

**UNIVERSITY OF NAIROBI**  
**DEPARTMENT OF DIPLOMACY AND INTERNATIONAL STUDIES**

**MONITORING AND EVALUATING PEACE AGREEMENTS IN AFRICA:  
LESSONS FROM THE JOINT MONITORING AND EVALUATION  
COMMISSION IN SOUTH SUDAN**

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## DECLARATION

I, hereby declare that this research project is my original work and has not been presented in this university and/or any other institution of higher learning for purposes of examination.


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## **DEDICATION**

This research project is dedicated to my late Aunt Priscilla Nyannyang, who took up my father's role in my life since Dad passed on, my late aunt Roda Achol, my late Grandmother Elizabeth Anak Mabor, my mother Victoria Yar Dhieu, and my sisters Roda Nyannyiir, Adut and Apet Maker. I also dedicate this work to Baba Kiir Mayardit and James Deng Wal Achien for being steadfast supporters of my pursuit for higher learning after the passing on of my aunt, Priscilla; your encouragement, advice and admiration has been unwavering. I hope that this will be a proof to you, that you can do the seemingly difficult if you put in the hard work and trust in God.

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## ABBREVIATIONS AND ACRONYMS

<b>ACHPR</b>	-	African Commission on Human and Peoples' Rights
<b>ADB</b>	-	African Development Bank
<b>AEC</b>	-	Assessment and Evaluation Commission
<b>APC</b>	-	All People's Congress
<b>ARCSS</b>	-	Agreement on the Resolution of the Conflict in South Sudan
<b>AU</b>	-	African Union
<b>CCP</b>	-	Commission for the Consolidation of Peace
<b>CIAT</b>	-	Comité International d'Appui à la Transition
<b>CMA</b>	-	Coordination des mouvements de l'Azawad (Coordination of Azawad Movements)
<b>CoHA</b>	-	Cessation of Hostilities
<b>CPA</b>	-	Comprehensive Peace Agreement
<b>CRA</b>	-	Compensation and Reparation Authority
<b>CSA</b>	-	Comité de suivi de l'accord (Peace Agreement Monitoring Committee)
<b>CSO</b>	-	Community Service Officer
<b>CSOs</b>	-	Community Service Officers
<b>CTRH</b>	-	Commission for Truth Reconciliation and Healing
<b>CTSAM</b>	-	Ceasefire Transitional Security Arrangements Monitoring
<b>CTSAMVM</b>	-	Ceasefire Transitional Security Arrangements Monitoring and
<b>DDR</b>	-	Demobilization and Reintegration
<b>DRC</b>	-	Democratic Republic of the Congo
<b>ECOWAS</b>	-	Economic Community of West African States
<b>EFMA</b>	-	Economic and Financial Management Agency
<b>EU</b>	-	European Union
<b>FARDC</b>	-	Armed Forces of the Democratic Republic of Congo
<b>FBO</b>	-	Faith-based Organization
<b>FBOs</b>	-	Faith-based Organizations
<b>GoS</b>	-	Government of Sudan
<b>ICGLR</b>	-	International Conference on the Great Lakes Region
<b>ICP</b>	-	Independent Commission on Policing
<b>IDPs</b>	-	Internally Displaced Persons
<b>IGAD</b>	-	Intergovernmental Authority for Development
<b>JIC</b>	-	Joint Implementation Commission
<b>JMEC</b>	-	Joint Monitoring and Evaluation Commission
<b>KII</b>	-	Key Informant Interviews
<b>MDGs</b>	-	Millennium Development Goals
<b>MDRP</b>	-	Multi-Country Demobilization and Reintegration Program
<b>MINUSMA</b>	-	United Nations Stabilization Mission in Mali
<b>MOC</b>	-	Mécanisme Opérationnel de Coordination (Operational Coordination Mechanism)
<b>MONUC</b>	-	United Nations Organization Mission in the Democratic Republic of the Congo
<b>NCRC</b>	-	National Constitutional Review Commission
<b>NSF</b>	-	National Salvation Front



<b>OAU</b>	-	Organization for African Unity
<b>OPP</b>	-	Other Political Parties
<b>R-ARCSS</b>	-	Revitalized Agreement on the Resolution of the Conflict in South Sudan
<b>RCD</b>	-	Rally for Congolese Democracy
<b>R-JMEC</b>	-	Reconstituted Joint Monitoring and Evaluation Commission
<b>R-TGoNU</b>	-	Revitalized Transitional Government of National Unity
<b>RUF</b>	-	Revolutionary United Front
<b>SADC</b>	-	Southern African Development Community
<b>SPLM/A</b>	-	Sudan People's Liberation Movement Army
<b>SPLM/A-IO</b>	-	Sudan People's Liberation Movement in Opposition
<b>SPLM-IG</b>	-	Sudan People's Liberation Movement in Government
<b>SRF</b>	-	Special Reconstruction Fund
<b>SSOA</b>	-	South Sudan Opposition Alliance
<b>SSR</b>	-	Security Sector Reform
<b>TGoNU</b>	-	Transitional Government of National Unity
<b>JMC</b>	-	Joint Military Commission
<b>TNL</b>	-	Transitional National Legislature
<b>TROIKA</b>	-	United States of America, the United Kingdom and Norway
<b>TSA</b>	-	Transitional Security Arrangements
<b>UN</b>	-	United Nations
<b>UNDP</b>	-	United Nations Development Programme
<b>UNMISS</b>	-	United Nations Mission in South Sudan.
<b>UNSC</b>	-	United Nations Secretary General (UNSC)
<b>UNSSSS</b>	-	United Nations Security and Stabilization Support Strategy Verification Mechanism

## ABSTRACT

Through the use of the Joint Monitoring and Evaluation Commission (JMEC) in South Sudan as a case study, this paper aims to explore the Monitoring and Evaluating Peace Agreements in Africa. The efficiency of Monitoring and Evaluation commissions in incorporating peace agreements in Africa was investigated in this study, along with challenges and opportunities. It also assessed the efficiency of the Joint Monitoring and Evaluation Commission in observing the implementation of the South Sudan peace agreement. The study's findings, conclusion, and recommendations were derived utilising primary and secondary data.

According to this study, the manner in which Monitoring and Evaluation is carried out has a significant impact on the integrity of results and evaluations in Africa. The United Nations Security and Stabilization Support Strategy for Eastern DRC (UNSSSS) for the DRC, the Commission for the Consolidation of Peace (CCP) for Sierra Leone, and Assessment and Evaluation on Sudan Peace Agreement Process for Sudan are some of the African case studies used in this study. The study also examined that the R-JMEC has not fully executed its mandate as it was intended during its formation and quite a number of issues have not been taken into consideration by the commission as required. The study established that several challenges have severely limited progress in the pace of the Monitoring and Evaluation process. Some of the challenges discussed in this study are: overly ambitious goals; inadequate political will; trust deficit, non-compliance and lack of co-ordination amongst parties, poor priority choices, inadequate funding, poor coordination of security mechanisms, non-completion of the unification of forces; and insufficient technical expertise. The study further looked at opportunities which R-JMEC should embrace to make the Monitoring and Evaluation process worthwhile in attaining the mandate the commission was meant to meet. Some of the opportunities tackled in the research include: engaging grassroot administration and citizens; practicing enforcement mechanism, utilizing national research institutions, considering a prominent leader as R-JMEC chair; working on the outstanding tasks under the chapter. Additionally, this study explored that little estimation has been done in relation to peace implementation in the DRC due to barriers like vagueness in the project interventions' objectives, disparities, and outside forces' interference; limited institutional capacity and time for Monitoring and Evaluation; a pretty volatile operating environment that necessitates constant plan adaptation, reprioritization of actions, and revision of targets; and coordination among project participants. The report further claimed that CPA's ambiguity was the primary cause of its slow implementation and, consequently, its slow Monitoring and Evaluation. Favoritism and anticorruption laws also significantly slowed down the adoption of CPA.

Finally, the study makes the following recommendations: the R-JMEC should set realistic time frame to avoid resetting of new time frames every time the initial stipulated timelines elapse; mobilize sufficient human resources and finances to enable smooth running of activities; lifting of arms embargo to allow deployment of the unified national forces; considering having a prominent African leader, this will give the commission a better picture from fellow leaders and guarantors; and involvement of the grassroot administration and representation of the disabled, this will make all the citizens feel part of the Monitoring and Evaluation process.

## **Chapter One**

### **Introduction**

#### **1.1 Introduction and Background to the Study**

For every modern Peace Agreement that is struck, Monitoring and Evaluation systems have to be set in place to help realize the set objectives of the peace agreement. The Monitoring and Evaluation processes are an integral part of modern-day peace agreements. They always demand the creation of an organization to assist in monitoring the completion of the Peace Agreement's mandate and assess the adherence of the Peace Agreement's terms. It is a process, which substantiates and guides tactical objectives, designs, and helps with right resource allocation, monitoring and evaluating Peace Agreements which helps in drawing lessons from earlier stable engagements which might be put into practice in current or future scenarios. The lessons drawn by the monitoring and evaluating bodies are used by policy makers to come up with effective planning which will always lead to stabilizing the situation. Importantly, Monitoring and Evaluation prevents failure, guarantees conflict resolution, and mitigates unforeseen strife on the people living at high-risk operations areas.<sup>1</sup> Besides, it is worthy to note that the Monitoring and Evaluation activity should be undertaken alongside the program being monitored and verified, but not after a program is terminated. The ongoing endeavor allows the Monitoring and Evaluating body to work on regular reviews as the program is ongoing. In the long run, this ensures that the initial plans are maintained and necessary adjustments are done in the right time if need be.

Globally, a number of institutions and experts have been employing Monitoring and Evaluation methodologies on peacekeeping and peace building operations.<sup>2</sup> The Monitoring and Evaluation is vital because the contemporary peacekeeping and peace building operations have been vested with the power to tackle more complex and progressive mandates than previously. The implementation period's successes and challenges speak to the structure of the processes employed in the arbitration process and the particulars of consensus arrived upon and their influence on the possibilities for future

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<sup>1</sup> Zapach, Marla. Monitoring and Review of War and Stabilization Initiatives.UK. Stabilization Unit; 2014

<sup>2</sup> Cedric de Coning and Paul Romita, Reporters, Coning published "Monitoring and Assessing of Peace Operations" in November 2009 in New York under the auspices of the International Peace Institute.

conflict evolution.<sup>3</sup> It is therefore important to monitor and evaluate a Peace Agreement with an effective working approach.<sup>4</sup>

The Good Friday Agreement led to formation of Independent Commission Policing, a commission with the main agenda of overseeing the “consent principle.” The principle stipulated that for a change to occur in the status of Northern Ireland majority of the country’s ought to consent. Political violence in Northern Ireland had killed nearly 3,500 people between 1969 and 1999. The conflict, colloquially known as “the Troubles,” dates back to the partitioning of Ireland in 1921 and it pitted the citizens against each other on the grounds of diverging nationalities, religion and even culture. The legislators in Northern Ireland, as well as the governments of the UK and Ireland negotiated a political solution on April 10th, 1998, which led to the aforementioned accord which was monitored and evaluated by the Independent Commission on Policing (ICP). The peace accord has been easy to fully fulfill, irrespective of the fact that the security environment has improved greatly from 1998. Even if the majority of commentators feel that the Good Friday Treaty's key provisions have been followed, feelings of uneasiness in Northern Ireland are still elevated and there is ongoing mistrust between the unionist and nationalist people as well as their individual political groups.<sup>5</sup>

South Sudan, with the direction of the R-TGoNU, is implementing the Revitalized Agreement on the (R-ARCSS), supervised by the newly Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC). This historic signature of the R-ARCSS in 2018 came on the heels of 6 years of a destructive political violence and resultant fracturing of the social fabric. The R-JMEC, formerly known as the JMEC, was formed by R-TGoNU with the assistance of the world organizations and regional institutions like IGAD and the AU, in order to help the parties to the accord stick together and carry out the execution of the agreed chapters.

R-TGoNU is currently entrusted with the primacy of restoring peace and stability in South Sudan by focusing on a range of protocols, including realizing aspirations laid out in each chapter of the R-ARCSS. R-JMEC task focuses on the implementation of agreement on a

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<sup>3</sup> AccordThe Indonesia-Aceh Peace Agreement: Lessons Learned, Policy Report, 2008.

<sup>4</sup> Hehn, V. A. Guidelines for Internal Actors Accountable for Execution of Peace Deals Following Violent Intranational War (Boston: Martinus Nijhoff Publishers, 2011).

<sup>5</sup> Archick K. Northern Ireland Peace Process: Background and Challenges. (Congressional Research Service, 2019).

number of issues namely; governance, security arrangement, humanitarian access, constitution making, national cohesion, national healing, reconciliation, and transitional justice. While the R-TGoNU is making strides towards these key provisions amidst a myriad of political and fiscal challenges, localized conflicts have recently become more rampant and costly.<sup>6</sup> Accordingly, this study evaluates how the South Sudan Peace Accord has been followed up by Joint Monitoring and Evaluation Commission. Consequently, JMEC is investigated in research along with its history, functioning, and potential as it relates to the execution of the South Sudan accord on resolving conflicts.

## **1.2 Problem Statement**

Similar to the rest of the globe, Africa has a few Monitoring and Evaluation Commissions that are in charge of ensuring that the terms of certain Peace Agreements are followed. Some of the notable examples of the commissions tasked with ensuring adherence to the peace accords include the AEC for Sudan, the CCP for Sierra Leone, and the UNSSSS for the D.R.C. Nevertheless, it is known that these commissions collaborate closely with regional bodies like ECOWAS as in the scenario of Sierra Leone and the IGAD in the situations of Sudan and South Sudan.

South Sudan, under R-TGoNU has been implementing the R-ARCSS. The agreement enabled the formation of R-TGoNU with the backing of international and regional organizations like IGAD and AU forming the body known as the R-JMEC, which was the JMEC from 2015 through 2018, to support parties in the process of implementing the agreement to achieve its objectives. There has been modest progress on carrying out the country's major Peace Accord, which was inked in 2018 and brought an end to a civil conflict that began in 2013. President Salva Kiir and former leader of the opposition Riek Machar established a government of unity.

However, some South Sudanese citizens have conflicting opinions about whether the JMEC, now the R-JMEC is on the right track in accomplishing its goals.

The agreement outlined a number of conflict resolution and political reform measures, including the implementation of safety procedures, adherence to humanitarian standards, the beginning of a reconciliation and healing process, and the introduction of political reforms aimed at addressing the underlining causes of conflict, all of which were to be

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<sup>6</sup> Burton, J. W. (1969). *Friction and Dialogue* London: Macmillan.

implemented over a three-year transition period. Another foreseen challenge is that an armed insurgency led by Thomas Cirillo, known as the NSF, is already posing a danger to the current peace process since South Sudan was supposedly preparing for a national election which was to be held in December 2022 but has been postponed to February, 2025. In light of this uncertainty, it is necessary to examine JMEC's performance in implementing the South Sudan Agreement in order to identify difficulties and opportunities that could aid the commission in fulfilling its mandate.

### **1.3 Research Objectives**

The primary intent of this study was to assess performance of monitoring and evaluating peace agreements in Africa with the case study being based on South Sudan. The specific aims of study are:

1.3.1 To evaluate performance of Monitoring and Evaluation Commissions in implementing peace agreements in Africa.

1.3.2 To evaluate the performance of the JMEC in tracking of Peace Accords in South Sudan.

1.3.3 To assess challenges and opportunities of JMEC in implementing conflict resolution agreements in South Sudan.

### **1.4 Research Questions**

1.4.1 How have various existing Monitoring and Evaluation Commissions performed in implementing peace agreements in Africa?

1.4.2 How is the JMEC performing in tracking the fulfilment of the Peace Accord in South Sudan?

1.4.3 What obstacles must JMEC overcome and what chances must it seize in order to carry out the South Sudan Peace Agreement's conflict resolution provisions?

### **1.5. Study Hypotheses**

The following theories will be examined in this study:

1.5.1 Various existing Monitoring and Evaluation Commissions in Africa have not diligently kept track of how the peace agreements are implemented and report any violations, slowness, challenges, and opportunities experienced during the process.

1.5.2 JMEC has failed in monitoring implementation of Peace Accord in South Sudan due to several challenges facing the commission.

## **1.6 Study Justification and Significance**

With challenges facing sustainable peace in Africa due to protracted conflicts, there is a need to study and recommend approaches and mechanisms that could be used in extracting lessons which can be drawn from the JMEC. This research study builds on to the body of knowledge on how academia and decision-makers can support South Sudan's JMEC in implementing peace agreements and the lessons learned that can be applied elsewhere.

### **1.6.1 Academic Justification**

This study will generate knowledge which will be useful to future scholars on the role played by JMEC on South Sudan Peace Agreement and the various challenges and opportunities it achieved in the monitoring of South Sudanese conflict. Monitoring and evaluating of JMEC in South Sudan is imperative as it would essentially provide a thorough description and illustration of how and why the agreement is not realizing the expected outcomes in South Sudan. This evaluation outlines the missing link between what the peace agreements were and how these were to realize peace in South Sudan. The study sought to evaluate the conditions (outcomes) that must exist (and how these are causally related to one another) for peace to occur in South Sudan.

### **1.6.2 Policy Justification**

In order to promote peaceful coexistence in South Sudan, research on role JMEC played in South Sudan Peace Accord is crucial since it has a variety of effects on community cohesion and the society's overall well-being. It involves policy dimensions in such areas as political and economic empowerment, institutions and overall development, poverty reduction, and employment. Additionally, the study augments the prospects of accomplishing both international and national obligations such as Millennium Development Goals (MDGs), either directly or indirectly. This study informs various policy interventions that need to be put in place by peace partners and other international

actors to bring about peace in South Sudan and in decision making to help them achieve lasting peace.

## **1.7 Literature Review**

In order to fully comprehend the procedure of Monitoring and Evaluating Peace Agreements in Africa and specifically in South Sudan, the study reviews relevant literature in this section. Literature review covers theoretical literature/conceptual literature, theoretical framework and methodology of the study. The content of the literature review covers performance of Monitoring and Evaluating Peace Agreements in Africa using South Sudan as a case study.

### **1.7.1 Theoretical Literature/Conceptual Literature**

There are several hypotheses put up to explain why Peace Agreements are followed up on and assessed. Among these are the effects of war on a society's basic, economic, and cultural history, war weariness, the quest of rewarded, a proclamation of a no-win, no-lose result, major war over peaceful solution, and fulfilment of the army vs peace settling triumph.<sup>7</sup> The instrumentalist theory aids in identifying ways to successfully address the root causes of issues that has stalled development and serves as a decision-making tool for choosing the best course of action in the face of any new difficulties. This theory also aids in identifying the basic assumptions and dangers that must be understood and continually assessed during the procedure to ensure that strategy will result in the desired final form.<sup>8</sup> The idea that development issues are diverse and often driven by multiple elements and levels which are deeply ingrained in how society operates has guided the selection of this instrumental concept for this research. It offers a foundation for studying both during and after-action phases, as well as what has to be changed if the method isn't functioning. The instrumentalist theory could be of immense help in guaranteeing a good logic for achieving targets of JMEC by addressing the source of the arising contest, assuming things on how the proposed method is anticipated to endure outcomes, and testing these suppositions against proof, with what has functioned well and what has not worked well in

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<sup>7</sup> Pratt, M. (2009), "Components of Peace Agreements Contributing to Durable Peace, with an Emphasis on Management of Resources", Peace Agreements and Durable Peace in Africa Workshop, Durban, South Africa

<sup>8</sup> Caplan, Richard. Measuring Peace: Principles, Practices, and Politics. Oxford University Press, USA, 2019.



the past.<sup>9</sup> This can be realised with ease since the theory advocates for imperfection till lasting peace and perfection is achievable.<sup>10</sup>

The South Sudanese war has been unpredictable and prolonged, necessitating close observation and the willingness to adapt intervention techniques to the situation at hand. To track and assess the Peace Agreement's implementation, South Sudan's Joint Monitoring and Evaluation Commission (JMEC) was established. The function of the commission can be best explained by the instrumentalist theory. This theory provides for complex transition of an agreement, rather than gradual centrality to a given agreement.<sup>11</sup> The instrumentalist perspective allows for the improvement of any flaws that may have been present along the way, such as commission phrasing or validity. When applying this idea, the major objective is to concentrate on the necessity of having rising trend when it comes to bringing out a certain commission's task. With time, the gaps or ambiguities which might be there when a commission is mandated to monitor and evaluate a given process are filled and solved. This mode of accommodation then makes handling of real issues easier as set regulations are reached with regards to what happens in the real world.

