
 - d) urge the RTGoNU, in conjunction with the state governments, to address community-based violence and enhance security at the sub-national level;
 - e) urge the RTGoNU to provide a secure and enabling environment for humanitarian workers, IDPs, and returnees, and to lead ongoing humanitarian efforts, including the establishment of the Special Reconstruction Fund; and
 - f) urge the RTGoNU to ensure that the recommendations of the oil sector audits are acted upon, and that corrective action is taken where necessary.

18. In conclusion, I would like to underscore that the reconstitution of the TNLA and the commencement of the Permanent Constitution-making process are positive developments, and they create the momentum which can accelerate progress in the implementation of the Peace Agreement. Now is the time to continue to build political will, strengthen trust and confidence, implement tasks concurrently, especially completing the TSAs, and providing humanitarian assistance, in order to deliver peace dividends for the people of South Sudan.

I wish you fruitful deliberations.

Thank you. 10.59 – 11.14