

CTSAMVM Headquarters

CEASEFIRE AND TRANSITIONAL SECURITY ARRANGEMENTS MONITORING & VERIFICATION
MECHANISM



CTSAMVM REPORT (No 1) TO RJMEC PLENARY

19 NOVEMBER 2018 ADDIS ABABA

1. Introduction

- a. Since the signing of the R-ARCSS on 12 Sep 18 the ceasefire has held in most parts of the country, however there have been areas where continuing tensions have resulted in conflict. In areas such as Western Bahr El Ghazal (Wau) and parts of Unity State (Mir Mir and Koch) the tension has been between the SSPDF and the SPLM/SPLA-IO, but in the Yei area the situation is complicated by tensions between the SPLM/SPLA-IO and elements of the SSOA and NAS (loyal to General Thomas Cirillo).
- b. The overall trend is one of improvement, and recent initiatives that have seen meetings between commanders from the SSPDF and SPLM/SPLA-IO are very encouraging. CTSAMVM has been at the forefront of facilitating such meetings, setting an example through a Joint Field Visit involving senior members of all Parties to the SSPDF and SPLM/SPLA-IO in Yei and Panyume on 1 November 2018.
- c. Implementation of Chapter II has been slow but progressive in some areas. Most activities are behind schedule according to the implementation Matrix, and in several areas the Parties remain in violation of some provisions of the ceasefire, namely to freeze forces in place and refrain from any hostile or provocative actions. However, CTSAMVM established the CTSAMVM Technical Committee at which the Parties have the opportunity to address issues and develop solutions.
- d. CTSAMVM has been extremely busy leading up to and since the signing of the R-ARCSS. In addition to conducting extensive monitoring and verification activity on the ground there have been four CTC Meetings, a CTSAMVM Board and a major PCTSA workshop in Khartoum.

2. CTSAMVM Technical Committee (CTC)

- a. The rationale for the formation of the CTC is to allow parties to address implementation issues collectively through regular and extraordinary meetings. The meetings are conducted every two weeks.
- b. CTC meetings represent the cornerstone of CTSAMVM's strategy, which is to create a truly joint mechanism which will enable practical solutions for implementation of the agreement. At the meetings CTSAMVM presents reports and all aspects of implementation are discussed and where relevant violation reports are tabled. The aim of each CTC is to develop agreed outcomes which includes specific actions to be carried out by CTSAMVM and parties. Outcomes of the four CTC Meetings have been distributed widely and are attached in hard copy to this report. So far the meetings have been conducted in Khartoum but it is hoped that this will soon change and that they will be held in South Sudan when conditions permit.

3. Implementation Status The status of implementation of some key provisions of the agreement is as follows:

a. Immediate Freezing of Forces (Article 2.1. 10, D-Day)

- i. Status: Ongoing
- ii. This is one of the most important provisions of the ceasefire: if all forces remain in place and refrain from hostile or provocative actions there will be no clashes.
- iii. Apart from a few areas where tensions with occasional hostilities have been high, the Parties have demonstrated an overall effort to comply.
- iv. The freezing of forces has been discussed at length at all CTC meetings, and the Parties have made decisions on how to ensure compliance. The latest decisions have been that more needs to be done in order to avoid confrontation and that CTSAMVM should continue efforts in monitoring and establishing effective communications between the parties and field commanders.
- v. CTSAMVM Joint Field Visits (JFV) are improving communications between field commanders. It has been very encouraging to learn of instances where the field commanders are meeting on their own accord to discuss implementation of the R-ARCSS. Recently Bor MVT visited Waat and observed a meeting between the commander of the SSPDF forces and the local SPLM/SPLA-IO forces and similar events have been observed around Juba.

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- b. **Immediate disengagement of forces in close proximity** (Article 2.1.5, D+15)
- i. Status: Not Complete.
 - ii. The key factor preventing implementation of the disengagement process is the delay in the formation of security mechanisms, namely the Joint Defence Board (JDB) and the Joint Monitoring Ceasefire Commission (JMCC) and their subordinate bodies.
 - iii. This issue has been discussed at CTC meetings, and the latest decisions have been that there is an urgent requirement for the operationalisation of the JDB and JMCC, and that CTSAMVM should engage RJMEC and IGAD to address this at the political level.
- c. **Releasing Prisoners of War and Detainees**(Article 2.1.6 D -Day)
- i. Status. Ongoing.
 - ii. Progress is being made with verified releases from all parties. The requirement is the subject of CTC decisions and ICRC now attend the meetings to provide up to date information. The status of some PoWs and detainees is not clear and is being reviewed by parties.
- d. **Cease recruitment and training** (Article 2.1.8 , D+15)
- i. Status: Ongoing.
 - ii. CTSAMVM MVTs have observed what they considered to be ongoing recruitment and training in Unity State. This has been described by TGoNU as the integration of forces loyal to FVP Taban Deng into the SSPDF.
 - iii. The CTC decided that TGoNU will provide a report on the integration process, and it was also decided that CTSAMVM should be allowed to carry out its mandate without hindrance.
- e. **Use of Child Soldiers** (Article 2.1.10.3 , D Day)
- i. Status. Evidence of non-compliance.
 - ii. MVTs have physically observed child soldiers within SPLA/M-IO units in Yambio and Bentiu.
 - iii. MVT Bentiu was told by 4th Division SSPDF that 91 child soldiers were found in the ranks of forces loyal to FVP General Taban Deng in Bentiu while being integrated into SSPDF. Their demobilisation is being organised with the appropriate UN Agencies.