As in the case of South Sudan, where the Revitalized Agreement on the Resolution of the conflict in South Sudan (R-ARCSS) is being implemented and overseen by Transitional Government of National Unity (R-TGoNU), instrumentalist theory is typically accepted as part of a specified involvement of any contract. As explained above, this theory's most value relies in new opportunities and challenges which are found on the way during the execution of a given commission's mandate, in the case, the Joint Monitoring and Evaluation Commission. Although the international community is essential to any Monitoring and Evaluation Commission, it is advised to assist the process of linking the peace accord and the genuine issues facing the commission rather than forcing itself into the process.<sup>12</sup> This will therefore lead to lasting peace eventually.

With regard to achieving long-term peace, two philosophies inform the peace-making process. The first is the Three Phase Model proposed by Christopher Mitchell, and the second is the Mutually Enticing Opportunities theory. In contrast to Mitchell's model,

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<sup>9</sup> Sean Molloy and Christine Bell, "How Ceasefires Provide Execution," p. Report on Practices. (PA-X) (2019; University of Edinburgh Political Settlements Research Program) (2019).

<sup>10</sup> Jean Arnault Is this arrangement good or bad? A viewpoint on deployment. University of Princeton's Center for International Studies.

<sup>11</sup> Ibid

<sup>12</sup> Ibid

which highlights the role of agency in achieving lasting peace, the Mutually Enticing Opportunities hypothesis places a higher priority on issues. Mitchell created a paradigm based on provisions and the duties of important mediators in light of the complexity of peace agreements and the huge number of mediators necessary for effective peace negotiations.<sup>13</sup> Mitchell's concept focuses on three players -the Enskiller, the Guarantor, and the Reconciler- who are referenced at each of the three stages of the agreement process. The Enskiller first should understand the cultural and sociopolitical context of the dispute in order to design capacity-building initiatives that will best support the various stakeholders in upholding long-term peace, even when external forces are not present to oversee the solution.

Moral surety is a significant group of participants in the peace efforts. In many African societies, the calibre of famous persons who mediate and serve as moral guarantors is crucial. Nelson Mandela, for example, served as a mediator in the Burundi conflict.<sup>14</sup> The rising discourse on Mutually Enticing Opportunities has called into doubt the association of moral guarantors with long-term peace processes.<sup>15</sup> This rhetoric focuses on the mediation application's negotiating chip rather than the main protagonists. Its underlying tenet is that combatants think peace rewards are preferable to waging war. Beyond the culturally established politeness context, discussions in Africa cannot endure. It seems that for time being, Africa's "revered voices" still have a part to play in promoting lasting peace. The Reconciler is the third player in Mitchell's paradigm, and his job is to develop "relationships among and within opponents."<sup>16</sup>

### **1.7.2 Empirical Literature**

This study is about Monitoring and Evaluating signed Peace Agreements with an aim of drawing lessons for such activities in future. Chapter two will examine how Monitoring and Evaluation Commissions have performed in enforcing peace agreements in Africa on the basis of case studies of the Democratic Republic of Congo, Sierra Leone and Sudan,

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<sup>13</sup> Arbitration and Resolution of Conflicts. In: MacGinty, R. and Darby, J. (eds.) Conflict, violence, and peace procedures in modern times. Brooklyn, Palgrave Macmillan.

<sup>14</sup> The Peace Deal in Burundi Is Not Peace. pp. 21–35 in Track Two Miscellaneous Studies, Vol. 11 (5 and 6).

<sup>15</sup> Zartman, I.W. (2004) A Empirical and Theoretical Analysis of the Factors Affecting the Longevity of Friendly Solutions in Rebellions: MEOs and Lasting Settlements Paper Prepared for Presentation at the American Political Science Institution's 2004 Annual Conference, 2-sep. 2004.

<sup>16</sup> Ibid

the functions of implementation commission, composition and roles of implementation, monitors of Agreements Monitoring and Evaluating the Implementation of the process, Implementation Mechanisms, and challenges faced during the process.

## **1.8 Theoretical Framework**

### **1.8.1 Constructivist Theory**

Constructivist theory focuses in getting new ideas on how solutions can be found on given situations or in getting new ideas on how to find lasting solution on a given conflict. The theory advocates exploration, proposing, explanation, solution, and working on the proposed ideas to make Monitoring and Evaluation better. It is worthy to note that this theory upholds borrowing of ideas. This helps in making better and informed decisions as time goes by. It is relevant in Monitoring and Evaluating commissions since its main desire is to know how the achievements and progress of a given agreement through the monitoring board.

The constructivist theory in Monitoring and Evaluation believes that the main ingredients of the theory are people.<sup>17</sup> This is because people are the motors behind any developmental change in the society. Therefore, if humans are engaged well in a given agreement, then implementing the agreement will be an easy task and this will lead to successful Monitoring and Evaluation. Since human beings are social beings, this helps in making the execution of constructivism smooth. Through interactions and negotiation, an implementation is done with ease. Understanding amongst people and exchange of experiences plays a big role in mass learning, improvement and change. Following Monitoring and Evaluation closely therefore, it is a process which is being conducted during the collective learning process, but finally the implementation of agreement should be realized and the process of Monitoring and Evaluation process executed successfully.

One of the bright sides of this theory is that it borrows a lot from other commissions.<sup>18</sup> This helps the commission in question to make informed decisions about the Monitoring and Evaluation either from failures or success of other commission. This is one of the strengths of the theory since it merges perspectives from other commissions and its perspectives and comes up with the best for the time Monitoring and Evaluation process is

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<sup>17</sup> Mierlo, Barbra v. "Techniques and Strategies for Planning and Assessment." 2011 update.

<sup>18</sup> Ibid

being conducted. They guarantee a clear understanding of how the processes change. These perceptions are helpful for the connections inside the initiative or network as well as the learning curve itself.

Constructivist theory is usually determined at the start of an intervention strategy of any accord, as in the case of South Sudan, under the Revitalized Transitional Coalition government (R-TGoNU) that was carrying out the Revitalized Agreement on Solution to the conflict in South Sudan (R-ARCSS) and being overseen by R-JMEC. As explained above, this theory's most value relies in new opportunities and challenges which are found on the way during the execution of a given commission's mandate, in this case, the Joint Monitoring and Evaluation Commission.

## **1.9 Research Methodology**

The methodological techniques that were applied to in acquiring and analyzing the data are covered in this section. This interpretive, subjective study employs a case study. This exploratory study analyzes how well peace deals are monitored and assessed in Africa, especially in the case of the Joint Monitoring and Evaluation Commission in South Sudan, by analyzing data from multiple sources, both primary and secondary. Deep research of important stakeholders, persons, groups, and institutional phenomena is done using data gathering approaches.<sup>19</sup>

### **1.9.1 Case Study**

In social science research, a case study is a thorough analysis that frequently includes empirical data gathered over time from a clearly defined case. The JMEC's success in South Sudan with regard to monitoring and evaluating Peace Agreements in Africa is explored and examined in this study. It examines the indications of goal attainment, the circumstances surrounding a current occurrence, how those circumstances relate to the commission's performance in carrying out its mandate, and formulates any lessons learnt from the agency that could be applied to future performance.<sup>20</sup>

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<sup>19</sup> Olive Mugenda and A.G. Research Methods: Empirical & Subjective Method (Nairobi: ACTS Press, 1999).

<sup>20</sup> Dixon, W. J. and Massey, F.J. Data Analysis Overview. (New York: McGraw-Hill, 1969).

### **1.9.2 Data Collection**

The researcher made sure that all terms of reference were clearly outlined and accepted by the study participants before proceeding to collect data. There was a signed letter of introduction specifying the amount of time the researcher would take to complete the study. Secondly, a work plan outlining various tasks, such as the research process, time-frame for each task, parties that would be involved in the research and their tasks were drawn. This study exhaustively employed both primary and secondary data to collect information. Primary sources comprised semi-structured and structured by using questionnaires interviews. Looking over R-JMEC reports provided some of the secondary data. Focus groups, group interviews, online and offline questionnaires, and observations were all utilised in the study. The primary data were obtained from interviews and questionnaires; the researcher additionally distributed questionnaires to a range of respondents.

A questionnaire created to evaluate the performance of the South Sudan Peace Agreement's implementation by R-JMEC served as the basis for this study. The questions were formulated using both open-ended and closed-ended questions that addressed different aspects and objectives of the research. Secondary data was used to provide information that informs the study. This included information gathered from books, scholarly journals, articles, policy papers, books written by well-known authors in their fields, dissertations, earlier research papers, unpublished documents, conference papers, periodicals, protocols, communiqués, magazines, meeting minutes, reports, the internet, and television and radio documentaries related to the study. Histories and profiles of individuals/bodies and the organizations engaged in tackling monitoring and evaluating peace agreements in Africa were used as they offered a systematic account of peace agreements and their implementation in Africa. The cases and stories that manifest the phenomenon of implementation of peace agreements were analysed.

### **1.9.3 Data Analysis**

The collected data were analyzed and interpreted in order to make it simpler to reply to the research issue, aims, and queries. The content analysis approach was used to examine the recorded data derived from texts and, sometimes, physical artifacts. Qualitative data analysis was done to deal with the information from the Key Informant Interviews. This

ongoing process and data collection went hand in hand. Information extraction from detailed interviews that were taped and coded in line with previously established topics, sub-themes, and trends was required.<sup>21</sup>

#### **1.9.4 Data Presentation**

Data presentation covers the act of organizing, organizing, and structuring key components so that the findings may be communicated clearly and effectively. The general strategy involved using content analysis. By methodically and scientifically identifying certain properties of communications and using those attributes to connect trends, content analysis is a technique for drawing conclusions. Because the data was qualitative in nature, content analysis was utilized to examine it. The analysis's emergent findings served as the basis for compiling the findings. The open-ended questions were analysed using content analysis.<sup>22</sup>

#### **1.9.5 Ethical Consideration**

Granted that the study mainly relies on surveys and interviews, the researcher was required to respect the respondents' viewpoints and obtain their permission before using their responses. The study also complied with the requirements for current research practices, including adhering to academic standards for non-plagiarism and citing sources of information at appropriate points in the text.

#### **1.10 Chapter Outline**

This project consists of five chapters. Chapter one covers an introduction and background information, problem statement, research goals, research questions, and assumptions. The chapter also explains the study's academic and political justifications. The theoretical literature, empirical literature, theoretical framework, and research methodologies are all included in this chapter.

Chapter 2 of this research study examines the effectiveness of the Commissions in carrying out the peace Accords in Africa. The Assessment and Evaluation on Sudan Peace

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<sup>21</sup> Pearson, A. V., and Hartley, H. O. (1972). 2nd edition of the Biometrika Tables for Analysts, Vol 2, Cambridge University Press.

<sup>22</sup> Jankowicz A. D., Techniques of Social Research (6th ed. London: Thomson Learning, 2002).

Agreement Process, Sierra Leone's Commission for the Consolidation of Peace, and the DRC UNSSSS were the three case studies that were looked at.

JMEC is judged in Chapter 3 based on how well it followed the South Sudan peace deal. The study's objective was to investigate how the newly established Joint Monitoring and Evaluation Commission is managing the implementation of the R-ARCSS. The chapter discusses the R-ARCSS's historical relevance since its founding. The chapter also looks at how the revived agreement made it possible for R-TGoNU to come into being. Regarding the importance and achievements of the commission, there are differing opinions and reactions. While some will recognize its valuable contribution, others see it as a misguided effort. As a result, Chapter three examines how the JMEC handled monitoring peace accords in South Sudan. To optimize the odds of establishing the intended long-lasting peace, it is essential to choose an efficient implementation strategy for a peace agreement. The commission is still serving its purpose and is acknowledged for its oversight responsibilities. There is yet a long way to go before it can be said to have been successful, just like any other organization charged with executing matters of national interest. In Chapter four, JMEC evaluates the potential and challenges associated with implementing the South Sudan agreement on conflict settlement. Since separating from Sudan, the conflict in South Sudan has remained unresolvable. There have been numerous fatalities, extensive property damage, and economic hardship. JMEC was established in this environment of persistent threats to life, and this study evaluates its success as well as the opportunities and problems it faces in putting South Sudan peace deal into practice.

The summation of research findings and inferences is presented in Chapter Five as a concluding step. This chapter also includes suggestions on how the R-JMEC might best accomplish its goal and encourage peaceful cohabitation in South Sudan.

## **Chapter Two**

### **The Performance of Monitoring and Evaluation Commissions in Implementing Peace Agreements in Africa**

#### **Introduction**

The word monitoring refers to a technical procedure for gathering data upon which a verification decision is to be made. This study therefore, is about monitoring and evaluating signed peace agreements with an aim of drawing lessons for such activities in future. It is on this basis that this chapter presents the performance of Monitoring and Evaluation Commissions in implementing peace agreements in Africa. The chapter looks into the case studies of the D.R.C, Sierra Leone and Sudan, the functions of implementation commission, composition and roles of implementation, monitors of Agreements Monitoring and Evaluating the Implementation of the process, Implementation Mechanisms, and challenges faced during the process.

#### **2.1 Monitoring and Evaluating the Performance of Peace Agreement Implementation Commissions in Africa**

The parties to an agreement, a professional observer team on the ground, reports from the public, as well as technical surveillance, such as aerial surveys or strategically placed sensors, may all contribute to the development of monitoring data during the monitoring process.<sup>21</sup> This enables all parties to evaluate the status of authorized implementation plans while also assisting in the discovery of opportunities and roadblocks in the execution of a Peace Agreement. It is on this basis that it then forms the preconditions for finding solutions.

On the other hand, Evaluation focuses on the process used to determine a finding about the amount, number, or value of something. As a result, evaluation data may be utilized to decide whether to continue a program or not. The decision of which exact evaluation questions to ask and when to schedule evaluation activities are all influenced by the evaluation. Multiple purposes may be found during review; nevertheless, the principal choice may have an impact on how resources are allocated, which stakeholders are involved, and more. Although there are numerous ways to state the evaluation's stated goals, they often fall into three groups: accountability, program development, and



transferability.<sup>23</sup> Therefore, it is crucial that the program is open about the reasons for which it will be evaluated.

Monitoring and Evaluation have the commonality of being administrative tools. This approach has been used for many years by international organizations like the African Union (AU), United Nations (UN), and African Development Bank (ADB). However, emerging nations have also embraced the method, whereby governments set up their own national Monitoring and Evaluation systems to take into account government operations, administration, and agencies for international collaboration.

The integrity of assessments and results in Africa heavily depends on the manner in which Monitoring and Evaluation has been carried out. Prior to project implementation, it is crucial to choose metrics that will allow for the evaluation of the intended outputs and outcomes in order to effectively assess performance. The employment of the instrumentalist theory in these scenarios then, makes the real Monitoring and Evaluation process worthwhile as the theory provides improvement room of mechanisms being used. An outcome indicator, according to the United Nations Development Programme (UNDP), is made up of two mechanisms: the baseline, which is the situation before the program or project starts, and the goal, which is the expected status quo at the project's conclusion.<sup>24</sup> The whole notion of Monitoring and Evaluating projects is therefore, to pin point and insulate errors so as to avoid repeating them however underlining and promoting the successful mechanisms for contemporary and future projects.

## **2.2 Case Studies:**

### **2.2.1 Case of the DRC - UNSSSS**

The official name of Central African nation, is Democratic Republic of Congo. Despite being landlocked, it features a 40-km Atlantic Ocean coastline. Despite being the second-largest nation on the continent, the DRC faces opportunities and difficulties that could affect the direction of its long-term development. With a population of over 71 million and

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<sup>23</sup> Creating a Successful Assessment Strategy. Atlanta, GA: National Center for Chronic Diseases Control and Prevention, Office on Alcohol and Health; Division of Diet, Regular Exercise, and Overweight, Centers for Disease Prevention and Control, 2011

<sup>24</sup> Handbook on Monitoring and Evaluating for Results by the Evaluation Office of the United Nations Development Programme, 2002

a land area of 2.34 million square kilometers, it has the fourth-largest population on the continent.<sup>25</sup>

Despite having the largest natural resource endowments in sub-Saharan Africa and sharing borders with nearly 9 other nations, DRC still a fragile nation that is just now beginning to recover from more than 20 years of political and economic upheaval. It still has to deal with uprisings that put the security of its citizens and its institutions in jeopardy. The unique characteristics of the nation offer it unparalleled prospects for economic and social development, but they also present a number of difficulties in terms of security and peace, the competence and authority of the central government, decentralization, political and economic governance. The 2011-2015 Growth and Reducing Poverty Strategy Paper (GPRSP) makes clear that the plan's objectives are to lift the country out of its hazardous situation and ensuring that it firmly affixed on a path towards prosperity, commensurate to its potential. The obstacles are well understood.<sup>26</sup> The violence is the biggest barrier to growth, aside from the instability that primarily affects the eastern DRC. The DRC continues to have a high level of poverty, and according to the UNDP's 2008 Human Development Index, is ranked 168th out of 177 nations.<sup>26</sup> The country's abundant natural resources are luring ever more important oil and industrial investors; however, this has been unequally distributed. These entrepreneurs are acting carefully when making investments since they are similarly aware of the dangers.

The DRC is home to one of the largest United Nations peacekeeping troops globally, drawing attention to numerous peace initiatives. The Sun City Agreement, which launched the review phase in 2002, laid out the key conditions for peace. Democratization, geographical autonomy, legislative balances of power on leadership, and command over all military groups were these requirements.<sup>27</sup> These ideas have received support from donors, the DRC government, and progressively from other political parties in the country, which in many ways characterize the more general concerns of peace for the DRC.

In 2003, an expanded Chapter Seven mandate was granted under the UN Charter to MONUC, known by its French abbreviation. The Mission has served as an example for the integration of various aspects of labor in conflict settings, despite its gradual focus on

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<sup>25</sup> "Drc 2013-2017 Country Policy Document Regional Departmental Center (Orce/Cdfo)," African Development Finance institutions, 2013.

<sup>26</sup> Goma, March 2009: Democratic Republic of the Congo Peace Agreement between the President and the CNDP (Congress National for People's Defense).

security over the years. It comprised investigations of human rights complaints, the skillfulness of humanitarian activity, and an East stabilization strategy. Extra initiatives to help with the implementation of the peace process and promote regional unity are the World Bank Multi-Country Demilitarization and Reintegration Program (MDRP), the World Congress on the Great Lakes Region, and the Comité International d'Appui à la Transition (CIAT), whose requirement lapsed at the end of the transition period in 2006 (ICGLR).<sup>27</sup> According to international observers, this commitment has improved political stability and verified the effectiveness of a number of transitional institutions. It also enabled the establishment of the Demobilization and Reintegration (DDR) program, the Security Sector Reform (SSR) program, and the framework for the national elections in the Democratic Republic of Congo in 2006, which benefited from foreign aid. The national Disarmament, Demobilization, and Reintegration (DDR) strategy, which was put in place in 2003, also gave combatants the choice of quitting the military or going back to the civilian world.<sup>29</sup> Those who made the decision to enlist in the newly established Armed Forces of the Democratic Republic of Congo (FARDC) experienced "brassage," a procedure that brought together various organizations in the Congolese armed forces while integrating command structures.

#### **2.2.1.1 Monitoring and Evaluating the Agreement on a Cease-fire in the D.R.C**

The Agreement for a Cease-fire in the DRC was signed by the six combatants in Africa's seven-nation war in the Democratic Republic of Congo on July 10th, 1999 in Lusaka, after a year of futile endeavors by Southern African Development Community (SADC), the Organization for African Unity (OAU), South Africa, and other major regional traders. Since August 1998, Kabila and his allies, Zimbabwe, Angola, and Namibia, have been in conflict with a Congolese uprising that is supported by Rwanda, Uganda, and Burundi. The key features of the implied contract for an immediate cessation of hostilities, the formation of a Joint Military Commission (JMC) made up of the conflicting parties to look into cease-fire infractions, devise strategies to subdue the recognized militia groups, and monitor the pullout of foreign soldiers in accordance with a predetermined timeline. It

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<sup>27</sup> Chapman et al, Evaluation of Donor Supported Activities in Conflict Sensitive Development and Conflict Prevention and Peacebuilding in DRC", 2009

also called for the implementation of a UN Chapter 7 force tasked with armed group disarmament, civilian weapon removal, and humanitarian relief.<sup>28</sup>

A month after the treaty was signed, the conflict yet persisted. The RCD, the major rebel group, refused to sign the declaration even though it does not dispute its contents. The RCD later disintegrated after Ernest Wamba dia Wamba was fired as leader. Wamba, however, resisted calling it quits and, with support from Uganda, established a new headquarters in Kisangani. Both the RCD-Kisangani and the RCD-Goma sought exclusive rights to sign the peace agreement, with the support of Uganda and Rwanda, respectively. Due to the delay in the agreement's execution, parties resorted to time-buying strategies. More soldiers have been sent after the agreement, and the rebels and their allies have kept enlarging their area. Due to the plethora of claims and allegations of consent breaches that have already made, there is growing uncertainty over both parties' commitment to the cease-fire accord. Important questions remain unanswered. Is there finally going to be peace, or is everything ready for more fighting? Can the Lusaka cease-fire agreement be reinstated in light of the heinous violations committed by both parties? Can the pressure to sign the agreement be maintained on all parties?<sup>29</sup>

### **2.2.1.2 Functions of Implementation Commissions**

According to Article 62 of the African Charter, the ACHPR's promotional mandate is to gather documents, conduct studies and research on human and peoples' rights issues in Africa, host conferences, and debate on sporadic reports presented by State Parties. Deployment methods serve a number of purposes.<sup>30</sup> These include giving implementation guidelines, overseeing implementation, validating adherence to an agreement's provisions, and resolving conflicts that develop during application

### **2.2.1.3 Provision of Implementation Modalities**

By creating related to changes, requesting and assigning resources, and organizing committees and processes, the administration mechanism may also be used to aid in the project execution. For instance, an agency was formed in the 1992 General Peace Agreement for Mozambique with the responsibility of developing a calendar of steps necessary for the agreement's full integration. (5th Article)

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<sup>28</sup> Ibid

<sup>29</sup> Ibid

<sup>30</sup> Molloy, S. (2018). Insights on how to evaluate and influence the state of peace negotiations (PSRP Report). Global Justice Academy at the University of Edinburgh.

Mediators have long used as tools for change implementation. If an attempt to interpret a consensus fails, the mediators' steps in as the credible and effective charged with putting the agreement into action. In the Pretoria Agreement on the Peace Process in Côte d'Ivoire, for instance, it is stated that if there is a disagreement about how any provision of the treaty should be interpreted, the parties must commit to seek a mediator for a just conclusion.<sup>31</sup> In case of unclear peace agreement provisions, it is the mandate of Implementation mechanisms can help to provide clarity. Consider a Comoros-Anjouan agreement that formed a committee to interpret the terms of a Comoros agreement on transnational arrangements as an illustration.<sup>32</sup>

#### **2.2.1.4 Monitoring and Evaluating the Performance of Peace Agreement Implementation Commissions in DRC**

After the nation's 2006 elections, the UN Security and Stabilization Support Approach for Eastern DRC (UNSSSS) was created to build on the gains gained in the DRC's crisis-prone eastern area. The UNSSSS is a comprehensive multi-sectoral stabilization strategy.<sup>33</sup> In light of the current violence and the uncertain and irregular nature of events in eastern DRC, the UNSSSS has been focusing on a number of priority concerns, including safety, economics, the recovery of state power, integration, and rebuilding. The UNSSSS has consistently sought to improve the state's capacity to reclaim its power in the region.<sup>34</sup> The UNSSSS makes use of a system-friendly real-time tracking and management system. Its goal is to offer a comprehensive analysis that might be used in dynamic, risky programming.

It emphasizes speed and adaptability to give information soon enough to be incorporated into programming meant to prevent dangers from developing into unstable situations. Because of this, the UNSSSS monitoring and tracking system uses a straightforward lighting matrix: red denotes little to no progress, yellow indicates moderate advancement, and green denotes notable success (progress). This makes it easier to determine whether or not goals have been met. The monthly scorecard gives an update on the results of the

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<sup>31</sup> Pretoria I, Article 16, Pretoria Accord on Peace Agreement in Côte d'Ivoire, 6 April 2005

<sup>32</sup> Preceded, 20 December 2003, Article 6 of the Maroni Treaty on the Transitional Provisions in the Comoros

<sup>33</sup> Bernd Michael Wiese, René Lemarch, Dennis D. Cordell, and Ntsomo Payanzo. Congo, the Democratic Republic of 30 June 2022, Encyclopedia Britannica

<sup>34</sup>Dr. Robert U. Nagel, May 2021, MONUSCO (the U.n Organization Stability Force in the Republic Of congo).

actions and developments being implemented by each of the UNSSSS's components and subcomponents. The main purpose of this is to inform senior management about developments as a tool for strategic management.

Some of the problems presented with the Monitoring and Evaluation of the UNSSSS include limited infrastructure facilities and time, a high volatility task environment that necessitates newly constituted plans, reallocating actions, and revising aims, and synchronization among a number of actors and stakeholders with varying versions of efficiency and how to describe and evaluate effect and achievement.

### **2.2.1.5 Implementation Mechanisms**

Mechanism is a planned and ongoing process of evaluation to see how contracts and protocols are being put into effect. Implementation is the activity that comes after any primary thinking for anything to actually happen. As a result, it begs important concerns like: Are the goals of the contract or procedure being met? How many States have the appropriate rules and regulations in place?

Implementation mechanisms come in a variety of shapes and sizes and are there to boost the likelihood that a peace deal will be put into action. Abdenur claims that the principal goal of ensuring that ceasefire agreements were observed has been the area where implementation procedures have been the most reliable. Among the duties were checking, verifying, and informing on the withdrawal of firearms, the dissolution of armed units, and truce breaches.<sup>35</sup>

However, there are several implementation strategies used in other peace procedures that address broad concerns aimed not only at the end of the conflict but also at the establishment of political institutions and processes that will maintain peace. Currently, implementation procedures assist in carrying out duties in a number of areas, such as elections, land reform, power sharing, security sector reform, resource sharing, and signing and enacting international treaties into law.<sup>36</sup> Peace agreements have generated a wide range of balanced processing that are designed to carry out various tasks within

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<sup>35</sup> Abdenur, A.E., *Monitoring the Implementation of the Peace Agreement: Colombian Experience*. 2018; Igarapé Institute.

<sup>36</sup> Sean Molloy & Christine Bell, "How Peace Negotiations Provide for Execution" The University of Edinburgh, 2019.

various structures in an attempt to return to the difficulty and specifics of peace treaties that are increasing, as well as to support the validity of the contract among general public.

#### **2.2.1.6 Challenges of Monitoring and Evaluation**

Due to several methodological issues that reduced the effectiveness of the evaluation, relatively little evaluation work has been done in the DRC on issues pertaining to conflict avoidance and peacebuilding. The setting itself posed the greatest problems to the evaluation in three key ways. First, the project interventions' objectives lacked clarity, making it impossible for them to act as a reliable point of reference because they either dissipated too rapidly or remained too generic and ambiguous. Secondly, the imbalances and intervention of external forces made it very difficult to do proper evaluation due to the fact that the evaluation commissions lacked independence of intervention. In particular, the probable loss of data problems with confidentiality, and access throughout the collecting process were risks and challenges that were inherent to program execution in conflict basis.<sup>40</sup> Due to the commission's indecision about certain operations, which resulted in misleading analysis, as well as some actors' deliberate actions to sabotage the broader peace efforts.<sup>37</sup>

Last but not least, the stability and affordability of remote locations made it difficult to perform point-of-reference studies, have controlled groups, had explicit signs, and had common goals from other similar situations. As a result, it became hard to ascertain numerous initiatives and programs using traditional analysis tools. New questions regarding the role of objectives in the evaluation of regional security and peacebuilding also surfaced. Only a few initiatives can thus be conclusively viewed as treatments to actually effect tranquility and dispute.

The vast majority of the projects that were discovered in the database, however, were those that were centered in a technical discipline or industry, such as those that dealt with legal or global problems. However, the study did not examine the drivers through the lens of gender, for instance by looking at the potential competing effects of the conflict and initiatives on men and women. Even if it may seem blindingly obvious how these programs affect conflict, the records and interviews really showed a vision that is far less prophylactic than one might have anticipated. Such a gendered examination would have

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<sup>37</sup> Canada's federal govt. A Corporate Responsibility (CSR) Strategy for the Canadian International Extractive Sector, Developing the Canadian Advantage. March 2009.

undoubtedly resulted in very specific advice.<sup>38</sup> Lastly, the prolonged and ambiguity of the process would become long thereby becoming costly to continue doing the evaluation.

### **2.2.2 Case of Sierra Leone: The Commission for the Consolidation of Peace**

The goal of a peaceful national coexistence many a times is achieved by conjoining two different ways; through peace treaties, normally achieved through political leaders and external parties which may see the need to be involved in the peace process, or informal pursuits which in many cases are propelled by voluntary organizations which interact more with the mass and this influences the formal process of achieving peaceful coexistence in longevity.<sup>39</sup> It is also worthy to note that the pursuit of attaining peace does not come to an end once a Peace Agreement comes to pass, but establishing a commission to keep track of the implementation and abiding by the Peace Agreement's provisions is necessary.<sup>40</sup> Although these commissions play vital roles in monitoring Peace Agreements, they vary and little is known on how they are designed and how their success can be measured. One of such commissions is CCP which was created in in 2000 alongside with the Joint Implementation Commission (JIC) to tackle the conflict and later monitor and evaluate peace in Sierra Leone.

Located in the West coast of Africa, Sierra Leone is well endowed with strategic mineral resources, such as diamonds and rutile but the country still ranks very poorly in Human Development.<sup>41</sup> The Revolutionary United Front and the Government fought a civil war in the state for eleven years in the 1990s. The war broke out after the country adopted the multi-party democracy in 1991 after having one-party rule which was led by the All People's Congress (APC) for 25 years since it attained independence from the British. The war was declared over in 2002 but it claimed between 30000 and 75000 lives and thousands of others faced atrocities such as sexual harassment of different manners, forced labor, body parts mutilations, and dismemberment.<sup>42</sup> The aforementioned crimes were

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<sup>38</sup> Joint Assessment of Peace Process and Peacebuilding in the DRC Composite Report Volume, Amani Labda, June 2011.

<sup>39</sup> Dyfan, Isha. Unity Treaties as a Means for Promoting Gender Equity and Ensuring Community representation, Global Women's Tribune Centre, Ottawa, 2003. e-book in PDF

<sup>40</sup> Verjee, Aly. After the Accord, Why Peace Agreement Monitoring Deals succeed or fail United States Academy of Peace, 2020, Washington, D.C.

<sup>41</sup> Dyfan, Isha. Unity Treaties as a Means for Promoting Gender Equity and Ensuring Community representation, Global Women's Tribune Centre, Ottawa, 2003. e-book in PDF

<sup>42</sup> Binningsbo, Helga Malmin & Dupuy, Kendra, Using Power-Sharing to Win a War: The Implementation of the Lomé Agreement in Sierra Leone, in: Africa Spectrum, 44, 3, 87-107, 2009.



committed by both sides of the civil war, however the RUF did not mutilate and maim as many Sierra Leoneans as the Sierra Leonean government did.

From this civil war, analysts note that it is one of the civil wars which was motivated by dictatorship in a long time in many ways such as; high level of corruption including poor administration by illiterate chiefs, high levels of unemployment, high degree of poverty, centralization of power, and too much power endowed upon the police and the armed forces.<sup>43</sup> Additionally, the conflict in nearby Liberia lengthened the civil war in Sierra Leone by virtue of the absence of a calm neighbor.

Casamance's war was the longest and most persistent in West Africa. The people of Casamance and those nearby Senegal's borders endured enormous suffering despite the fact that it was never on the same scale as many other battles in the area. Humanitarian organizations report that more than 60,000 people have already been internally displaced, up to 5,000 people have just been dead, and thousands of people more have fled to neighboring Guinea-Bissau and the Gambia. Further easing of regional tensions would result from a successful conclusion to the Casamance war. Sierra Leone and, to a lesser extent, Liberia have recently experienced peace, while Côte d'Ivoire is split by competing military forces, and neighbouring Guinea-political Bissau's situation is still fragile.

The Casamance conflict has been significantly influenced by the region's relative isolation from the rest of the nation. The Gambia separates it from the majority of northern Senegal. Aside from the geographical divide, Casamance has a distinct social and ethnic identity. Diola make up nearly two-thirds of the population, while Wolof, the largest group nationally, make up only 5% of Casamance's population. Before the nation became independent in 1960, there was regionalist attitude. However, by appointing renowned Casamançais to the cabinet, President Léopold Sédar Senghor was able to satisfy some local demands. Then, in the 1970s, a severe drought forced an increasing number of Wolof and other northerners to migrate to the fertile countryside of Ziguinchor and Casamance, while economic austerity made it difficult to generate public jobs. Local discontent was stoked by this demographic pressure in addition to agrarian reform legislation that curtailed traditional land rights. There have been many cease-fire agreements and peace accords in the Casamance case. They have also failed in their endeavours. Every

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<sup>43</sup> Dyfan, Isha. *Unity Treaties as a Means for Promoting Gender Equity and Ensuring Community representation*, Global Women's Tribune Centre, Ottawa, 2003. e-book in PDF.

agreement, starting with the first in 1991 and ending with the most recent in 2004, was instantly broken by the main characters.<sup>44</sup>

### **2.2.3 Case of Sudan: The Assessment and Evaluation on Sudan Peace Agreement Process**

#### **2.2.3.1 Brief history of Conflict in Sudan**

Sudan is one of the most violently divided areas of the globe and is situated in Northern East Africa. The bordering countries to Sudan have experienced interstate, intrastate, and ethnic conflict over the past 60 years. The westernmost of these nations are Chad and the Central African Republic, the northernmost are Egypt and Libya, the easternmost are Ethiopia and Eritrea, and the southernmost nations are Kenya, Uganda, and the Democratic Republic of Congo.<sup>45</sup>

In the past, Egypt and the United Kingdom jointly administered Sudan until 1956, when it attained independence. Egypt governed the country's northern region, while the United Kingdom administered its southern region. Sudan has been plagued by war since the end of colonial rule, started in 1962, the first Sudanese civil war. This first conflict was launched by Anya Nya, a rebel group with its headquarters in the south that battled for the region's independence. In 1972, the Addis Ababa Agreement brought an end to this warfare. In 1983, the Sudan People's Liberation Movement (SPLM) began a revolt, the second north-south war began. Around 1980, Ethiopian President Mengistu had been a major supporter of the SPLM/A, therefore his overthrow in 1991 was a tremendous blow.<sup>46</sup>

Garang tightly controlled the movement while Mengistu was providing support. However, once the president of Ethiopia was overthrown, there was a rise in dissent, which culminated in a coup attempt on August 28, 1991. The two SPLM/A commanders, Riek Machar and Lam Akol, led this uprising, but because they were unable to get Garang to leave, the SPLM/A split. While the main movement's name remained SPLM/A, the breakaway factions adopted the moniker SPLM/A (Nasir).

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<sup>44</sup> <http://www.cihablog.com/five-5-Reasons-that-Explain-the-Permanent-Failure-of-Peace-Agreements-in-casamance/>

<sup>45</sup> UCDP, "Ucdp Database," Uppsala University, Department of Peace and Conflict Research, 2009.

<sup>46</sup> Kamal el-Din, "'Islamic and Islamists in Darfur,'" in *War in Darfur and the Search for Peace*, ed. Alex De Waal (Global Equity Initiative, Harvard University 2007)

The Nasir faction, which strived a botched coup and demanded the freedom of the south in an exertion to divide and rule, received financial and military support from the Government of Sudan (GoS), and for a few years in the first half of the 1990s, more deaths occurred in battle in between groups than the SPLM/A and the government. During this time, SPLM/A also committed human rights crimes, frequently with an ethnic component. Early in the 1990s, the government made military advancements as a result of losing Mengistu's backing to the SPLM/A and internal conflict.<sup>47</sup>

However, by the middle of the 1990s, violence inside the SPLM/A had subsided, and in 2002, Riek Machar and Garang reconciled. The rebels regained part of the fighting's initiative throughout the second half of the 1990s, and they had the upper hand for a time. In contrast, by the end of the 1990s, the government began to collect oil money, which turned the tide once more in its favor. In addition to the strictly military components, the conflict was rife with egregious human rights abuses, most of which were done by the government. One instance was the government's attempts to purge the oilfield areas by killing people, setting towns on fire, and raping women.

Fighting between GoS and SPLM/A persisted throughout the 1990s, and it remained intense as recently as 2002. However, a truce between SPLM/A and GoS in February 2003 resulted in a significant reduction in violence, and with a few exceptions, this ceasefire persisted throughout 2003 and 2004. The Comprehensive Peace Agreement (CPA), which put an end to the 22-year conflict, was signed on January 9, 2005.<sup>51</sup> According to estimates, conflict, malnutrition, and diseases have killed two million people overall.

### **2.2.3.2 Provision of Implementation Modalities**

The Solution of the War in Southern Kordofan and the Blue Nile, The Temporary Peace agreement and Security Guarantees, Wealth Cooperation Machakos and Local Democracy, The Settlement of the Crisis in Abyei, Resolution of the Abyei Conflict were five modalities of Comprehensive Peace Agreement, three of which were signed in December 2004 and two in May 2004, respectively (May 26, 2004).

A six-month pre-interim segment would be succeeded by a six-year interim period that would end on July 8, 2011, according to the CPA. This was a deciding factor in whether Sudanese citizens would vote for southern independence or for Sudan's unity. An

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<sup>47</sup> John Prendergast and Roger Winter, "Abyei Sudan's Kashmir," Enough Project

independent judiciary was then established in both regions by the end of 2011, which enabled the Sudanese sides to exert their separate territorial dominance. Through the southern Sudanese government, the national unity government was linked to the southern states, and CPA virtually created a federal system.<sup>48</sup>

The CPA selected a two-chamber National Assembly with 52% of the National Congress Party, 28% of the Sudan Peoples' Liberation Movement, 14% of additional northern political groups, and 6% of more southern parties. The Council of States, which served as the National Assembly's second chamber, was composed of two deputies from each territory and two monitors from Abyei.

The SPLM made up 70% of the southern Sudanese government as of 2005, the NCP made up 15%, and the remaining 15% were from other parties. Several months later, the National Constitutional Review Commission (NCRC) had to produce an Interim National Constitution to help run the nation's administration. Despite their failure to meet the requirements of the CPA, general elections at all stages were scheduled to be held on July 9, 2008, with a census to be completed before that date.<sup>49</sup>

Both sides' forces were required to abide by a cease-fire and reassign to their designated regions within a certain amount of time. Despite the creation of Joint Integrated Units, each side was still compelled to maintain independent armed forces, with monitoring mechanisms established through a number of joint organizations, notably UNMISS. A program was then launched to demobilize, disarm, and integrate personnel who were no longer needed for active duty.

An fair society of Sudan's wealth also included consideration for land usage and management, oil exports, taxes and revenue distribution, financial and monetary policies, and funding for growth and restoration.<sup>50</sup> The governments of the north and south of Sudan shared the remaining funds evenly, with the remaining two percent going to oil-producing countries in accordance to their production. A boundary commission was established with the goal of drawing a line of demarcation running north to south. Separate

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<sup>48</sup> United States Institute of Peace 1200 17th Street NW Washington, DC 20036, Nov 2007

<sup>49</sup> Sudan's 2009 Elections: Critical Issues and Timelines, by Kelly Campbell and Dorina Bekoe (USIPeace Briefing, August 2007)

<sup>50</sup>ICG, "Interview with International Observer Present During CPA-negotiations, "Sudan's Comprehensive Peace Agreement: The Long Road Ahead," July 2009, Khartoum

southern and national rebuilding and development funds had to be established, and 75% of the national budget had to be given to countries that were embroiled in violence, particularly Southern Kordofan and the Blue Nile.

Last but not least, intricate protocols and implementing agreements were in place for Abyei, Southern Kordofan, and Blue Nile. A binding decision from an Abyei Boundary Commission and a referendum were to be used to determine whether Abyei belonged in the North or the South.

### **2.2.3.3 Monitoring and Evaluating the Performance of Peace Agreement Implementation Commissions in Sudan**

The CPA established the semi-autonomous Government of Southern Sudan with measures for security, distribution of wealth, and new constitution, as well as a government of unification in Khartoum for six years, from 2005 to 2011. As part of the peace process, the CPA was obligated to organize a referendum on the ongoing unity of Sudan and southern Sudan; this vote ultimately led to South Sudan's secession and the founding of its own state in 2011. The establishment of a unique independent MOM called the Assessment and Evaluation Commission was mandated by the CPA (AEC). The Comprehensive Peace Agreement's implementation is to be overseen by the AEC, which "must be constituted during the pre-Interim period to oversee the Comprehensive Peace Agreement's implementation and conduct a mid-term evaluation of the unification arrangements established under the Peace Agreement by 2008," according to the agreement. The Parties will work with the AEC throughout the interim period to enhance the institutions and arrangements set up by the Agreement and persuade South Sudanese citizens to support Sudan's reunification.<sup>51</sup>

John Young claims that the AEC "did not live up to those who first suggested it."<sup>56</sup> Young thought that the AEC's weaknesses were in its mandate, its power, and the vagueness of its reporting structure. The AEC was said to lack the necessary power and to have no mechanism to guarantee that the party who had broken the agreement would take action or suffer the consequences. Since the current system, in which the AEC reports to the presidency, is widely regarded as being ineffective, it was also unclear to what or what entity the AEC should report. The statement "the AEC should report to IGAD, and despite

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<sup>51</sup> "The Comprehensive Peace Accord between the People's liberation Motion People's revolutionary Army," Machakos Protocol, art.2.4

the lack of stipulation in the CPA that suggests such redress, Tom Vraalsen, Chairman of the AEC, displayed a report to the IGAD Ministers on matters regarding to his job at that body's gathering on April 13, 2007, in Nairobi" was created."<sup>57</sup> The effectiveness of the AEC as a whole was debated by many who participated in and worked with the commission. This led to the AEC's importance fading more quickly than expected. To explain why things were written as they were, it may have been necessary to have more consistency between Naivasha (the site of the IGAD discussions) and work, while no one doubted whether it would be successful.