f. **The Parties will vacate all civil buildings** (Article 2.2.3 , D-Day)

- i. Status: Ongoing.
- ii. Throughout the country many schools, clinics and other civil buildings are occupied by the military and thus denied to civilians. Troops being seen to move from civil buildings will show that the situation is returning to normal and demonstrate compliance.
- iii. CTSAMVM provided an initial list to the Parties at the 3rd CTC meeting, and at the 4th CTC meeting the TGoNU representative showed the meeting an order from the CDF to all units to vacate civil buildings and later handed a copy to CTSAMVM for distribution to MVTs. CTC directed CTSAMVM to monitor all reportedly occupied civil buildings for the Parties to act upon.

g. **Denial of access to CTSAMVM** (Article 2.1.10.6)

- i. Status: Incidents of non-compliance.
- ii. CTSAMVM is guaranteed freedom of movement and access under Article 11.10 of the 21 December CoHA and all previous agreements. Since the signing of the R-ARCSS CTSAMVM has recorded and reported instances of access being denied by the warring parties, particularly the SSPDF and SPLM/SPLA-IO, for verification of military units. Too often commanders on the ground claim that they have received no orders to allow verification. One of the most significant of these is what is known as the Wau Triangle, where the MVT has been repeatedly denied access to areas of reported conflict to conduct investigations.
- iii. Denial of access has been discussed more than any other at CTC meetings. Progress is being made. At the 4th CTC meeting the Parties decided that they would issue an explicit order to all their formations to comply with the provisions of the agreement which provide for free movement and access for CTSAMVM, and also that they will share copies of these orders with CTSAMVM in order they can be used by CTSAMVM teams in the field.

h. **Dissemination of the agreement** (Article 2.1.3 , D +7)

- i. Status: Ongoing.
- ii. Dissemination of the agreement by the Parties is progressing. Reports from the field indicate that in some areas both the civil and military authorities have made great efforts to disseminate, whereas in others large formations have been found to be in ignorance. Too often it is found that dissemination does not reach down through

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the chain of command: a Divisional Commander and his Staff might have some knowledge which is good, but it is then found that soldiers at some checkpoints have heard nothing from their officers.

- iii. Dissemination has also been hampered by a lack of copies of the R-ARCSS and communication challenges. The situation is improving. CTSAMVM has distributed 500 copies of the agreement through the CTC, and at the request of CTC members is preparing several thousand copies of Chapter II of R-ARCSS.

4. Significant achievements

a. Joint Field Visits

- i. CTSAMVM initiated a programme of regular CTC Joint Field Visits (JFV). This was an idea suggested by the Parties at the Second CTC meeting on 10 Oct 18 and acted upon immediately. The aim of the JFVs is to get the Parties talking with each other, and develop shared plans on how to comply with the provisions of Chapter II on the ground. The first JFV was on 1 November 2018. The team visited both the SPLM/SPLA-IO HQ in Panyume and the SSPDF HQ in Yei. This attracted a lot of publicity, and subsequently the MVT in Yei was able to facilitate a meeting between the Parties where officers from the SPLM/SPLA-IO were received in Yei by those of the SSPDF. The next JFV is to Wau on 22 Nov after which will be a visit to the Bentiu area in Unity State.
- ii. JFVs demonstrate the benefits of working jointly. They provide an example of what can be achieved on the ground to build confidence and decrease tension.

b. Joint Reporting

- i. According to Chapter II Article 2.4.7 CTSAMVM is to “report directly to the IGAD Council of Ministers and RJMEC on the progress of the implementation of the PCTSA...” CTSAMVM reports are prepared and signed jointly and there can be no argument as to their validity.
- ii. Joint reporting represents the commitment of the Parties to the process. It is important to emphasise that whilst of course failures must be reported, it is essential to report successes. Sharing information about successful implementation and positive efforts made by the Parties to make the R-ARCSS work will provide powerful examples to advance the peace process.