This reimagined purpose, nevertheless, was not immediately maintained during the period of implementation, nor was it felt uniformly across the nation. I concur that the AEC initially had an important function to perform, as stated by another previous delegate to the AEC. But there was a steady transformation over time, especially following the AEC's midterm report (in 2008).<sup>58</sup> It is thought that the AEC was a feeble body with insufficient independence and inadequate representation outside of Khartoum.

#### **2.2.3.4 The Challenge of Implementing a Complex Agreement**

The goal of the Sudanese peace process was to establish a stable, democratic nation with a government attentive to the needs and desires of its citizens. A midterm election was mandated by the May 2004 Power Sharing Protocol because it was thought to be the most effective approach to advance the nation toward representative democracy. However, the process encountered quite a few huddles, including:

The date of the elections has been called into question, however, due to a delayed reaction in carrying out crucial CPA stipulations.<sup>59</sup> Both the 500,000 refugees who have already returned and the 2 million Southerners who have been internally displaced are not far enough along. There has also been a delay in starting to prepare for a census that would define constituencies.

One of the main causes of the implementation's delayed progress is the CPA's burden of information. Due to the unsatisfactory 1972 Addis Ababa Agreement Ace's ambiguity, the southerners demanded clarity on every point that was written out to make plain the North's commitments. As much as slight progress was seen in the process, it was never adequate as there was no much freedom of movement. Due to the inevitable concerns over whether

the NCP had the drive to fully execute the CPA so if the SPLM/A had the means to do so, supplying services and goods in the South proved difficult.

On another note, the anticorruption was left powerless as the government lost a lot of revenue through corruption, leading to a dismissal of thousands of government workers. In connection with this, a controversy involving automobile purchases cost the south's minister of finance his position and immunity from prosecution.<sup>60</sup> A dispute about expenses, nepotism, and connections to people involved in the automobile scam resulted from a deal with a Norwegian corporation to construct and administer ten hospitals, one in each southern state.

Aspects of putting wealth-sharing and security measures into action, such as creating integrated joint units from the armed forces of the two sides. Due to the failure to establish significant CPA firms and a lack of accountancy transparency that raised issues in both the South and the North, the wealth inequality report became more problematic as all parties shifted their focus to oil profits. The Southerners paid undue attention to these issues and demanded a more open system of accountability when the South revealed quickly after joining the CPA that it was not getting its 51 percent share as specified in the Wealth Sharing Protocol.

The SPLM viewed the agreement's short transition period before confederacy and the lack of care taken with regard to the future of the North-South relationship as two of its flaws. With a long memory, the SPLM entered the 2005 Naivasha negotiations looking for a longer and more complex agreement on the transition period. Divergent opinions on the agreement's breadth and amount of detail at the time of its creation revealed the parties' profound mistrust and lack of confidence in one another. Participants concurred that during the discussions, the difficulties of putting the agreement into practice were underemphasized, and differing expectations regarding the parties' own and international partners' roles were not completely addressed.<sup>52</sup>

While the negotiators were coming to agreements, diplomats feared that neither side would be willing to put the agreements into action. The importance of coming to a workable agreement was not diminished during the negotiations; instead, the parties concentrated on simpler but frequently ambiguous and vague solutions.<sup>62</sup> The SPLM did,

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<sup>52</sup> The Comprehensive Peace Accord (FiCPA) was signed in 2006 amid the government of Republic of Sudan and the Sudan People's Freedom Movement/Army.

however, expect outside parties who helped to organize the deal to apply the same pressure to assure its execution. They believed that the minimal effort made by the international community to implement the internationally sponsored accord contradicted the promises made throughout the negotiation process.

A variety of international and Sudanese actors must cooperate to secure CPA implementation. With a Norwegian as its chair, the Critical appraisal Commission began its work steadily, but by early 2007, the vast bulk of watchers saw it as not really efficient and focused their critique on NCP member nations' use of regulations to delay and the body's leadership's lack of adequate activity.

### **2.3 Conclusion**

Monitoring and Evaluation Commissions' difficult job is to keep an eye on contracts being signed. They have their fair share of difficulties, but despite these difficulties, some of them manage to complete the task at hand. The Sudan case is one that was successful. The passage of Comprehensive Peace Agreement was made easier by the regional and global players' strong reciprocal commitment. Therefore, the international community needs to show a stronger commitment and coordinate its efforts to handle the complicated issues brought on by the current Sudanese scenario. From the AEC case, five important conclusions can be made. AEC's mission was defective, and its reporting guidelines were ambiguous. Second, the range and diversity of AEC's workforce were both constrained. Third, the strong associations AEC was able to forge with the CPA and both parties beginning in 2008 allowed it to intervene in crises. The absence of coordination amid the implementation process and CPA arbitration is the fourth issue. Since Darfur was the Centre of attention internationally during the CPA execution phase, AEC maintained international players' attention on the CPA implementation process until 2010. On the other hand, in the case of Democratic Republic of Cong, Monitoring and Evaluation was unsuccessful. Although the circumstances in the DRC offer immense opportunity for donors and humanitarian organizations to avert further bloodshed and foster peace. They also provide significant challenges for people who desire to contribute to raising the standard of living in the area. The long-term insecurity, "rebel forces constantly undermine areas, raising overhead expenses and diminishing close communication with organizations in the ground.". A few of the problems limiting the effectiveness of interventions concentrating on peacebuilding in eastern DRC include the state's extreme fragility and



inability of regional and international institutions and organizations to envision new ways of proactively engaging with it. Although this issue focuses more specifically on eastern DRC, the programs backed by the documenting conflict deterrence and peacebuilding classes are applicable throughout the entire country.

## **Chapter Three**

### **The Performance of the Joint Monitoring and Evaluation Commission (JMEC) in tracking of Peace Agreement in South Sudan**

#### **Introduction**

The Revitalized Peace Accord, mandate, and tasks of R-TGoNU are being executed, including if the Parties are sticking to deadlines and an implementation schedule that have constituted. The R-JMEC, formerly known as JMEC, was constituted under Chapter VII of the R-ARCSS. The R-JMEC will be expected to recommend the appropriate corrective action to the R-TGoNU in cases where directive enforcement and R-TGoNU do not occur or where substantial defects are encountered. When it comes to reporting, R-JMEC reports directly to the Government of IGAD, which is made up of the heads of States.

#### **3.1 The steps for Monitoring the Implementation of the R-ARCSS**

The former JMEC chairperson advocated for the need to revive the peace negotiations in South Sudan when it had essentially frozen in June 2017.<sup>53</sup> Then it was suggested that a broad-based, high-level conference be established for the members, along with other disenfranchised groups and stakeholders, to decide on practical steps to restart the broken-down lasting truce. Following 15 months of discussions, which resulted in the establishment of the R-ARCSS, this plan was ultimately accepted and ratified in September 2018. The JMEC was later reconstructed and renamed to R-JMEC two months later.<sup>54</sup>

The R-ARCSS increased the R-JMEC order's participation from twenty-eight to forty-three individuals while also expressing improving it. The R-JMEC gave a variety of players, including authorities from the religious community, organizations for women, civil society, well-known figures, corporations, academics, and young people, the chance to ask questions on the execution of peace. Every month, all of the R-members JMEC's gather to discuss and compare notes on the execution progress. Through this innovation, the government or execution mechanisms can be questioned on the measures they have

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<sup>53</sup> Vhumbunu Clayton Hazvinei, "Recognizing the Facilitators and Potential Barriers for Restoring Peace in South Sudan Through the Revitalized Peace Agreement. ACCORD, the African Center for the Effective of Conflict Resolution. ACCORD 2018.

<sup>54</sup> Stephen Oola, Mediation Negotiations, "The South Sudan Peace Deal: The Function and Viewpoint of the Reconstituted Joint Evaluation and Monitoring Committee," December 2019.

made over the past month by the youth delegate or the women's delegate, for example. All the signatories to the accord are thought to be properly represented, and the R-membership JMEC's is deemed to be adequate.

The R-ARCSS increased the R-JMEC order's affiliation from twenty-eight to forty-three individuals while also expressingly improving it. The R-JMEC gave a variety of players, including leaders from the religious community, organizations for women, civil society, well-known figures, corporations, academics, and young people, the chance to ask questions on the execution of peace. Each month, all of the R-members JMEC's gather to discuss and compare notes on the implementation's progress. Through this concept, the administration or execution mechanisms can be questioned on the measures they have made over the past month by the youth representative or the women's representative, for example. It is believed that the composition of the R-JMEC is adequate and all the parties of the agreement are well represented.

James Okuk asserts that,

The composition of the R-JMEC is very adequate. The comprehensive Monitoring and Evaluation body comprises different categories of 43 memberships. In this membership, the parties only make almost less than a half because they are only ten. The rest are; the South Sudanese stakeholders, the guarantors, the regional and international friends. The latter group makes the bigger composition of the R-JMEC and this kind of hybrid membership is not only confined to South Sudanese, regional experts, and international community, but it is just like a collective body that tries to have an eagle's eye on the way the Peace Agreement is moving. Therefore, nothing is missing but membership can be reduced if possible.<sup>55</sup>

Ezra corroborates that,

R-JMEC is constituted by all party stakeholders and it is inclusive enough to implement its mandate. First of all, there are several advisors in R-JMEC who advice on several chapters of the agreement. For CTSAMVM, it specifically handles chapter two. What happens is that, it has inputs from all advisors, they hold monthly forums where donors, stakeholders from government, opposition, even representatives of security mechanisms, including CTSAMVM share ideas to evaluate the progress of the implementation of the agreement. The several reports from different stakeholders help in the oversight mechanism of engaging the government which is R-TGoNU, advising them or seeking their inputs on the progress of the implementation and also briefing them on areas where they think

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<sup>55</sup> Interview with James Okuk, Political Analyst, on 21<sup>st</sup> August, 2022 at Rock City in Juba South Sudan

they are lacking, urging them to implement and address those specific areas. This greatly helps in settling for informed decisions for the R-JMEC.<sup>56</sup>

The R-JMEC composition seems to be representing all the stakeholders well, however some adjustments can be made. For example, women representation and the disabled should be improved and embrace having women the disabled in key positions. Also, there should be an improvement in the R-JMEC secretariat and general administration by increasing the number of the South Sudanese. This is important because the South Sudanese understand the country's problems more than foreigners, thus having the South Sudanese in the two areas will improve the decision-making since the decisions will be reached from an experienced view.

As per the original agreement, the JMEC effectively informed the TGoNU and Council of Ministers of the Intergovernmental Authority on Development (IGAD) of the problems, however this did not merely lead to additional steps. According to R-ARCSS, the R-JMEC must alert IGAD and R-TGoNU to any significant Treaty infractions and problems that may arise during implementation.<sup>57</sup> The following step is for IGAD to call an emergency meeting within 14 days to decide on the best course of action.

The R-JMEC is supported by an impartial secretariat that aids the Chairperson, Deputy Chairperson(s), and members of the commission in conducting out their oversight function. It serves as the regular and urgent meetings' R-secretariat JMEC and then checks the firm's operating performance and output. The R-JMEC has monthly full sessions in Juba and requests regular reporting from the organizations and processes responsible for implementation. With the participants, the Commission members, important stakeholders, and the various entities enforcing the accord, the secretariat holds frequent consultative sessions. Six priority oversight committees of the R-JMEC conduct rigorous task-by-task and chapter-by-chapter evaluations of the Treaty's execution to gauge progress.

According to Stephen Ola,

The JMEC is a creature of the agreement as an institution. The agreement came up with a commitment to establish an impartial and independent monitoring body

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<sup>56</sup> Interview with Ezra Kukundakwe, the Federation, Ceasefire Hybrid Security Mechanism Evaluation and Control Mechanism (CTSAMVM) Head. on 22<sup>nd</sup> August, 2022 at CTSAMVM Headquarters in Juba, South Sudan

<sup>57</sup> Abraham Awolich. The Problem with R-ARCSS Application in the South Sudan Peace Agreement. November's SUDD Institute policy brief (2019)

which was to be shared by a renowned African, a high-profile African personality and that commission was to be party to the agreement, South Sudanese stakeholders, regional guarantors, international partners and friends with the independent secretariat to support the operation of these people who constitute R-JMEC. There are three distinct entities in this commission; a chairperson, who is as powerful as the commission itself, a commission which should have 28 members, and now it has 43 members, and finally the secretariat, where CTSAMVM belongs.<sup>58</sup>

The R-JMEC has diligently done well in reporting on how the Agreement is being implemented to R-TGoNU, the IGAD and the AU. Also, it gives proposals on the way forward for R-ARCSS. However, it does not have a clear implementation mechanism on the violators of Treaty.

In the event of non-implementation, R-JMEC commits to the R-TGoNU and the guarantors—IGAD, the AU, and the UN—appropriate for curative measures. In the event of an impasse, the R-JMEC is empowered to provide solutions; however, if a party rejects them, the issue is escalated to IGAD for prosecution. The R-responsibility JMEC's is to inform the R-TGoNU, IGAD, AU, and UN on a routine basis with findings and briefings. The R-ARCSS offers South Sudan a real opportunity to achieve long-term peace. While it is true that there are still many obstacles to overcome, the renewed peace accord has made significant progress since the 2015 ARCSS, including a lasting truce, the cantonment of troops, increased security, and humanitarian assistance.

Gola Boyoi Gola corroborates with the above explanation that,

The R-JMEC has done a very good job in terms of Monitoring and Evaluating the Peace Agreement. It has done quite better but since it lacks punishing power whenever a party violates the agreement. This leaves a vacuum in the performance of the commission and can be compared to having a ceremonial kind of role which lacks powers. But all in all, the commission has done a tremendous job.<sup>59</sup>

H.E. Amb. Maj Gen (rtd) Charles Tai Gituai adds that,

What has been completed is about 27%, what is ongoing is about 31%, and what is not done at all is about 41%. Therefore, about 73% is technically not done, what is ongoing and what has not been done at all. This will even make the idea of holding elections in December, 2022 a difficult task. Critical to any election, is the unification of forces and the constitutional making process. It is the legislation that

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<sup>58</sup> Interview with Stephen Ola, the R-JMEC Senior Legal and Constitutional Advisor on 22<sup>nd</sup> August, 2022 at R-JMEC offices in Juba, South Sudan

<sup>59</sup> Interview with Gola Boyoi Gola, the chairperson for South Sudan National Youth Union on 23<sup>rd</sup> October, 2022 at Concord in Juba, South Sudan

is necessary for elections and of course election laws should be drafted constituting reforms in the economic sector and reforms in the transitional justice before the election period. All these need to be worked on since they are critical requirements of the agreement that need to be implemented before getting to the elections.<sup>60</sup>

Even though the R-JMEC has achieved some significant Monitoring and Evaluation milestones, including the nationwide sustainable truce, force cantonment, enhanced security, and humanitarian access, considerable work remains. Polls, for example, cannot be conducted until some initiatives, such as the charter of rights and freedoms making process, the complete unity of armies, the nationwide census, and the rehabilitation of IDPs and refugees, have been completed.

The initial advances were overturned because of the conflict that started in the Presidential Palace in July 2016, which sparked a serious war. The realization of ceasefire was delayed as a result of this. The R-ARCSS consequently is more accessible and well-liked by both the organizations and common South Sudanese. In contrast to the 2015 Peace Deal, the parties now seem more committed to carrying out the updated agreement.

According to a recent R-JMEC analysis, of the sixty-three annotating tasks, thirty-one have already been completed, twenty-two are ongoing, and ten are yet unfinished. The tasks that still need to be completed are crucial and necessary for the creation of the R-TGoNU. These duties include setting the size and borders of the nation's states, reorganizing the Council of States, and preparing and reassigning the combined armies. The best approach to halt violence in South Sudan remains the Reinvigorated Peace Agreement, and the R-JMEC is still calling for global and regional support for its full implementation.

According to Deng Majok Deng,

The R-JMEC has achieved Monitoring and Evaluation mechanism, ceasefire, and cessation of hostilities. However, having unified forces has not been fully implemented.<sup>61</sup>

In general, the R-JMEC has been successful in carrying out its duty by observing and assessing how the Accord, the responsibilities, and duties of R-TGoNU are being carried out. The Members have been very good about sticking to deadlines, like reporting, but the agency still has a lot of work to do.

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<sup>60</sup> Interview with H.E. Amb. Maj Gen (rtd) Charles Tai Gituai, the R-JMEC Interim Chairperson on 25<sup>th</sup> August, 2022 at R-JMEC Offices in Juba, South Sudan

<sup>61</sup> Interview with Deng Majok Deng on 6<sup>th</sup> August, 2022 at the Upper Nile University in Juba, South Sudan

Mashood Issaka asserts that,

The R-JMEC tracks the implementation by way of working committees. These committees align with the 6 operational chapters of the R-ARCSS. The overall national mechanism outside of the R-JMEC is the national transitional committee. The other important tracking mechanism is CTSAMVM.<sup>62</sup>

Nevertheless, the R-JMEC has the power to suggest the corrective measures for the R-TGoNU in the event of non-implementation of the directive and the R-TGoNU tasks or any violation of the accord.

### **3.2 The Historic Significance of the R-ARCSS Since its Formation**

The three main objectives of the R-ARCSS from the outset were the reinstatement of a lengthy ceasefire, full implementation of the accord, and the formation of democracy after transitional phase. R-ARCSS was signed by SPLM/A-IO, SSOA, OPPs, and Former Prisoners party on September 12, 2018, with knowledge of these goals, which are also outlined in the accord.<sup>63</sup> The chiefs of state of the IGAD, AU, and the UN were among the guarantors at the R-ARCSS's ratification, even if the Troika was not one of them. Other participants included academics, CSOs, and FBOs. This variety is just one of the numerous developments brought about by the creation of R-ARCSS.

Acknowledging the necessity to resurrect the ARCSS, the communique delivered in Ethiopia on June 12, 2017, following the 31st Extra-Ordinary Conference of the IGAD Council of Heads of States, sets the objectives to: immediately organize a High-level Reorganization Workshop. The trustees to ARCSS, including the marginalized groups, met in a chat forum to debate concrete steps, to reimpose a durable ceasefire to ratify the Peace Accord, and to generate an overhauled and convincing timetable and implementation strategy toward that democratic election at the summary of the transitional phase. Chapter 1 of the R-ARCSS (2018) makes provisions for the establishment of a revitalized TGoNU making it the R-TGoNU, which would govern first, for 8 months under the pre-transitional period and secondly, for 3 years.<sup>64</sup> After this arrangement, elections should be held at least two months before the later phase lapses. Chapter 1 also articulates how power will be shared between the executive, the judiciary, and South

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<sup>62</sup> Interview with Mashood Issaka, Senior Political Officer at AU Mission Office in South Sudan on 12<sup>th</sup> August, 2022 in Juba, South Sudan

<sup>63</sup> Cynthia Chigwenya, "The Republic of South Sudan's Invigorated Convention on the Solution to the Crisis is it still in effect? (R-ARCSS) Old Wine in New Bottles?" Witwatersrand University, 2021

<sup>64</sup> South Sudan Dispute Settlement Reignited Accord (R-ARCSS), IGAD, September 2018.

Sudan's legislature. The provisions on security arrangement under Chapter II of the R-ARCSS (2018) are familiar since the permanent ceasefire herein is based on the terms of the Khartoum Declaration of 2018, the CoHA of 2017 and the ARCSS of 2015. Again within 72 hours of ratifying the R-ARCSS, ceasefire arrangements, including withdrawal of troops and disarming would then apply to parties of the former TGoNU.<sup>65</sup>

The R-ARCSS of 2018, compared to the Khartoum Declaration encompasses more comprehensive terms on reconstruction and access to humanitarian assistance, for instance gives refugees the right to return to South Sudan. The Special Reconstruction Fund (SRF), which is described in Chapter III of the R-ARCSS, has the potential to contribute to nation-building, according to Oola and Moffett 2019. (2018). Accountability and transparency are two important aspects of the administration of state assets that are covered in Chapter IV of the R-ARCSS (2018). Chapter 4.4.1.1 of the R-ARCSS (2018) makes reference to the Anti-Corruption Act, which requires the establishment of the Anti-Corruption Commission, a necessary body that oversees the misappropriation of public money and corrupt practices involving bribes.<sup>66</sup>

Chapter 4 states that, within four months of transition, the R-TGoNU was mandated to institute the Economic and Financial Management Agency (EFMA), which would control all aspects of finance, including revenue. In accordance with nation-building, the R-ARCSS states that organizations dealing with transitional justice, such as the CRA and the CTRH, shall maintain a 35% female representation policy (R-ARCSS, 2018: Chapter 5.1.1-5). The sovereignty of the people as well as the rule of law must be ingrained in the constitution during the three years of transition, according to chapter 6.<sup>67</sup> Additionally, internal and outside specialists would need to be consulted during the constitution-drafting process (R-ARCSS, 2018: Chapter 6.16). To oversee the R-ARCSS's implementation.

Just like in the constructivist theory, the main contents of ARCSS' clearly observe that the agreement is built on an 'accommodation approach,' with a mandate to involve as many stakeholders as possible. Although this approach has its benefits and inadequacies, one of the determining factors of whether the agreement is a success or not, is the outcome

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<sup>65</sup> Cole, C., 2018. The "Proclamation of Accord" of Khartoum: A Plan for Peace in South Sudan? International Organization for Peace, July 17, 2018.

<sup>66</sup> South Sudan's reparations: Opportunities and Obstacles. Victimhood, duties, and reparations in stratified societies (pp. 1 - 30). Queen's University Publications, Belfast 19.

<sup>67</sup> RJMEC., 2018. Quarterly Report on the Status of Implementation of the ARCSS from April 1st 2018 - June 30th 2018. Juba: JMEC Quarterly Report



variable, which is conflict. The reoccurrence of violence invalidated previous agreements such as the ARCSS. Therefore, conflict trends post-2018 reflect, in part, the R-ARCSS' outputs.

The UNMISS 2019 detects that human rights abuses enacted by armed groups have reduced since September 2018, and the decrease coincides with the ratification of the R-ARCSS.<sup>68</sup> The formation of the R-TGoNU after Machar's inauguration in 2020, is widely associated with possible increased state capacity due to collaboration between various political groups. In the light of state capacity, Human Rights Watch comments on UNMISS' plans to handover its protection camps hosting over 180 000 people to the R-TGoNU police protection rather than UN forces. It follows that while actual violence has been dwindling since 2018, governing capacities, have seemingly improved hence on the one hand, the R-TGoNU is entrusted with protecting civilians and IDPs among other vulnerable populations.

Conversely, the drop in numbers of conflict events could suggest that the intensity of conflicts occurring between 2018 – 2020 is divergent to that of December 2013 and the 2016–2017 period. In 2019, there were violent clashes in Yuai, Pieri, Motot and Waat, in the north of Jonglei state resulting in the displacement of many civilians into UN protection camps in Bor and in Ethiopia (UNMISS, 2020). UNMISS' report for July 2019 flagged security in Central Equatoria as 'extremely volatile' because of tensions between several armed groups and occasional clashes with Government forces.<sup>69</sup> This shows that while violence may have decreased at the national level, some areas remained high risk and prone to conflict despite the R-ARCSS stipulations on ceasing hostilities.

In 2020 alone, at least 14 humanitarian workers were reported to have been killed in South Sudan (Human Rights Watch report 2021). Statistics show that implementation of the R-ARCSS' provisions on humanitarian access is challenged by continued attacks of aid workers. Furthermore, violence after the R-ARCSS' ratification in 2018 extended to inter-communal fighting. Despite that South Sudan's presidency formed a committee in June 2020 to resolve inter-community violence (International Crisis Group, 2021), these conflicts highlight the R-ARCSS's limitations in ensuring a permanent ceasefire.

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<sup>68</sup> UNMISS, 2019. United Nations Mission in South Sudan. "UNMISS Civilian Security" (POC) Sites Update 27 Dec 2019 to 02 Jan 2020," sites update no.261, December 27, 2019

<sup>69</sup> Ibid

### **3.3 Significance of the formation of R-JMEC**

The foundation of the R-TGoNU in February 2020 did not satisfy a provision of the R-ARCSS, which the contesting parties in South Sudan confirmed on September 12, 2018. Its job was to revive the 17th August 2015 ARCSS, which was created to put an end to the deadly civil war that began in 2013 and to settle the conflict. The specifics of establishing such a council are laid forth in Chapter 1 of the Revitalized Agreement for the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). On September 12, 2018, in Addis Abeba, this was formally agreed upon by the administration and the opposition political groups.

The R-TGoNU, which was headed by Salva Kiir Mayardit, swore in Riek Machar Teny Dhurgon as its first vice president on the same day that four other vice presidents. Ten deputy ministers and thirty council of minister's members were appointed on March 12th, 2020, as part of the R-TGoNU.<sup>70</sup> A unity government of 550 lawmakers, 10 governors, and three district administrators was established in accordance with the principle of inclusion. eighteen months after the R-ARCSS's signing. The R-TGoNU was formed as a result of mediation efforts undertaken by IGAD and South Africa's deputy president, David Mabuza, as parties kept missing deadlines set forth in both the R-ARCSS and through arbitration.

Even though creating a government of unity was essential, there were still a number of obstacles to overcome in order to complete the mission assigned to them and create a community that was affluent, peaceful, and united. The IGAD presided over a number of meetings, with the main focus being on reducing the number of autonomous bodies, which was 10 following independence in 2011 but increased to 28 in 2015 and then 32 in 2017.<sup>71</sup> Disagreements over issues like security procedures, governance, and the inclusion of rebel factions prevented the constructive integration of soldiers into a united trained national army, as previously envisioned under the R-ARCSS. South Sudanese people and the greater international community have faced a challenging path since the country's independence in July 2011, which has been marked by horrible conflicts and interspersed by fleeting times of relative peace. Nevertheless, it is evident that the R-TGoNU faces

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<sup>70</sup> Restored Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), Inter-Governmental Agency on Growth (IGAD), 12 September, pp. 2-3

<sup>71</sup> Joint Monitoring and Evaluation Commission Reconstituted (2020b) "Report Summary: Released on April 20th, RJMEC's R-ARCSS Status of Implementation Report for the First Quarter of 2020

many difficulties along the way, including those that are political, socioeconomic, and technical in essence.

### **3.4 Limitation of what can be Monitored and Evaluated**

The scope of what can really be assessed while evaluating the execution of an accord may also be constrained. For instance, national metrics may include clauses addressing gender-specific issues or clauses targeted at improving material conditions at sub-national level, but they might account for sub-national division. Additionally, group-based metrics do not sufficiently reflect overlapping disparities in how different groups within groups are treated. The applicability or impact of particular implementation areas for women may not be reflected in provisions, for instance, or assessments of the impact on women may not account for the disparities between women of different ethnic backgrounds. Likewise, implementation metrics may ignore enduring structural prejudices or horizontal inequities affecting interpersonal relationships, regular peace, and dispute resolution.<sup>72</sup>

The 2018 Revitalized Accord on Resolution of Conflict in South Sudan integrated into violent cycle exclusive political brokering in South Sudan rather than ignoring it. The military and security elites of the nation used a combination of brutality, abuse of public funds, and favoritism to further individual limited goals, making almost every aspect of the Peace Agreement a political bargaining chip. Political disagreements amongst its primary signatories continue to impede most of the peace deal.<sup>73</sup>

The peace agreement has been preserved, creating some room for slow but steady advancement, due to the lack of compelling alternatives at the national level and the advantages of portraying an external commitment to peace. The State Financial Management Oversight Committee has added clarity to the previously opaque nature of the nation's expenditure, the Transitional National Legislative Assembly was established in 2021, and some troops' training has been accomplished in preparation for a combined national army.

On the contrary, strong government figures have actively courted the resignation of top commanders in an effort to weaken the coherence of important opposition groupings. The

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<sup>72</sup> Mac Ginty, R. No War, No Peace: The Reinvigoration of Stalled Peace Efforts and Peace Agreement

<sup>73</sup> UN Final report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2577 (2021) (S/2022/359) (EN/AR In accordance with Resolution 2577, the UN's Panel of Experts on South Sudan submitted its final report.) May, 2022

tenuous ceasefire has come under constant assault as affiliations have changed as renegades and loyalists have fought, especially for control over bases, armaments, and valuable assets like borders and river ports. In contravention of the conditions of the Peace Accord, regional commanders have started new rounds of recruiting to increase their numbers and maintain their position.

As a result of the intensifying political unrest, which has also encouraged violent conduct among subnational groupings, tens of thousands of people have been forced to flee their homes. As a result, there have been numerous violations of human rights, including gender-based violence, which is a terrible characteristic of the conflict in South Sudan. In spite of modest procedural progress toward the execution of the Peace Accord, the situation for millions of innocent civilians on the ground is growing worse. Notable conflict, associated displacement, and flooding have piled up to cause historic proportions of food shortage over most of the region.<sup>74</sup> There are still millions of displaced people, with almost 70% of the populace in dire need of emergency relief. An economic collapse, which has been exacerbated by hyperinflation and the refusal to pay government workers their wages, upon which countless people rely notwithstanding rising prices for oil, has been partially brought on by the worldwide pandemic and partially by domestic inefficiency. Regarding this, officials have favored purchasing military hardware with public funds, breaking the arms embargo placed on South Sudan's territories by Security Council adopted resolution 2428. (2018)<sup>75</sup>

Whereas Uganda and Sudan have attempted to break the stalemate on some subjects, other regional tensions and disagreements persist to restrict involvement in the South Sudanese peace efforts. The National Salvation Front and the Government are increasingly engaged in military confrontations, specifically in Central Equatorial, as a result of the peace negotiations' general stagnation with parties that have yet to ratify the accord. To save the chance that the Peace Accord will maintain peace and security at the sub-national and national levels, additional participation is still urgently required.

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<sup>74</sup> South Sudan, March 2022, Environment, Peace and Stability Fact Sheet, SIPRI.

<sup>75</sup> Settlement 2428 of the United Nations Security Council, 8310th meeting (2018).

## **Chapter Four**

### **Challenges and Opportunities in the Monitoring and Evaluating the Implementation of the South Sudan Agreement on the Resolution of Conflict**

#### **Introduction**

Notable progress has been achieved, especially in Chapter I of the accord. The progress has led to the creation of the R-TGoNU, the instituting body of the TNL and the establishment of the state government. Unfortunately, little progress has been made on the Transitional Security Arrangements because of the Parties' continued disagreements on ratio allocation at the command level. Some improvements in humanitarian affairs and economic reforms could be easily be detected. It is envisaged that the African Union will take on Hybrid Court's building in cooperation with South Sudanese government, while the Commission for Truth, Mediation, and Healing's work, which addresses Transitional Justice concerns, continues. (Chapter V), has just begun. Legislation (Chapter VI) that define the permanent constitution-making process was in recent times sent to the TNL.<sup>92</sup>

#### **4.1 Challenges Facing Implementation of the ARCSS**

Several undecorated challenges remain, which have severely limited the pace of the Monitoring and Evaluation process. If progress is to be sustained and expedited, the Cross-cutting issues arising throughout the Agreement shall be resolved promptly and cooperatively. Some of them include:

##### **4.1.1 Overly-Ambitious Goals**

According to James Okuk,

The revitalized Peace Agreement is an ambitious and a difficult agreement to implement in time because of the nature of South Sudan itself. The tight timeline is a problem to both the implementation of the agreement and the monitoring process. Also, the issues dealing with the military become even more complicated when there has not been organized military set up. For it to be organized from the beginning, it takes time and needs a lot of money. This has been one of the toughest areas that R-JMEC has found itself in.<sup>93</sup>

Additionally, Covid-19 has had a negative effect at the R-JMEC processes just like on other many sectors and states as well. The pandemic has definitely contributed in slowing down the Monitoring and Evaluation process of the R-JMEC. James Okuk adds that,

The R-JMEC was hit hard with the Covid-19 pandemic just like states and international actors since meetings could not be held. This did not allow presentation of reports to the Heads of State, which in the long run added pressure when things were not moving. Some of the IGAD members were not available and this affected direct contact with those implementing the Peace Agreement. Therefore, there was like two years of inactivity. Although other countries have adopted new methods of working, this needs strong technology and internet.<sup>94</sup>

#### **4.1.2 Inadequate Political Will**

A significant problem is that there is not enough political good will amongst the parties to make necessary concessions and uphold the law and spirit of the Agreement. For instance, for the Sudanese case, one of the main causes of the delayed Monitoring and Evaluation speed was the required details laid on CPA. The ambiguity of the unsatisfactory 1972 Addis Ababa Agreement caused the southerners to demand clarity on everything spelled out to clarify the North's obligations. As much as slight progress was seen in the process, it was never adequate as there was not much freedom of movement. Nonetheless, the indispensable questions remained regarding whether the NCP's intention was to completely implement the CPA and if the SPLM/A could do so which made delivering goods and services in the South become complex.

Malak Majok Adut responded that:

Insufficient political willpower, mistrust between the parties and the R-JMEC have affected the commission in meeting their objectives.<sup>95</sup>

John Madit Manyiel corroborates that,

Insufficient political willpower among the parties is one of the challenges facing the implementation of the R-ARCSS mandate.<sup>96</sup>

Morris Madut adds that,

Insufficient political willpower from the parties involved is a complex process since there is no one touch button to achieving the peace process but at the same time, South Sudan is a victim of regional geopolitics. Since many interest groups are involved in the peace process, this makes it difficult to satisfy their needs. This compromises the Commission's efficiency in terms of accurately monitoring peace process and delivering as it should.<sup>97</sup>

Political will is essential in the success of any Monitoring and Evaluation Commission. Interest groups should have clear intentions towards peace implementation to make the Monitoring and Evaluation process achievable. For example, lack of political will has seen DRC having peace keeping missions for more than 60 years without achieving much. The

R-JMEC also should have frequent seminars for the parties to the agreement. This will enhance interactions amongst the parties, understand the clear mandate of the agreement, and cultivate brotherhood amongst them to put the state ahead of their party interests.

#### **4.1.3 Trust Deficit, Non-Compliance and Lack of Co-ordination**

Advancement in implementing the entire Agreement is still being hampered by the parties' lack of trust in one another as well as by internal disputes and in-fighting. On another note, the anticorruption was left powerless as the government lost a lot of revenue through corruption, leading to the dismissal of thousands of government workers. Concerning this, an investigation into vehicle purchases led to the south's minister of finance losing both his position and his immunity from prosecution.<sup>98</sup> A dispute about expenses, nepotism, and connections to people involved in the vehicle scam resulted from an agreement with the Norwegian firm to construct and administer ten healthcare facilities, one in each Southern State.

Stephen Ola asserts that,

Non-compliance by the parties is the most critical challenge facing R-JMEC. Part of the R-JMEC mandate is to monitor the adherence of the parties to the implementation schedule. The parties are way behind schedule, and to monitor an agreement that is two years late is quite difficult. Additionally, there have been resource challenges affecting both the parties and R-JMEC affecting the co-ordination. Without sufficient funds the government has struggled to implement certain requirements and R-JMEC has tried to reach different parts of the country and the region.<sup>76</sup>

Additionally, Mary Akech Bior corroborates that,

R-JMEC cannot be said to be neutral. The Commission ought not to have sides when it comes to Monitoring and Evaluation. False information has been the greatest trap for the Commission because they rely on the information disseminated by CTSAMVM. The Commission should source the information by itself then share it with IGAD directly to avoid information distortion of any kind. In return, the IGAD then will verify the information before taking any action. This then will uphold co-ordination and reduce trust deficit and non-compliance.<sup>77</sup>

To have a smooth running of the Monitoring and Evaluation, roles overlap should be avoided. Making its roles clear confirmed and verified will minimize blame on other

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<sup>76</sup> Interview with Stephen Ola, RJMEC Senior Legal and Constitutional Advisor, on 22<sup>nd</sup> August, 2022 in Juba, South Sudan

<sup>77</sup> Interview with Mary Akech Bior, the Women's Bloc Chairperson, on 6<sup>th</sup> September, 2022 at OPP in Juba, South Sudan

players involved in the process. For instance, members in the board and the secretariat working on the same report might blame each other if the reporting is not done as it should be. These members should be vetted before embarking on any reporting to prevent making decisions based on false information.

Lastly, coordination amongst the involved actors should be upheld. RJMEC is not the only actor, but there are a number of other institutions whose reports inform RJMEC's recommendation and evaluation report as well. When the reports are not received in time, some actors' delivery is impacted especially in their own reporting on the situation.

#### **4.1.4 Poor Priority Choices**

The implementation of the Agreement is a challenging endeavor due to missed deadlines, delays, a lack of prioritizing of crucial activities, and the Parties' insufficient coordination, cooperation, collaboration, compromise, and consensus-building. As result, Monitoring and Evaluation process cannot be done as planned since the implementation being evaluated is not smooth. A few prominent delays that have an effect on the Monitoring and Evaluation procedure include the formation of state assemblies, large national commissions, and vital organizations like National Audit Chamber and the Anticorruption Commission. In addition, regardless of the fact that work on the Committee for Tolerance, Restoration, and Healing (CTRH) has started, none of the entities for peace building have been constituted. According to Gola Boyoi Gola,

A number of things were supposed to be addressed before the implementation of the Agreement to make the Monitoring and Evaluation process easy. One of these issues is having more than one commander-in-chief. SPLM-IG, SPLM-IO, and SSOA have individual commander-in-chief. This is a misplaced priority and this issue could have not been allowed from the first place to be at negotiation table by the IGAD and the R-JMEC, because the political differences have nothing to do with military. Additionally, the time frame issue could have been given priority considering the fact that there are lot things that require a lot of resources and time. There should be a reasonable time for the Agreement to be implemented the way it should be, and the period that was put by parties is an issue which could have been given priority.<sup>78</sup>

Some issues needed attention and others needed to be scrapped off from the Agreement from the onset of the formation of the R-JMEC. The issue of every party having its own commander-in-chief is an issue which should not be negotiated, monitored and evaluated.

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<sup>78</sup> Interview with Gola Boyoi Gola, Chairman of South Sudan Youth Union on 23<sup>rd</sup> October 2022 at Concord, Juba, South Sudan



The resources and time used on the same should be allocated to other sectors of making South Sudan better, like improving health facilities, education, roads, among others.

#### **4.1.5 Inadequate Funding**

Sometimes finding adequate resources to carry out the work to develop a culture that supports the process, there are many diverse aspects to creating a successful Monitoring and Evaluation program. Failure to concentrate crucial security tasks, such as Phase 1 NUF graduation and reintegration, the DDR Commission, and logistic supply for the comilla sites and training areas, along with insufficient budget and resources needed to effectively execute the Agreement.<sup>102</sup> Small number of IDPs and refugees were going back to South Sudan at the time of this report. The recent severe flooding that occurred in some areas of the country and the ongoing unrest in Equatorial have, regrettably, made it difficult for people to return. Also, the conditions of the regions occupied by the returnees are reportedly depleted of resources due to the shortage of housing and insufficient supply of basic needs. Therefore, there is a pressing need to supply and assist with livelihood activities, such as offering farming equipment and seeds, as well as services like education, health, and psychology.

According to Stephen Ola,

Lack of sufficient funding and resources for the implementation of the agreement has been a major challenge affecting the government, the R-TGoNU, and the parties who are supposed to actually implement this agreement which was signed on 12<sup>th</sup> of September 2018 and was supposed to have been completed after 36 months from the date the transitional period commenced.<sup>79</sup>

Additionally, General Samuel Chan corroborates that,

Lack of enough funds has paralyzed many processes especially the security arrangement and the back born of the agreement. The government is only using the available resources to fund phase one of the transitional security arrangement. Also, permanent constitution-making and the legislation to govern the process cannot take place without enough funds. However, the two said activities were determined through the workshop that was conducted by R-JMEC in partnership with Max Planck Foundation. In regards to this, the R-JMEC is giving recommendations to the parties to make sure that the security arrangement is funded and permanent constitution-making process is also funded. To make sure that election is guided by those tools in provisions of the agreement because without permanent constitution, it is a violation itself to conduct any elections.