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c. **National Monitors**

i. In order to be fully effective as a joint mechanism national monitors are required at all levels. At the CTC there are representatives from the warring parties. These are as follows:

- 3 Senior Military Representatives each from the warring parties
- 1 Senior representative from the police from each warring party
- 1 Senior representative from the National Security Service for each warring party.
- 1 Senior Representative from the Former Detainees
- 1 Senior Liaison Officer each from the warring parties

ii. Starting today in Juba CTSAMVM is inducting and training the first batch of 54 National Monitors to work in the field. They will be deployed to CTSAMVM Sectors and Team Sites.

iii. Joint teams will help overcome access issues, enhance cooperation between CTSAMVM and the Parties, and indeed within the Parties. The involvement of National Representatives at all levels in CTSAMVM represents a major achievement and will significantly increase the capability of CTSAMVM.

d. **Ceasefire Master Map** With information provided by the Parties as a result of the CTSAMVM PCTSA workshop of 24-25 September 2018 CTSAMVM has been able to produce an initial master map of all military units within South Sudan.

e. **Community Engagement** Since September 2018 CTSAMVM has created a capacity to engage with the civilian community and explain the role and nature of CTSAMVM and the provisions of the peace agreement. Meetings have involved more than 4000 attendees from a wide range of stakeholders including women's groups, politicians, academia, community leaders CSOs and IDP communities. The initiative has been extremely well received by stakeholders.

5. **Violation Reports** CTSAMVM has submitted three specific violation reports since the signing of the R-ARCSS on 12 September. These reports have been recorded on the outcomes of the CTC meetings where they were presented, discussed and endorsed by the Parties.

a. **Hostile and Provocative Military Operations in the Yei Area** Mundu had been under control of the SPLM/SPLA-IO, as verified by CTSAMVM on 4 September 2018. On 1 October 2018 SSPDF forces attacked and took Mundu. This violation was presented to the 2nd CTC meeting on 10 October 2018, and following a positive discussion it was decided that CTSAMVM should facilitate discussion between the Parties and arrange Joint Field Visits to areas where there were issues. Since then CTSAMVM arranged a

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Joint Field Visit to the Yei area on 1 November 2018. This enabled contact between the SSPDF and SPLM/SPLA-IO which has since developed, and tensions have decreased significantly.

- b. **Provocative and Hostile Operations in the Wau Area** Until June 2018 when a new commander was appointed to 5th Division SSPDF, CTSAMVM has used the Wau area as an example of where both the SPLM/SPLA-IO and SSPDF were respecting the 21 December 2017 CoHA. CTSAMVM verified SPLM/SPLA-IO positions in early 2018. In July 2018 CTSAMVM released a violation report concerning the taking by the SSPDF of an SPLM/SPLA-IO position at Wadhelelo. Since then CTSAMVM teams have been denied access by 5th Division SSPDF from visiting what is known as the 'Wau triangle' while the Division has continued to prosecute operations against SPLM/SPLA-IO positions. On 4 October 2018 SSPDF forces attacked the community of Ngouku, and this was presented as a violation to the 3rd CTC meeting. As a result of this the CTC found the SSPDF to be in violation of the R-ARCSS and decided to recommend the SSPDF take the appropriate action against the Commander of 5th Division, Maj Gen Keer Kiir Keer, and that a CTC Joint Field Visit take place as soon as possible. Since then there have been further allegations by both Parties of continued fighting. At the 4th CTC the Senior TGoNU representative reported that he had personally briefed the CDF about this issue. A Joint Field Visit is planned for 22 Nov 2018.
- c. **Clashes and abduction of Civilians in the Yei Area** This violation was also presented at the 3rd CTC meeting and concerned clashes between opposition groups: elements of the SPLM/SPLA-IO and elements of the SSOA, specifically the SSNMC. NAS forces were also involved, fighting alongside the SSNMC. Specific violations concerned the abduction of civilians by SPLM/SPLA-IO forces, several of whom were kept beyond the signing of the R-ARCSS, and attacks by SSNMC/NAS forces against SPLM/SPLA-IO positions at YONDURU on 26 September 2018 and Minyori on 13 October 2018. The CTC found both the SPLM/SPLA-IO and SSOA to be in violation of the R-ARCSS, and decided that they should work together in order to resolve the issues in the Yei Area. It was also decided that the SPLM/SPLA-IO and the SSOA should take the appropriate action against the officers involved, and the SPLM/SPLA-IO should ensure the release of the abducted civilians. At the 4th CTC the SPLM/SPLA-IO reported that the civilians had been released, but the whereabouts of the officer concerned – Colonel Gadi – was unknown. The SSOA reported that the allegiance of the officers involved with the attacks – Maj Gen Khamis Nange and Brigadier Cons – was unclear and it was decided that CTSAMVM would investigate the status of these forces assisted by the Parties.