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<sup>79</sup> Interview with Stephen Ola, RJMEC Senior Legal and Constitutional Advisor, on 22<sup>nd</sup> August 2022 in Juba, South Sudan

Also, without a unified army, peaceful elections might not be realized since most African countries' problems are as result of post-elections issues.<sup>80</sup>

However, the interim R-JMEC Chair, Maj. General Amb. Charles Tai Gitau gave an opinion on how a few adjustments have been done to cope up with the inadequate funding issue:

Some of the adjustments in regards to funding of the Commission that have been made to keep the functions of the Commission afloat include: RJMEC secretariat has been downsized by adapting its activities to the current funding realities and aligning its activities and priorities to its contingency plans; the Commission has appealed for partnership and in-kind support from regional and international partners and partners have seconded experts to the secretariat and pledged to continue supporting the whole cause for peace; and the Commission has embraced to undertake resources mobilization pursuant to the resource mobilization strategy.<sup>81</sup>

For the Commission to implement the R-ARCSS mandate smoothly and timely, the IGAD should take the position of funding the Monitoring and Evaluation process since IGAD formed it. Also, Troika can consider resuming its partial funding towards the Commission as it used before. Lastly, the R-JMEC should adjust its budget accordingly to fit the available resources and uphold accountability to avoid any embezzlement of funds. The accountability will motivate the funding bodies in return.

#### **4.1.6 Poor Coordination of Security Mechanisms**

The Transitional Security Arrangement (TSA) is still an ongoing process, even though it is progressing slowly and faced with myriad of obstacles. This entails a number of actions required to establish a united national Armed Forces with the President serving as its only commander in chief.<sup>106</sup> For example, ineffective and inefficient cooperation between the Security Mechanisms and the NTC, specifically finance, planning, and logistics is a major drawback. Aspects of putting wealth-sharing and security measures into action, such as creating integrated joint units from the armed forces of the two sides. The report on the wealth-sharing issue grew more complicated as concerns were generated in both the South and the North due to the lack of openness in accounting and the failure to build important CPA agencies, which caused both parties to concentrate on oil income. Shortly after the South acknowledged that it was not receiving its 50% share as required by the Wealth Sharing Protocol, the Southerners verified that they were paying undue attention to the matter and demanded a more effective manner of transparency.<sup>107</sup>

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<sup>80</sup> Interview with General Samuel Chan, the Liason officer of SSOA at the CTSAMVM on 22<sup>nd</sup> September 2022 in Juba, South Sudan

<sup>81</sup> Interview with the R-JMEC Interim Chair, Maj. Gen. Amba. Charles Tai Gituaion 25<sup>th</sup> August 2022 in Juba, South Sudan

According to Bangasi Joseph Bakosoro,

The Peace Agreement is complicated. For example, ministerial positions to parties are just agreed to during Agreement and not specific ministries. The negotiations are done later and this takes a lot of argument. This could have been easier if it was done during the Agreement. Also, getting a commission which goes to the government and the oppositions takes about 6 months to 1 year, which is quite a long time. Fighting, scrambling, and struggling is the order of the day. In return, these cause delays even in the formation of the presidency. Little delay can delay the bigger picture of the agreement and if these things were done properly during the Agreement, then it could have been just copy and pasting by the parties, hence making the process of Monitoring and Evaluation easy.<sup>82</sup>

Ministerial positions and army commands were left for the parties to negotiate for themselves since it was not clearly spelt out in the Agreement. This has later made allocation of ministries and security command difficult among the parties because every party wants to fulfil their interests. This vagueness of the Agreement has made the parties to pull ropes for a long time without providing timely solutions for the country rather than at party levels.

#### **4.1.7 Non-Completion of the Unification of Forces**

Whatever positive progress has been made was outshone by the inability of the R-TGoNU to successfully advance into the strategic regions of the R-ARCSS. For instance, as a result of the parties' inability to come to an agreement above ratio distribution for the commanders and the military, there has not been any progress regarding NUF's graduation and deployment. Additionally, TSAs failure to address those issues partly caused inter-communal violence and military desertions. For instance, fighting between the Balanda and Azande tribes in Eastern Equatoria State and desertion of the SPLA-former IO's Chief of Staff triggered tensions in Magenit.

The growth of the R-ARCSS is hampered by the forces' insufficient unity, their failure to concur on the commanders and force ratio distribution, as well as their lack of redeployment of the trained NUF component. Evidently, this failure worsens public displeasure with the concerned parties, undermines public confidence in the peace negotiations, and causes the nation's security to crumble at the regional, local, and communal levels.

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<sup>82</sup> Interview with Hon. Bangasi Joseph Bakosoro, Minister of Public Service and Human Resource Development on 21<sup>st</sup> September 2022 at the Ministry of Public Service, Juba, South Sudan

According to Peter Mayen Majongdit, one of the signatories to the peace agreement under OPP (Other Political Parties) the Republic of South Sudan's present Minister of Civil Defense and Disaster Response, the leader of the party, and say the following in regards to non-completion of unification of forces:

One of the major challenges affecting the unification of forces is the fact that South Sudan is under sanctions, thus making it hard to solve two problems at a time. The issue of the unification of the forces has been made to be a serious topic both by the International Community and the opposition. It then should be clear that people need to know very clearly that time has come and it has gone to take over a country by arms. Arms revolution coup is no longer working in Africa and what happened in Sudan cannot happen in South Sudan. For reunification of forces to be possible therefore, sanctions should be lifted and there should be liberty in terms of sovereign rights for South Sudan.<sup>83</sup>

#### **4.1.8 Insufficient Technical Expertise**

The creation of efficient Monitoring and Evaluation processes and activities can be significantly hindered by a lack of technical skills within an organization. Notably, the organization has inadequate access to information and skills, which are critical supporting component in being able to conduct appropriate assessments. Also, inadequate knowledgeable staff, expertise, and instruments are barriers to evaluation operations. That is, it is inevitable to divert attention and focus due to inadequate access to evaluation experts and individuals inside an organization responsible for evaluating and monitoring operations. Therefore, it is essential to employ outside experts or consultants to deliver such expertise for the company without incurring continuous costs of an employee.

According to James Okuk,

The R-JMEC lacks facilities with strong technical features which are essential in its operation. Although the R-JMEC has been supported by donors at least to have strong internet, strong computers to be connected virtually, other mechanisms are being facilitated by the South Sudanese government. The mechanisms being supported by the South Sudanese government have derailed the technical bit of the process because its weak.<sup>84</sup>

Technical expertise is a basic need in the current world, but the R-JMEC does not have the best. The commission should consider having the right personnel endowed with up-to-date skills and knowledge matching up with the dynamic technology. Also, the R-JMEC can

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<sup>83</sup> Interview with Hon. Peter Mayen Majongdit, OPP Chairman and National Minister Humanitarian Affairs and Disaster Management on 6<sup>th</sup> September 2022 in Juba, South Sudan

<sup>84</sup> Interview with James Okuk, Political Analyst on in Juba, South Sudan

consider requesting for sophisticated tools of work from its donors and the South Sudanese government for great results.

## **4.2 Opportunities**

The following are some of the opportunities that should be utilized by the R-JMEC to make the implementation of the R-ARCSS mandate possible:

### **4.2.1 Engaging Grassroot Administration and Citizens**

Direct contact with the South Sudanese at states level in regards to the implementation of the R-ARCSS mandate has not been utilized fully. Communicating directly to the people and trying to speak to them about what they think about the Peace Agreement and the Monitoring and Evaluation process has not been significant. R-JMEC can make use of the local leadership like chiefs and kings who are closely connected to the grassroot to disseminate the right information about the ongoing Monitoring and Evaluation process. As a result, the grassroot involvement will enable citizens to understand fully the causes of unrest in South Sudan, how to prevent it, or how to tackle conflict when experiencing one.

According to Jacob Dut,

The R-JMEC should have direct mandate to work with the people across South Sudan, and not only in Juba. The establishment of offices in the ten states and three administrative areas has not been embraced. This can help in getting the information readily from the locals and then can be transmitted directly to headquarters in Juba.<sup>85</sup>

In most cases, the population at the states level miss out on many things, information included. R-JMEC concentrates with the Juba population only and this does not represent all the citizenry equally. For best delivery of the Commission, it should involve the whole population, not taking account of the location for universal results. The entire South Sudanese population should be involved in this noble activity and this will be putting the Constructivist Theory in use in gauging how the Monitoring and Evaluation process can be improved as days go by through involving all the country's citizenry.

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<sup>85</sup> Interview with Jacob Dut, assistant professor for International and Comparative Politics at the University of Juba on 5th September, 2022 in the University of Juba, South Sudan

#### **4.2.2 Practicing Enforcement Mechanism**

The R-JMEC has the authority to recommend and not taking actions against violations towards the agreement. Instead, the commission reports to IGAD which in most cases does not take any action towards those violations. The R-JMEC can consider having ways of enforcing its power over any violations experienced. By doing so, violators can shy away and the end goal of the Monitoring and Evaluation process can be achieved with ease.

For the R-JMEC to be effective, it needs a strong guarantor and sometimes the guarantors are the Commission's principals like IGAD and Heads of States. These guarantors also have their own challenges as well in providing that backup because when the R-JMEC makes recommendations and the recommendations are not adhered to, the only request is to refer it to IGAD. If IGAD does not take that up and prevail on the parties, then the whole process is ruined that has been a problem couple of times.

#### **4.2.3 Utilizing National Research Institutions**

Sudanese citizens are better placed when it comes to researching and coming up with the right findings and recommendations for the R-ARCSS implementation and the R-JMEC commission. They are the first-hand people who understand the push behind the formation of the R-JMEC commission and have the know-how of what R-ARCSS should observe. Therefore, this creates a great opportunity for the commission to make use of the South Sudanese citizens in the South Sudanese local research centers to research more about the process of Monitoring and Evaluation of R-ARCSS implementation.

Jacob Dut asserts that,

Making use of the local university professors and doctors by doing research which will lead to getting findings from the South Sudanese people about their views about the peace agreement can reduce misinformation which can be easily found when the researches are done by foreigners who do not understand some issues as the locals do.<sup>86</sup>

#### **4.2.4 Consider a Prominent Leader as the R-JMEC Chair**

Having a general as the head of the R-JMEC is a missed opportunity. To some extent, generals might not have the diplomacy experience leaders harbor and their orientation towards dealing with implementation, Monitoring and Evaluation is different. Therefore, a

prominent leader, mostly a president or a former president can be a great fit to chair the commission.

According to Agok Mayak Riak,

When Festus Mogae was appointed at that capacity of the R-JMEC chair, that image or that reputation he had was to help in the mediation and in the implementation process because he was someone well experience and he would be respected by the parties. But when Festus left, that vacuum was totally unfilled and generals have been acting in capacity of the chair. Having a someone with presidential status or former president with a strong status will revive the glory of the commission.<sup>87</sup>

The R-JMEC therefore should reconsider getting a permanent chair who can fit the rank and who can make the roles of the commission doable.

#### **4.2.5 Working on Outstanding tasks under the Chapter**

Despite the aforementioned advancements, there are still some undone projects under chapter I of the R-ARCSS. These include reabsorbing the Legislators, changing the executive layers of the governance model, and reconfiguring the organizations and bodies at the federal level, while ensuring the minimum requirement of thirty-five percent representation of women is met. The R-TGoNU must also begin its election preparations as soon as possible. As a result, the R-TGoNU and other national stakeholders will be compelled to start discussions about hastening the implementation of key tasks that would lead towards the end of transitional period, to elections. The NCAC's efforts to review and amend relevant South Sudanese laws to make them into line with R-ARCSS would be hampered by further setbacks in assuring that NCAC maintains its work in sincerity. Therefore, IGAD will need to move quickly to reconvene the NCAC.

According to Ezra Kukundakwe,

The R-JMEC has quite a number of important outstanding tasks under the chapter. These important tasks include: complete unification of forces and deployment, which is the basis of stability and implementation of other chapters; repatriation of refugees; constitution making; and national census. All the mentioned outstanding tasks should be accomplished before holding national elections. This poses as a huge gap for the Monitoring and Evaluation process for the R-JMEC because these provisions are implemented by R-TGoNU and their implementation should be monitored. Also, without the implementation some of the party's signatories will

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<sup>87</sup> Interview with Agok Mayak Riak, UNMISS Political Affairs Officer on 11th September, 2022 at TM Lion in Juba, South Sudan

no longer be interested, especially on the ceasefire since it is holding a few areas like Warrap States and Mayom County of Unity State. The National Salvation Front (NSF) is operating in Central and Western Equatoria and this poses a challenge to the implementation which should be Monitored and Evaluated.<sup>88</sup>

On the other hand, Charles Tai Gituai responded that,

Some of the opportunities not yet tackled by the R-JMEC are: continued holding of the permanent ceasefire signals parties' commitment to the peace process; the R-TGoNU roadmap has provided a renewed impetus for the implementation of the outstanding tasks; and potential regional and international door support to the roadmap.<sup>89</sup>

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<sup>88</sup> Interview with Ezra Kukundakwe, Ceasefire Transitional Security Arrangement Monitoring and Verification Mechanism's chief, CTSAMVM on 22<sup>nd</sup> August 2022 at CTSAMVM Headquarters Juba, South Sudan

<sup>89</sup> Interview with the R-JMEC Interim Chair Gen. Amb. Charles Tai Gituai on 25<sup>th</sup> August 2022 at R-JMEC Office Juba, South Sudan



## **Chapter Five**

### **Summary, Conclusion and Recommendation**

#### **Introduction**

The Joint Monitoring and Evaluation Commission (JMEC) in South Sudan is used as a case study in this study to explore the Monitoring and Evaluating Peace Agreements in Africa. The study's goals, which are to measure the efficacy of Monitoring and Evaluation Commissions in carrying out Peace Agreements in Africa, to assess the effectiveness of the Joint Monitoring and Evaluation Commission in following the Peace Agreement in South Sudan, and to evaluate the difficulties and opportunities faced by JMEC in carrying out the South Sudan agreement on dispute resolution, advise this final chapter of the study. Then the objectives are evaluated to an extent which they will be met by providing the summary of the findings, conclusion, and some of the recommendations of this study that need to be looked at.

#### **5.1 Summary**

Examining performance of Monitoring and Evaluation Commissions implementing peace agreements in Africa objective asserted that not only Monitoring and Evaluation tools are essential to commissions, but they are also vital to international administrations like African Union, United Nations, African Development Bank, and also to states when it comes to monitoring and verifying systems to consider development projects, resource management, government activities, administration, and cooperation agencies. The integrity of evaluations and results in Africa heavily depends on the manner in which Monitoring and Evaluation has been carried out. According to Article 62 of the African Charter, the African Commission on Human and Peoples' Rights' (ACHPR) mandated duties include gathering documents, conducting studies and research on human and peoples' rights issues in Africa, planning seminars, and deliberating on periodic reports presented by State Parties.<sup>90</sup> Implementation mechanisms perform various functions, Monitoring and Evaluation being among the main functions.

Some of the Monitoring and Evaluation cases tackled in the first objective include; the case of DRC - UNSSSS, the case of Sierra Leone - Commission for Consolidation of Peace (CCP), and Assessment and Evaluation on Sudan Peace Agreement Process. These

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<sup>90</sup> Molloy, S. (2018). *Assessing and Influencing Progress in Peace Processes Workshop Report (PSRP Report)*. Edinburgh: Global Justice Academy, University of Edinburgh.

case studies provided the history on how the various Monitoring and Evaluation Commissions came to existence, their achievements and challenges faced during their Monitoring and Evaluation period, and the lessons that can be drawn from them to assist other commissions like the R-JMEC, which used to be the JMEC from 2015 through 2018, which has not yet met its mandate.

The study's second goal was to assess how well the Joint Monitoring and Evaluation Commission (JMEC) tracked the South Sudan Peace Agreement, assessed that JMEC, which is now the R-JMEC, has not fully executed its mandate as it was intended during its formation. Quite a number of issues have not been taken into consideration by the commission as required. For instance, there are some issues with the peace process being observed and evaluated ability for monitoring systems to react to continuing changes brought on by current negotiations. As a result, if the conditions of the current negotiations change, it might be difficult for the existing monitoring mechanisms to adapt and reflect the changes of the Monitoring and Evaluation process.

The third goal of the study is to evaluate the opportunities and problems faced by R-JMEC (formerly the JMEC) in implementing the South Sudan agreement on dispute settlement. This goal showed that there are still a number of unresolved issues, which have significantly slowed down the Monitoring and Evaluation process's ability to move forward. If progress is to be sustained and expedited, these cross-cutting issues across the Agreement must be quickly and collaboratively addressed. Some of the challenges established in this study are; overly ambitious goals, political will, trust deficit, non-compliance and lack of co-ordination, priority issues, inadequate funding, poor coordination of security mechanisms, and insufficient technical expertise. Also, this objective looked at the opportunities which R-JMEC should embrace to make the Monitoring and Evaluation process worthwhile in attaining the mandate the commission was meant to meet. Some of the opportunities tackled by the objective include; grassroots involvement, enforcement mechanism, national research institutions, prominent leader, and outstanding tasks under the chapter.

## **5.2 Conclusion/Findings**

In Africa, there are a lot of Monitoring and Evaluation commissions. The Commission for the Consolidation of Peace (CCP), for Sierra Leone; the Assessment and Evaluation on

Sudan Peace Agreement Process, for Sudan; the United Nations Security and Stabilization Support Strategy for Eastern DRC (UNSSSS); and other of them are examined in this study.

In the DRC, there hasn't been much evaluation work done in the field of conflict prevention and peacebuilding because of methodological challenges that reduced the effectiveness of the evaluation. The context itself posed the greatest challenges to the evaluation in three key ways. First, the project interventions' objectives lacked clarity, making it impossible for them to act as a reliable point of reference because they either dissipated too quickly or remained too general and ambiguous. Secondly, the imbalances and intervention of external forces made it very difficult to do proper evaluation due to the fact that the evaluation commissions lacked independence of intervention. This caused the commission to be undecided on certain processes, which led to incorrect analysis. Certain individuals also purposefully took measures to undercut the overall peace aspirations.<sup>91</sup> Thirdly, there were inherent risks and challenges to implementing the program in a conflict-avoidance environment, including the possibility of information loss and issues with access and confidentiality.<sup>92</sup> A highly volatile operating environment that necessitates constant plan adaptation, activity reprioritization, and target revision, coordination among a variety of actors and stakeholders with differing interpretations of effectiveness, and how to define and measure impact and success are other difficulties encountered with the Monitoring and Evaluation of the UNSSSS.

It was unable to conduct point-of-reference studies, have controlled groups, had unambiguous indicators, and had normal targets from all other similar scenarios because of the volatility and mobility of remote places. Because of this, it became impossible to evaluate projects and programs of various types using conventional analysis tools. Additionally, new issues about the function of objectives in the assessment of conflict prevention and peacebuilding emerged. Thus, only a small number of initiatives may be categorically regarded as interventions to directly affect peace and conflict. One of the main causes of the implementation's delayed progress is the CPA's burden of information. Due to the unsatisfactory 1972 Addis Ababa Agreement's ambiguity, the southerners

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<sup>91</sup> Belgium Project No. 135 Support for the Goma Peace Conferences' 2007 recommendations being put into action.

<sup>92</sup> Canada's federal government. A Corporate Responsibility (CSR) Plan for the Canadian International Extractive Sector, Building The Canadian Edge. March 2009.

demanded clarity on every point that was written out to make plain the North's commitments. As much as slight progress was seen in the process, it was never adequate as there was no much freedom of movement. On another note, the anticorruption was left powerless as the government lost a lot of revenue through corruption, leading to a dismissal of thousands of government workers. In connection with this, a controversy involving automobile purchases cost the south's minister of finance his position and immunity from prosecution. A dispute about expenses, nepotism, and connections to people involved in the automobile scam resulted from a deal with a Norwegian corporation to construct and administer ten hospitals, one in each southern state.

The SPLM viewed the agreement's short transitional phase before confederates and the lack of care taken with regard to the future of the North-South relationship as two of its flaws. With a long memory, the SPLM entered the 2005 Naivasha negotiations looking for a longer and more complex agreement on the transition period. Participants concurred that during the discussions, the difficulties of putting the agreement into practice were underemphasized, and differing expectations regarding the parties' own and international partners' roles were not completely addressed.<sup>93</sup> To ensure CPA execution, a diverse group of international and Sudanese actors have to collaborate. The Assessment and Evaluation Commission started its work progressively with a Norwegian as its chair, but by early 2007, the majority of observers saw it as not really effective and focused their critique on NCP members' use of regulations to delay and on the body's leadership's lack of adequate activity.

The R-JMEC lacks law enforcement mechanism. It only has the authority to recommend and report but not taking actions against violations committed towards the agreement. Instead, the commission reports to R-TGoNU, IGAD and AU. If IGAD does not take that up and prevail on the parties, then the whole process is ruined.