6. **Significant Challenges**

- a. **Access** One of the most significant obstacles CTSAMVM faces is that of access. MVTs in the field have all the usual physical obstacles – weather and roads – to contend with, as well as having to have to coordinate with UNMISS when force protection is

required, and top of this they are sometimes denied access by the Parties. The most frequent examples of denial of access are connected with verification of forces.

- b. **Formation of Strategic Mechanisms** Key security mechanisms, particularly the JDB, JMCC and JTSC have yet to become operational. As it is these security mechanisms which should be able to address key issues such as access and disengagement, progress will be limited until they are fully operational.
- c. **Communication within parties' chain of command** There are constraints on the internal capacity of parties to communicate instructions to field commanders in a timely and responsive manner. CTSAMVM will develop options to resolve the communication problems.
- d. **Ceasefire Master Map Verification** So far only 14 of 532 declared positions have been verified. Verification is a priority which requires cooperation and commitment by all parties. CTSAMVM has had technical problems which has delayed the production of maps. Not all Parties have the technical capacity to produce co-ordinates.
- e. **Resources** CTSAMVM faces cash flow and budgetary constraints which may limit operational effectiveness. Requirements are as follows:
 - i. Funding for National Monitors and training workshops.
 - ii. Funding for the Reconstituted/Restructured CTSAMVM. The requirement for additional international monitors for future Monitoring and Verification Teams (MVT) such as at RAJA; NASSIR; RENK; and TAMBURA.
 - iii. Logistic support to for MVTs including food, power generation, transport, accommodation to include locations outside UNMISS bases in order to increase the speed and responsiveness of the MVTs throughout South Sudan.
 - iv. Subject Matter Experts to assist with the disengagement of units and standing up cantonment and assembly areas ; such as procurement, biometrics, EOD specialists to assist with security and accountability of weapon, ammunition security and storage.
 - v. A larger CTSAMVM HQ facility which is fit for purpose.
 - vi. A common communication and radio platform for CTSAMVM.

7. **Ongoing CTSAMVM Activities**

- a. **CTSAMVM Restructuring** Three Sectors are being established with joint Sector Headquarters and Joint MVTs. This will take management and coordination closer to

the field and enable closer coordination with the Parties. Sector 1 – which covers Equatoria – is already up and running, and Sectors 2 and 3 will be established within a few weeks. CTSAMVM is already benefiting from greater resources. We now have 4 rotary-wing and one fixed-wing aircraft, and an increased staff capability, much of which will be deployed at Sector level.

- b. **Patrol Activity** Since the signing of the agreement on 12 September CTSAMVM MVTs have carried out 169 Long and Short Duration Patrols and 6 Confidence building workshops. MVTs have been monitoring and verifying forces, investigating alleged violations and monitoring the dissemination of the agreement.

8. **CTSAMVM Planned Activity**

- a. CTC No 5. Nov 27-28 2018 (Khartoum).
- b. CTSAMVM Board No 2. 29 Nov 2018 (Khartoum)
- c. Continued monitoring and verification activity with particular emphasis on:
 - i. Vacation of military units from civilian facilities.
 - ii. The verification of the employment of child soldiers and their demobilisation.
 - iii. Mapping and verification of military units in particular locations where units are in close proximity.
- d. Training and induction of National Monitors 19-23 Nov 2018.

9. **Conclusion and Recommendations**

- a. Whilst there is a long way to go CTSAMVM can report that in most areas it is apparent there is a genuine desire to make the agreement work. CTSAMVM hopes that by developing as a joint mechanism working with the Parties it will better fulfil its mandate and provide the CTSAMVM Board, RJMEC and the IGAD Council of Ministers with the information they require at the strategic and political level.
- b. Implementation of chapter II of the R-ARCSS is lagging behind the deadlines in the agreement. Specific provisions such as disengagement, cantonment and training will likely be delayed until the security mechanisms are in place and functioning.
- c. CTSAMVM recommends that:
 - i. RJMEC prioritise the operationalisation of the security bodies which are required to ensure implementation of Chapter II in particular the JDB, JMCC, JTSC and SDSRB.
 - ii. RJMEC support the CTSAMVM process by exerting influence on stakeholders to implement the recommendations of the CTC.

- iii. RJMEC to request IGAD to engage with the non-signatories to the revitalized agreement who are currently not committed to it in order to prevent further inter factional violence.
- iv. RJMEC, NPTC and partners urgently mobilise the resources necessary for CTSAMVM to fulfil its mandate.



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