To some extent, the R-JMEC does not seem to focus on its exact role which was to mainly monitor and evaluate the Peace Agreement and advise where necessary to make the process worthwhile and meet the set mandate. The fact of having foreigners running the commission rather than the locals who understand the country's strengths and weaknesses has made the commission not to undertake the process well. For example, CPA was a

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<sup>93</sup> CPA, "Between the Government of the Republic of Sudan and the Sudan People's Liberation Movement/Army, a Comprehensive Peace Agreement was signed in 2006

success within the time limit because it was run by the locals who understood fully what they wanted and set realistic goals and mandate they were comfortable to meet within the time frame. Unfortunately, the Troika (United States of America, the United Kingdom and Norway) has played a big role in ineffectiveness of the R-JMEC. This view of R-JMEC's focus and what might be the reason of the lack of sole focus was argued by Michael Makuei Lueth that:

The R-JMEC'S exact role should have been only to oversee what is happening and advise accordingly. Giving advises on what is not right or where there is a problem and solve it. This is how the CPA was implemented. The Assessment and Evaluation on Sudan Peace Agreement Process during CPA was implemented without any obstacles. But for the R-JMEC, since the chair and the secretariat are all foreigners, unlike for the CPA where most of the members were parties to the agreement the process might be bumpy. There are more foreign interests being put first than the South Sudanese interests. Also, Troika has been a stumbling block to the roadmap amendment. After being passed by the executive with two-third majority, it goes to R-JMEC to pass it by two-third majority, after which it goes to the parliament for adoption or ratification. For example, of the roadmap amendment was accepted by the parties, passed it to the cabinet and the cabinet passed it unanimously. But when it got to the R-JMEC, the R-JMEC deliberated on it although it was passed before, Troika shoots against the amendment.<sup>94</sup>

This view was corroborated by Martin Abucha that:

R-JMEC should have prominent African personalities. For example, JMEC was respected by the parties to the agreement and the partners when the former president of Botswana, Festus Mogae, headed the Commission. The different interests of Troika affect the performance of R-JMEC. For instance, Troika was against the extension of the roadmap of the transitional period for 24 months, but did not want to consider issues that are not addressed yet, like the completion of unified forces, census, permanent constitution making, repatriation of refugees, among others. Also, Troika only funds the international staff and the locals do not have salaries. The question here is, how can peace be promoted in a society where inequality is a day-to-day activity?<sup>95</sup>

However, General William Deng held a different assertion on the R-JMEC's performance that,

R-JMEC has executed its roles well since it (R-JMEC) always discusses CTSAMVM reports through CTSAMVM board whose mandate is to monitor,

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<sup>94</sup> Interview with Michael Makuei Lueth, the Minister of Information, Telecommunication, Technology and Postal Service, also a Member of the National Legislative Assembly on 21<sup>st</sup> September, 2022 at the Boardroom, Office the President

<sup>95</sup> Interview with Martin Abucha, the National Minister of Mining at his Office in the Ministry of Mining on 21<sup>st</sup> September, 2022 in Juba, South Sudan

evaluate, investigate and then report. The RJMEC then has to discuss the report that comes from the monitors (CTSAMVM).<sup>96</sup>

All of the societal groups' needs have not been addressed by the R-JMEC. Every member of a society should feel included and have their opinions heard. The scope of what can really be measured while evaluating the implementation of an agreement may also be constrained. For instance, national measurements may include clauses addressing gender-specific concerns or clauses aimed at enhancing preconditions at the sub-national level, but they might not account for sub-national breakdown. Additionally, group-based metrics do not sufficiently reflect intersectional disparities in how different groups within groups are treated. Regulations, for instance, might not include a gender perspective or people with disabilities, or they might not reflect the applicability or impact of particular implementation areas for people with disabilities, women, or measurements of the impact on women might not explain the variation among women of different ethnic groups. Similar to how implementation assessments might not take into account enduring structural biases or horizontal disparities affecting interpersonal relationships, regular peace, and conflict resolution.<sup>97</sup>

Laku Bonafede Bazente had the following sentiments on the inclusion of the disabled in the R-JMEC matters:

There are some groups that have been left out like people with disabilities have been left from the committee of RJMEC. Definitely no stakeholders are involved from the people with disabilities in the decision-making process. The R-JMEC has sometimes discharged its mandate and should improve in inclusivity of the monitoring of the peace process. Even the elections are very near and the people with disabilities must be considered in the remaining Monitoring and Evaluation process that is on-going. Our main suggestion therefore, is that we need representation as people with disabilities in the composition of the R-JMEC.<sup>98</sup>

Similar sentiments were shared by Males William Ladu in regards to the inclusion of the disabled persons in the process of Monitoring and Evaluation of the R-JMEC:

The composition of RJMEC is not inclusive because some people are left out in the decision-making process, for example, persons with disabilities and other groups like widows and wounded heroes, among others. Us the persons with disabilities

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<sup>96</sup> Interview with General William Deng, the Liason officer of SPLM-IO at CTSAMVM office on 22<sup>nd</sup> September 2022 in Juba, South Sudan

<sup>97</sup> Mac Ginty, R. No War, No Peace: The Reinvigoration of Stalled Peace Processes and Peace Accords (Basingstoke: Palgrave Macmillan, 2006)

<sup>98</sup> Interview with Laku Bonafede Bazente, the Member of the Union of the Disabilities and the Secretary for Education and Child Protection on 25<sup>th</sup> August, 2022 at his Office in the Union of the Physical Disable, Central Equatorial State.

are left out in this process of peace and nobody comes to take our views, meaning we have been left out from decision-making process. Since there is no inclusivity, then the R-JMEC has not fully implemented its mandate. The R-JMEC should improve on the participation of people with disabilities although it has tried its best in monitoring the process of the peace process. My appeal to the peace monitoring bodies is that, the issue of engagement needs to be addressed. Let them engage people especially from grassroots levels, persons with disabilities and other groups who are not represented in the Monitoring and Evaluation process.<sup>99</sup>

The R-JMEC being a commission affecting all the citizens, it should have decent representation from all groups in South Sudan. For example, according to the agreement's provision, women should have a 35% representation but this has not been realized yet, both in the commission and in the government. Another group which is not well represented is the disabled. They should have a voice at key positions like in the government and the R-JMEC.

To some extent, the R-JMEC does not seem to fulfill the needs of the locals and the national interests of South Sudan. The complex nature makes it out of the South Sudanese league. Also, then timelines set do not match with the state of South Sudan's caliber.

All the challenges the R-JMEC is facing should all be contained for better performance of the commission. However, having the overly ambitious goals makes attaining of the commission's mandate an uphill task. Some set goals for Peace Agreement are unrealistic for a developing African state. The time frame is relatively short for the agreement to meet all the set goals within the given time frame. As a commission, R-JMEC could have pointed out the time issue for ample Monitoring and Evaluation for the successes of the process.

Bishop Isaiah Majok Dau said the following in regards to the time frame the R-JMEC has to meet the set mandate of monitoring and evaluating the R-ARCSS:

The Agreement on the Resolution of Conflict in the Republic of South Sudan is very ambitious because it encompasses so many things that need to be implemented in a very short time. This ascension has been justified by the difficulties in the implementation itself which cannot be achieved in either two or three years. There should be focus on the issues which can be worked on successfully.<sup>100</sup>

Due to the complexity of the Peace Agreement, the R-JMEC has encountered numerous delays in the R-ARCSS's implementation. For example, ministerial positions to parties are just agreed to during the Agreement and not specific ministries. The negotiations are done later and this takes a lot of argument. This could have been easier if it was done during the Agreement.

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<sup>99</sup> Interview with Males William Ladu, the Coordinator of the County Affairs from the Union of Physical Disable Central Equatoria State on 25<sup>th</sup> August, 2022

<sup>100</sup> Interview with Bishop Isah Majok Dau, the Immediate Outgoing/Former Leader of Pentecostal Church, at South Sudan Council of Churches Boardroom on 23<sup>rd</sup> October, 2022

### **5.3 Recommendations**

The following suggestions can be used to ensure the Monitoring and Evaluation of R-JMEC process is successful based on the study's findings. Also, other African Monitoring and Evaluation Commissions can borrow a leaf from these recommendations since African states share regional challenges whereby the commissions involved can benefit universally from the recommendations and end up succeeding during the Monitoring and Evaluation processes.

#### **5.3.1 Set Realistic Time Frame**

The R-JMEC has always been proposing unrealistic time frames for the Monitoring and Evaluation process for carrying out the R-ARCSS mandate. In the role of the Monitoring and Evaluation Commission, the R-JMEC could have pointed out a reasonable time frame from the beginning rather than keeping on setting new time frames ones a time frame elapse but set targets have not been met. One of the main reasons contributing to setting unrealistic goals is that the timelines set are not set by the locals who understand the country's strengths and weakness, but they are set by other actors who do not resonate with the struggles of South Sudan. Locals should take the mantle of setting realistic timelines since they understand the capability of their country better than foreigners.

#### **5.3.2 Mobilize Sufficient Human Resources and Finances**

Funds have been one of the major challenges faced by the R-JMEC and CTSAMVM. Normal activities which should be done by the commission are hindered and this alters the execution of the final goal. For instance, crucial activities salaries, renting office spaces, and facilitation of meetings becomes an uphill task if funds are not enough. Troika should reconsider funding R-JMEC and IGAD can step in financially as the major regional organization since a number of activities are at a standstill because of lack of funds.

#### **5.3.3 Lifting of Arms Embargo**

The United States' arms embargo contributed to the South Sudan's prolonged unification of forces which took about three years. However South Sudan has reached an important milestone of breaking the bondage of civil war, its first graduating unified armed forces from the former rival groups SSOA (South Sudan Opposition Alliance), the SPLM-IG,



and the SPLM-IO forces graduated on 30<sup>th</sup> of August 2022 without enough firearms. The numerous students had to graduate using sticks. The indefinite ceasefire and temporary security measures have both been impacted by the arms embargo. The United States should lift the arms embargo now that the first unification of the forces has already taken place to allow deployment of the unified national army.

#### **5.3.4 A Prominent African R-JMEC leader**

The R-JMEC is currently under an interim administration and to some extent how it is run cannot be compared to how it was administered when it was led by the former president of Botswana, Festus Mogae. The commission should consider having prominent leader in the chair position so as help drive the mandate of the commission to the level it is supposed to be.

#### **5.3.5 Involvement of the Grassroot Administration and Representation of the Disabled**

The grassroot administration has not been involved well in the R-JMEC Monitoring and Evaluation process. Also, this is where the sensitization of the civil society should come in. Through the involvement of the grassroot administration and sensitization of the civil population on the R-JMEC activities, traditional leaders like chiefs and kings should be brought on board and this will help in disseminating the information to rural areas. On inclusion, the disabled should be involved as well as it is their right to take part on the national affairs.

#### **5.3.6 Practicing Enforcement Mechanism**

The R-JMEC only makes reports, recommendations and facilitates meetings but cannot account for any way forward for violations since it reports to IGAD and AU and at the end there are possibilities that there are no actions taken against the violators. The R-JMEC therefore, should have an enforcement mechanism on how violators of the provision of the commission should be answerable and there should be an action at the end of the day. For example, having some mechanisms put in place such as allowing CTSAMVM to monitor the violations and giving verdict will help holding the parties accountable.

## BIBLIOGRAPHY

- “The Comprehensive Peace Agreement Between the Government of the Republic of the Sudan and the Sudan People’s Liberation Movement/Sudan People’s Liberation Army,” Machakos Protocol, art. 2.4
- A Strategy for Comprehensive Peace in Sudan Africa Report No 130 26 July 2007 P. 5.”
- Abdenur, A.E., (2018). Monitoring of Peace Agreement Implementation: Lessons from Colombia. Igarapé Institute
- Abraham Awolich South Sudan Peace Process: The Challenge to the Implementation of the R-ARCSS. Policy Brief for the SUDD Institute November (2019)
- Abu-Nimir, M. (2000). Peacebuilding in Post Settlement Challenges for Israeli and Palestinian Peace Educators. *Peace and Conflict: Journal of Peace Psychology*, 6(1), 1-21.
- Accord. Learning from the Indonesia-Aceh Peace Process, Policy Brief 2008.
- African Union Commission, Implementation of the Women, Peace, and Security Agenda in Africa. Report the African Union Commission Chairperson and prepared by the Office of the Special Envoy of the African Union Commission Chairperson on Women, Peace and Security, July 2016.
- Agreement on the Resolution of the Conflict in the Republic of South Sudan,” August 17, 2015, chap. 7, <https://peacemaker.un.org/node/2676>
- Allport, G. W. *The Nature of Prejudice*. (Cambridge, MA: Addison- Wesley, 1954).
- Amani Labda, Joint Evaluation of Conflict Prevention and Peace Building in DRC, Volume 1, Synthesis report, June 2011
- Amstutz, M. R. (2005). *The Healing of nations. The Promise and Limits of Political Forgiveness*. Oxford: Rowman & Littlefield Publishers, Inc. <http://books.google.com/books?id=gTFnh2GuD8EC&printsec=frontcover&dq=The+Healing+of+nations.+The+Promise+and+Limits+of+Political+Forgiveness&hl=nl&ei=IbwqTsz4DMbo->
- Antony Quist, Human Security Survey 2021 Annual Summary Report Eastern Equatoria State, South Sudan, [Protectionofcivilians.org](http://Protectionofcivilians.org). 2021
- Archick K. Northern Ireland Peace Process: Background and Challenges. (Congressional Research Service, 2019).
- Auster, B., Whitelaw, K., Roberts, L., & Shapiro, J. (2000, January 24). A Fight Over Child Soldiers. *US News and World Report*.
- Bandura, A., Ross, D. & Ross, Sh. A. (1961). Transmission of Aggression through Imitation of Aggressive Models. *Journal of Abnormal and Social Psychology*, 63, 575–582.
- Bar-Tal, D., & Bennink, G. 2004. The Nature of Reconciliation as an Outcome and as a Process. In Y. Ba Siman-Tov (Ed.), *From Conflict Resolution to Reconciliation*. (Oxford: Oxford University). (pp. 11-38).
- BBC (22 February 2012). South Sudan Profile. <http://www.bbc.co.uk/news/world-africa-14019202>.
- Bekerman, Z. & McGlynn, C. (Eds.). *Addressing Conflict through Peace Education: International Perspective*. (New York: Palgrave Macmillan, 2007).
- Bell C. Text and Context: Evaluating Peace Agreements for their ‘Gender Perspective’. (UN Women, October 2015).
- Brewer, M.B. & Miller, N. 1984 Beyond the Contact Hypothesis: Theoretical Perspectives on Desegregation. In Miller, N & M. B. Brewer (Eds.), *Groups in Contact: The Psychology of Desegregation*, pp. 281 - 302. New York: Academic Press.
- Burton, J. W. (1969). *Conflict and Communication*. London: Macmillan.

- Chapman et al, Evaluation of Donor Supported Activities in Conflict Sensitive Development and Conflict Prevention and Peacebuilding in DRC”., 2009
- Claire Bourgeois and Khassim Diagne, Real Time Evaluation of UNHCR’s IDP operation in the Democratic Republic of Congo, PDES/2007/02 - 5 September 2007
- Clayton Hazvinei Vhumbunu, The Formation of the Revitalized Transitional Government of National Unity in South Sudan, Aug 2020
- Cole, C., 2018. “The ‘Khartoum Declaration of Agreement’: A Blueprint for Peace in South Sudan?” the World Organisation for Peace, July 17 2018
- Comoros/Anjouan, Agreement on the Transitional Arrangements in the Comoros (Maroni Agreement), Article 6, 20 December 2003
- Concepts for Resolving the Issues Still Pending between the Government of the People’s Republic of Angola and UNITA (Bicesse Accords), Article 4, 31 May 1993
- CPA, “Comprehensive Peace Agreement between the Government of the Republic of Sudan and the Sudan People’s Liberation Movement/ Sudan People’s Liberation Army “2006
- Cynthia Chigwenya, “Is the Revitalized Agreement on The Resolution of the Conflict in The Republic of South Sudan (R-ARCS) Old Wine in New Bottles?” Witwatersrand University, 2021.
- De Waal, Alex. “The Darfur Peace Agreement: Part 13 Rebuilding Darfur Alex De Waal.” edited by Justice Africa, 2006.
- Democratic Republic of the Congo Peace Agreement Between the Government and Le Congres National Pour La Defense Du Peuple (CNDP) Goma, March, 2009
- Dixon, W. J. and Massey, F.J. Introduction to Statistical Analysis. (New York: McGraw-Hill, 1969).
- DR. Robert U. Nagel, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), May 2021.
- Dyfan, Isha. Peace Agreements as a Means for Promoting Gender Equality and Ensuring Participation of Women. Ottawa: International Women’s Tribune Centre, 2003. PDF e-book.
- Federal Foreign Office, South Sudan, Joint Monitoring and Evaluation Commission (JMEC); Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) <https://www.giz.de/en/worldwide/43789.html>.
- Framework Agreement for the Federation, (Washington Agreement or Contact Group Plan), Article 6, 1993
- Government of Canada. Building the Canadian Advantage: A Corporate Social Responsibility (CSR) Strategy for the Canadian International Extractive Sector. March 2009.
- H.E. Maj. Gen. Charles Tai Gituai, “The Status of Implementation of the Revitalized Agreement on the Resolution of the Conflict in The Republic of South Sudan Report” No. 012/21 JUBA, South Sudan, September 2021.
- Hehn, V. A. The Internal Implementation of Peace Agreements After Violent Intrastate Conflict: Guidance for Internal Actors Responsible for Implementation, (Boston: Martinus Nijhoff Publishers, 2011).
- Hivos People Unlimited. Hivos ToC Guidelines: Theory of Change Thinking in Practice. (Netherlands: Colophon, 2015).
- ICG, “Sudan’s Comprehensive Peace Agreement: The Long Road Ahead”, Interview with international observer present during CPA-negotiations, July 2009, Khartoum

- Inter-Governmental Authority on Development (IGAD) (2018) ‘Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)’, 12 September, pp. 2–3
- Interview with Bishop Isaiah Majok Dau, the immediate outgoing/former leader of Pentecostal Church on 23<sup>rd</sup> October, 2022 at South Sudan Council of Churches Boardroom in Juba, South Sudan
- Interview with Deng Majok Deng on 6<sup>th</sup> August, 2022 at the Upper Nile University in Juba, South Sudan
- Interview with Ezra Kukundakwe, the Head of the fusion, Ceasefire Transitional Security Arrangement Monitoring and Evaluation Mechanism (CTSAMVM), on 22<sup>nd</sup> August, 2022 at CTSAMVM Headquarters in Juba, South Sudan
- Interview with General Samuel Chan, the Liason officer of SSOA at the CTSAMVM on 22<sup>nd</sup> September 2022 in Juba, South Sudan
- Interview with General William Deng, the Liason officer of SPLM-IO at CTSAMVM office on 22<sup>nd</sup> September 2022 in Juba, South Sudan
- Interview with Gola Boyoi Gola, the chairperson for South Sudan National Youth Union on 23<sup>rd</sup> October, 2022 at Concord in Juba, South Sudan
- Interview with H.E. Amb. Maj Gen (rtd) Charles Tai Gituai, the R-JMEC Interim Chairperson on 25<sup>th</sup> August, 2022 at R-JMEC offices in Juba, South Sudan
- Interview with Hon. Bangasi Joseph Bakosoro, Minister of Public Service and Human Resource Development on 21<sup>st</sup> September 2022 at the Ministry of Public Service, Juba, South Sudan
- Interview with James Okuk, Political Analyst, on 21<sup>st</sup> August, 2022 at Rock City in Juba South Sudan
- Interview with Laku Bonafede Bazente, the member of the Union of the Disabilities and the secretary for education and child protection on 25<sup>th</sup> August, 2022 at his office in the Union of the Physical Disable, Central Equatorial State in Juba, South Sudan
- Interview with Malice William Ladu, the coordinator of the county affairs from the Union of Physical Disable Central Equatoria State on 25<sup>th</sup> August, 2022 in Juba, South Sudan
- Interview with Martin Abucha, the National Minister of Mining at his office in the Ministry of Mining on 21<sup>st</sup> September, 2022 in Juba, South Sudan
- Interview with Mashood Issaka, Senior Political Officer at AU Mission Office in South Sudan on 12<sup>th</sup> August, 2022 in Juba, South Sudan
- Interview with Michael Makuei Lueth, the Minister of Information, Telecommunication, Technology and Postal Service, also a member of the National Legislative Assembly on 20<sup>th</sup> October, 2022 at the boardroom, office the President in Juba, South Sudan
- Interview with Stephen Ola, the R-JMEC Senior Legal and Constitutional Advisor on 22<sup>nd</sup> August, 2022 at R-JMEC offices in Juba, South Sudan
- John Prendergast and Roger Winter, “Abyei Sudan’s Kashmir,” Enough Project, <http://www.enoughproject.org/files/reports/aneyi%2029-1.pdf>
- John Young, “Sudan IGAD Peace Process: An Evaluation,” Sudan Tribune, May 30, 2017, 17, [www.sudantribune.com/IMG/pdf/Igad\\_in\\_Sudan\\_Peace\\_Process.pdf](http://www.sudantribune.com/IMG/pdf/Igad_in_Sudan_Peace_Process.pdf)
- Joshi, M., and Quinn, J.M., 2015b. Peace Dividend: Comprehensive Peace Agreement Implementation and Foreign Direct Investment in Post-Conflict States. Midwest Political Science Association Annual Conference, Chicago (IL) April 16-19.

- Joshi, M., Lee, S.Y., and Mac Ginty, R., 2017. Built-in Safeguards and the Implementation of Civil War Peace Accords. *International Interactions*, 43 (6), pp. 994-1018
- Kamal el-Din, "Islam and Islamism in Darfur," in *War in Darfur and the Search for Peace*, ed. Alex De Waal (Global Equity Initiative, Harvard University 2007)
- Kendall, M. and Stuart, A. (1979). *The Advanced Theory of Statistics, Volume 2: Inference and Relationship*. Charles Griffin & Co. Limited, London.
- Mac Ginty, R. *No War, No Peace: The Rejuvenation of Stalled Peace Processes and Peace Accords*. (Basingstoke: Palgrave Macmillan, 2006).
- Mac Ginty, R. *No War, No Peace: The Rejuvenation of Stalled Peace Processes and Peace Accords*. (Basingstoke: Palgrave Macmillan, 2006)
- Machar, Riek, *Preparing South Sudan for statehood and a bright future*. A speech delivered at South Sudan Academic Forum, February 2017
- Major General Charles Tai Gituai, "South Sudan @ 10: Status of implementation of the R-ARCSS as the country marks the 10th Independence Day", July 2021
- Molloy, S. (2018). *Assessing and Influencing Progress in Peace Processes Workshop Report (PSRP Report)*. Edinburgh: Global Justice Academy, University of Edinburgh.
- Molloy, S. (2018). *Assessing and Influencing Progress in Peace Processes Workshop Report (PSRP Report)*. Edinburgh: Global Justice Academy, University of Edinburgh
- NUPI, SIPRI, Climate, Peace and Security Fact Sheet: South Sudan, March 2022
- Olive Mugenda and A.G. Mugenda, *Research Methods: Quantitative & Qualitative Approaches* (Nairobi: ACTS Press, 1999).
- Oola Stephen, *Peace Agreements, "The Reconstituted Joint Monitoring and Evaluation Commission's Role and Perspective on the South Sudan Peace Process"* Dec 2019
- Oola, S. & Moffett, L., 2019. *Reparations in South Sudan: Prospects and Challenges*. In *Reparations, Responsibilities and Victimhood in Transitional Societies* (pp. 1 - 30). Belfast: Queen's University Publication
- Paladini B., and Molloy S., *More inclusive monitoring of peace agreement implementation Barometer Initiative in Colombia*. In: Carl, A. ed. *Navigating inclusion in peace processes (PSRP Report, Accord)*. London: Conciliation Resources, 2019.
- Pearson, A. V., and Hartley, H. O. (1972). *Biometrika Tables for Statisticians, Vol 2*, Cambridge, Cambridge University Press.
- Pretoria Agreement on the Peace Process in Côte d'Ivoire ('Pretoria I'), Article 16, 6 April 2005 African Development Bank, "Democratic Republic of Congo 2013-2017 Country Strategy Paper Regional Department Centre (Orce/Cdfo)", 2013.
- Project No. 135 Belgium. *Support for the implementation of the recommendations of the Goma peace conferences, 2007*.
- Project No. 340, Unicef: *Enlargement Programme of assistance to returnees (PEAR +)*, Coop, Oxfam, International Rescue Committee (IRC), July 2009.
- Reconstituted Joint Monitoring and Evaluation Commission (2020a) 'Report by H.E. Amb. Lt. Gen. Augustino Njoroge Interim Chairperson, RJMEC on the Status of Implementation of the R-ARCSS Submitted to the 71<sup>st</sup> Extraordinary Session of the IGAD Council of Ministers', 23rd April.
- Reconstituted Joint Monitoring and Evaluation Commission (2020b) 'Report Summary: RJMEC Releases R-ARCSS Status of Implementation Report Covering 1st Quarter of 2020', 20th April.

- RJMEC., 2018. Quarterly Report on the status of implementation of the ARCSS from April 1st 2018 - June 30th 2018. Juba: JMEC Quarterly Report.
- Rocha Menocal, A. Inclusive Political Settlements: Evidence, Gaps, and Challenges of Institutional Transformation. (Birmingham, UK: International Development Department, University of Birmingham, 2015).
- Sean Molloy & Christine Bell, “How Peace Agreements Provide for Implementation” The University of Edinburgh, 2019
- Sudan’s 2009 Elections: Critical Issues and Timelines, by Kelly Campbell and Dorina Bekoe (USIPeace Briefing, August 2007)
- The Eastern Sudan Peace Agreement: Taking Stock and Moving Forward, by Dorina Bekoe (USIPeace Briefing, October 2007)
- UCDP, “Ucdp Database,” Uppsala University, Department of Peace and Conflict Research, 2009
- UN Final report of the Panel of Experts on South Sudan submitted pursuant to resolution 2577 (2021) (S/2022/359) (EN/AR) May, 2022
- United Nations development program evaluation office - Handbook on Monitoring and Evaluating for Results, June 2002.
- United Nations Mission in South Sudan (UNMISS)., 2019. “UNMISS Protection of Civilian (POC) Sites Update 27 Dec 2019 to 02 Jan 2020,” sites update no.261, December 27, 2019.
- United Nations Security Council, 8310th meeting, Resolution 2428 (2018).
- United Nations Security Council, Resolution 2577 (2021).
- United States Institute of Peace 1200 17th Street NW Washington, DC 20036, Nov 2007
- United States Institute of Peace and the Association for Diplomatic Studies and Training, “Sudan Experience Project Interview no. 16,” 2006.
- Valters, C. ‘Understanding Theory of Change in International Development’, The Justice and Security Research Programme, JSRP Paper 1, 2012.
- Verjee, Aly. Peaceworks: After the Agreement Why the Oversight of Peace Deals Succeeds or Fails. (United States of America: United States Institute of Peace, 2020).
- Vhumbunu Clayton Hazvinei, “Reviving peace in South Sudan through the Revitalized Peace Agreement: Understanding the enablers and possible obstacles”. ACCORD African Centre for the Constructive Resolution of Conflicts: ACCORD 2018
- Wiese, Bernd Michael, Lemarch and, René, Cordell, Dennis D. and Payanzo, Ntsomo. "Democratic Republic of the Congo". Encyclopedia Britannica, 30 Jun. 2022
- Woodward Peter (2013). Crisis in the Horn of Africa: politics, piracy and threat of terror. London: I.B Tauris &Co. Limited. pp 128-135.

## APPENDICES

### Appendix I: Interview Guide

#### Research Questions to IGAD

1. Has R-JMEC met its objectives in monitoring the implementation of the Revitalized Peace Agreement?
2. Given the ambitious nature of the Revitalized Peace Agreement, how has R-JMEC evolved in meeting the challenges of monitoring the Agreement of such stature?
3. In the environment of resource constraint that RJMEC has been operating in, to what extent has their mandate been affected by the lack of funding?
4. Can you speak to challenges and opportunities that might have arisen during RJMEC monitoring of the implementation of the Revitalized Peace Agreement?
5. What mechanisms were deployed to address the challenges?
6. From your work experiences with the Revitalized Peace Agreement, are there lessons that can be drawn upon by other Monitoring and Evaluation commissions across the region or even in the Continent from RJMEC?
7. Has RJMEC drawn any best practices from other monitoring organizations to support their work?
8. In your assessment, do you think there is the cooperation between the parties to the agreement? Yes or No
9. If no, how do you see the future of R-JMEC monitoring of the Revitalized Peace Agreement?
10. What has IGAD done to ensure a party or parties to the agreement are held accountable in an event they do not abide by peace process as agreed by all stakeholders to the conflict?
11. What mechanisms has IGAD put in place to ensure that the RJMEC and the parties to the agreements meet datelines agreed by all stakeholders to the agreement?

#### Research Questions to the Parties to South Sudan Revitalized Peace Agreement (SPLM-IG, SPLM- IO, FDs, SSOA, and OPP)

1. Is the composition of R-JEMC adequate or there are some stakeholders left out?
2. Has the R-JMEC met its objectives in monitoring the implementation of the Revitalized peace Agreement?
3. What aspect of the Revitalized peace Agreement do you find more challenging?

4. As Parties who negotiated this Peace Agreement, are there things you in past and present think should have been done better at the negotiations phase, especially with respect to the implementation matrices
5. On the scale of 1 to 10 how do you rate your cooperation as Parties to the Agreement during its implementation?
6. If the scale is low: Do you think more could have been achieved via cooperation between the parties?
7. With the establishment of peace roadmap to agreement by the parties themselves, do you think the parties will meet datelines this time round?

#### Research Questions to the South Sudan Council of Churches Peace Agreement

1. As stakeholders to the agreement do you think the composition of R-JEMC is adequate or there are some stakeholders left out?
2. Has the R-JMEC met its objectives in monitoring the implementation of the Revitalized peace Agreement?
3. What are some of the challenges hindering R-JMEC process of Monitoring and Evaluation
4. How can RJMEC and the Parties to the Agreement address those Challenges
5. What aspect of the Revitalized peace Agreement do you find more challenging?
6. As church who been part of Peace implementation, are there things you think in the past and present should have been done better at the negotiations phase, especially with respect to the implementation matrices
7. On the scale of 1 to 10 how do you rate your cooperation as Parties to the Agreement during its implementation?
8. If the scale is low: Do you think more could have been achieved via cooperation between the parties?
9. With the establishment of peace roadmap to agreement by the parties themselves, do you think the parties will meet datelines this time round?

#### Research Questions to South Sudan Youth Leaders

1. As leader do you think the composition of R-JEMC is adequate or there are some stakeholders left out?
2. Has the R-JMEC met its objectives in monitoring the implementation of the Revitalized peace Agreement?



3. What are some of the challenges hindering R-JMEC process of Monitoring and Evaluation
4. How can RJMEC and the Parties to the Agreement address those Challenges?
5. As Youth leader who has followed South Sudan Peace Agreement, are there things you think in the past and present should have been done better at the negotiations phase, especially with respect to the implementation matrices
6. On the scale of 1 to 10 how do you rate the cooperation of Parties to the Agreement during its implementation?
7. If the scale is low: Do you think more could have been achieved via cooperation between the parties?
8. With the establishment of peace roadmap to agreement by the parties themselves, do you think the parties will meet datelines this time round?

#### Research Questions to Civil Society

1. Is the composition of RJMEC adequate or there are some stakeholders who have been left out?
2. What does the decision-making process in RJMEC entail?
3. Are all stakeholders involved in the decision-making process?
4. In general, has RJMEC effectively discharged its mandate?
5. Which opportunities has RJMEC not tackled yet?
6. What challenges has RJMEC faced in its mandate execution?
8. Which areas should RJMEC improve to maximize its effectiveness?
9. Which lessons can be learnt by other Monitoring and Evaluation commissions from RJMEC?
10. Which successful Monitoring and Evaluation bodies should RJMEC learn from?
11. As civil society group are there some of your contributions considered by R-JMEC in the final report?
12. If yes, kindly point those contributions in the final report?
13. When the group violets the agreed terms, what steps are taken by R-JMEC and finally IGAD and AU?

#### Research Questions to the academia group

1. Is the composition of RJMEC adequate or there are some stakeholders who have been left out?
2. What does the decision-making process in RJMEC entail?

3. Are all stakeholders involved in the decision-making process?
4. In general, has RJMEC effectively discharged its mandate?
5. Which opportunities has RJMEC not tackled yet?
6. What challenges has RJMEC faced in its mandate execution?
7. Which areas should RJMEC improve to maximize its effectiveness?
8. Which lessons can be learnt by other Monitoring and Evaluation commissions from RJMEC?
9. Which successful Monitoring and Evaluation bodies should RJMEC learn from?
10. From your point of View as the Academia group are there some of your views that have been considered by R- JMEC in the final reports? If yes point out a view.
11. Due to the minimal cooperation among parties, how do you see the future of R- JMEC within the 2-year of Road map extent ion?

Research Questions to the Vulnerable Group (Disabled Community and South Sudan Women Block)

1. Is the composition of RJMEC adequate or there are some stakeholders who have been left out?
2. Are all stakeholders involved in the decision-making process?
3. In general, has R JMEC effectively discharged its mandate?
4. Which areas should RJMEC improve to maximize its effectiveness?
5. As vulnerable group are there some of your contributions considered by R-MEC in the final report?
6. If yes, kindly point those contributions in the final report?
7. From your view do you think RJMEC has done its work on monitoring the implementation of the Revitalized peace agreement?
8. As people considered part of venerable section of the population, do you have any suggestion to peace monitoring bodies?

## Appendix II: Questionnaire

1. Globally, how can you rate the performance of the Monitoring and Evaluation bodies of the Peace Agreements?
2. On the African continent, how has monitoring of the implementation of Peace Agreement met its objectives in measuring the agreements implementation matrix?
3. How has the Joint Monitoring and Evaluation Commission (JMEC) and its subsequent Reconstituted Joint Monitoring and Evaluation Commission (R-JMEC) evolved in the face of the ambitious nature of the Agreement it was created to monitor?

What is the rationale of the R-JMEC?

4. How is the Joint Monitoring and Evaluation Commission performing in tracking the implementation of the Peace Agreement in South Sudan?
5. Does the R-JMEC structure favor inclusivity of all the stake holders in the decision-making process?

Where do the final decisions end?

Are the final decisions acted upon?

How are decisions tackling violation acted upon?

Are contributions from the civil society considered during the final report?

If yes, which are some of those scenarios?

6. When a group affiliated to JMEC is associated with violation, what exactly is done practically? Kindly discuss how the issue is dealt with from the time its agreed to the last person to resolve it, either the heads of state/AU/IGAD
7. Discuss the extent to which R-JMEC effectively discharged its mandate?
8. What are the key successes of R-JMEC?  
Identify any success story drawn from another monitoring organization that JMEC uses as an inspiration in its work.
9. What challenges and opportunities emerged during JMEC's Monitoring of the Implementation of the Revitalized Peace Agreement, and what mechanisms were deployed to address the hurdles in the implementation of the Revitalized Peace Agreement?  
How has resource aspect limited your work given that peace implementation work as a resource implication?

10. In your view, how can you describe the relationship between R-JMEC and its associated organizations such as the Ceasefire and Transnational Security Arrangements Monitoring Verification Mechanism (CTSAMVM)?
11. Depending on the response above, how can the cooperation of R-JMEC and its associated organizations be improved or enhanced?
12. Moving forward, how can Monitoring and Evaluation bodies be made effective on their mandate on Peace Agreements?

### **Appendix III: Categories of Respondents**

1. AU Mission Officials in South Sudan
2. IGAD Mission Officials in South Sudan
3. UNMISS Political Affairs Officer, Agok Mayak Riak
4. R-JMEC Officials
5. CTSAMVM Officials
6. SPLM-IG Officials/Army
7. SPLM-IO Officials/Army
8. SSOA Officials/Army
9. Civil Society
10. OPP Officials
11. FDs Officials
12. Academia Group
13. SUD Research Institute
14. South Sudan Council of Churches
15. The Women
  
16. The Youth
17. The Disabled

## Appendix IV: Research Permit Letters



**UNIVERSITY OF NAIROBI**  
Faculty of Arts and Social Sciences  
**Department of Diplomacy and International Studies**

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E-mail : director-ids@uonbi.ac.ke

P.O. Box 30197  
Nairobi  
Kenya

July 15, 2022

TO WHOM IT MAY CONCERN


**RE: PRISCILLA AMATI MAKER – R50/37163/2020**

This is to confirm that the above-mentioned person is a bona fide student at the Department of Diplomacy and International Studies (DDIS), University of Nairobi pursuing a **Master of Arts Degree in International Studies**. She is working on a research project titled, “**Monitoring and Evaluating Peace Agreements in Africa: Lessons from the Joint Monitoring and Evaluation Commission in South Sudan**”.

The research project is a requirement for students undertaking Masters programme at the University of Nairobi, whose results will inform policy and learning.

Any assistance given to her to facilitate data collection for her research project will be highly appreciated.

Thank you.

  
**Dr. Patrick Maluki**  
Chairman, DDIS



REPUBLIC OF SOUTH SUDAN  
OFFICE OF THE PRESIDENT  
DIRECTORATE OF STATE PROTOCOL

DATE: 16/08/2022

The Director General,  
Ministry of Foreign Affairs & IC  
Republic of South Sudan/Juba

**Subject:** Recommendation Letter for Data Collection and Research Work for **Priscilla Amati Maker**, a Masters' student of Diplomacy and International Studies at the University of Nairobi;

Dear Sir,

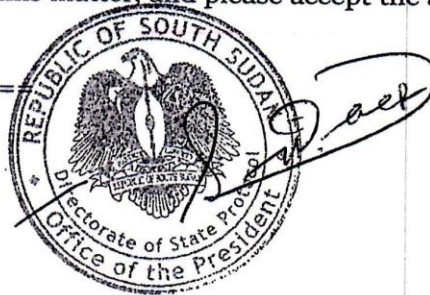
I am writing to forward to you Ms. **Priscilla Amati Maker** who is a Masters' Student of Diplomacy and International Studies at the University of Nairobi. The subject is recommended to collect data and research work at various regional bodies and institutions based in Juba such as **CTSAMVM, R-JMEC, US Embassy, Norway Embassy, British Embassy, Chinese Embassy, IGAD office and African Union Mission Office...** just to name a few.

This data collection and research project is under the supervision of Dr. Kizito Shinyonje Sabala and the research topic is exploring "**Monitoring and Evaluating Peace Agreements in African**": "**Lessons from the Joint Monitoring and Evaluation Commission in South Sudan**". Therefore, it would be an honor to **write a Note Verbal** to CTSAMVM and **then copy** to the other listed institutional bodies to allow her to carry out her research and data collection without holding back this process further.

Thank you for your prompt attention to this matter, and please accept the assurances of my highest consideration;

Regards =====

**Stephen K. Gach (Brig. Gen)**  
**Assistant Chief of State Protocol,**  
**Office of the president**



Cc: Minister of Presidential Affairs

Cc: Priscilla Amati Maker

Cc: File



**COMMUNITY EMPOWERMENT FOR PROGRESS ORGANIZATION**

West of Equatoria Tower, Women Union Compound-Ha Neem, Juba-South Sudan

Date: 5<sup>th</sup> /Aug./ 2022

**Department of Diplomacy and International Studies,  
University of Nairobi, Kenya.**

The Director,  
Sir/Madam,

**Subject:** Acceptance for Research (Data collection)

Following the received copy of your letter dated July. 4<sup>th</sup> 2022 regarding undertaking of research/data collection by **Priscilla Amati Maker (R50/37163/220)** a student of the school of diplomacy and International studies of your University; acceptance is hereby granted to conduct her research (data collection processes) as from 5<sup>th</sup> of August to 31<sup>st</sup> Oct. 2022.

Community Empowerment for Progress organization –CEPO is a national non-governmental organization founded by a coalition of university students in 1995 with one of its mandate to empower and instill practical capabilities to students and fresh graduates from various institutions/universities within and beyond the Sudan. In practicing this mandate CEPO has provided training and internships/research opportunities to over 1000 fresh and under graduate students from various institutions over the years including a sizeable number from institutions in East Africa.

Our internships/research opportunities are usually social science based with a few in sciences disciplines. In the availed opportunities, CEPO minds very much on quality, discipline and professionalism of work. This demands that student candidates who apply and are accepted should be able to exercise required minimum standards.

CEPO therefore looks forward to receiving Mr/s.....for this practice and encourage active participation in the availed opportunity.

Sincerely

Mori Misak,

The Human resources Team Leader HQ,  
Juba South Sudan,







**Union of the Physical Disable  
Central Equatoria State  
South Sudan – Juba**

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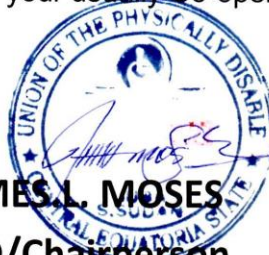
No: UPD-25-A-1

Date: 30/09/2022

Recommendation Letter

This is to certify that **Mrs. PRISCILLA AMATI MAKER** is a student of University of Nairobi at the Department of Diplomacy and International Studies, She did her (questioner) research in our UNION about Monitoring and Evaluating Peace Agreement in Africa.

Thank you for your usually Co-operation



**JAMES L. MOSES**  
UPD/Chairperson

**Tel: 0925891677/0921644218**