



Office of the Special Envoy for South Sudan

Report of Pre-Forum Consultations
On the High-Level Revitalization Forum

Submitted to

Chairperson, IGAD Council of Ministers

FINAL

November 2017
Addis Ababa, Ethiopia



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Acronyms

ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
CEPO	Community Empowerment for Progress Organization
CoH	Cessation of Hostilities
CTSAMM	Ceasefire and Transitional Security Arrangement Monitoring Mechanism
DDR	Disarmament, Demobilization and Reintegration
EFMA	Economic and Financial Management Authority
HCSS	Hybrid Court for South Sudan
HLRF	High Level Revitalization Forum
HoN	House of Nationalities
IDP	Internally Displaced Persons
IGAD	Inter-Governmental Authority on Development
INA	Interim National Assembly
JCE	Jieng Council of Elders
JMEC	Joint Monitoring and Evaluation Commission
NCAC	National Constitutional Amendment Committee
OLS	Operation Lifeline Sudan
OPP	Other Political Parties (OPP) in Government
OSESS	Office of the Special Envoy for South Sudan
OSSS	Other South Sudanese Stakeholders
OKSSS	Other Key South Sudanese Stakeholders
UNMISS	United Nations Mission in South Sudan
PoC	Protection of Civilian
RPF	Regional Protection Force
SPLM/A-IG	Sudanese People Liberation Movement/Army in Government
SPLM/A-IO	Sudanese People Liberation Movement/Army in Opposition
SPLM-FDs	Sudanese People Liberation Movement/Army – FDs in Government
TGoNU	Transitional Government of National Unity
TNLA	Transitional National Legislative Assembly
TSA	Transitional Security Arrangement
UNPOG	Unarmed Political Opposition Groups
UNSC	United Nations Security Council

Executive Summary

This report is a summary of the pre-forum consultations pursuant to the High-Level Revitalization Forum (HLRF) on the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS). The consultations followed the decision by the IGAD Assembly of Heads of State and Government at its 31st Extra-Ordinary Summit held in Addis Ababa, Ethiopia on 12 June 2017 to urgently convene a HLRF of the Parties to the ARCSS, including estranged groups to restore permanent ceasefire, full implementation of the ARCSS and revise realistic timelines and implementation schedules towards democratic elections at the end of the Transitional Period. It also followed subsequent decisions of the IGAD Council of Ministers in their meetings held in Addis Ababa, Ethiopia and Juba, South Sudan.

Pursuant to the mandate of the HLRF, the pre-forum consultations with the Parties, estranged groups, and key stakeholders sought to elicit the following: positions on the Revitalization Forum; issues and proposals for consideration; enforcement mechanisms; cessation of hostilities; participation at the Forum as well as suggestions on realistic timelines for implementation of the revitalised ARCSS.

Prior to the consultation with the various stakeholders, IGAD convened a multi-disciplinary brainstorming workshop of independent high-level South Sudanese experts from 16-17 August 2017 in Bishoftu, Ethiopia to deliberate on a possible way forward in revitalizing the ARCSS. The Bishoftu retreat offered valuable proposals for the Revitalization Forum. Also, a mapping exercise was undertaken by the IGAD Special Envoy for South Sudan, H.E Ambassador Ismail Wais, with support of the HLRF Taskforce and in collaboration with CTSAMM and UNMISS to identify estranged groups and key stakeholders critical for the revitalisation process. The TGoNU was also requested to provide input towards the mapping exercise but this did not materialize.

The consultations were conducted by the IGAD Council of Ministers with support of the IGAD Special Envoy for South Sudan and the HLRF Taskforce. These were conducted from 28 September to 01 November 2017 in South Sudan, Ethiopia, Sudan and South Africa.

After conclusion of the consultations, an analytical framework based on the guiding questions was developed, all forty-eight stakeholders' submissions were extrapolated, analysed and form the basis of this report.

Key findings

- a. **Key Positions Advanced by Stakeholders:** The following were the key positions of stakeholders on revitalization:
 - **Transitional Government:** Stakeholders made proposals for a new transitional government which range between the following five options: a) maintaining the status quo; b) return to the status quo ante 8 July 2016; c) reconstituting the ACRSS to include new Parties; d) establishing a new

transitional government of technocrats; and e) establishing a hybrid transitional government of technocrats and politicians.

- **State Restructuring:** Three key proposals were advanced for state restructuring namely: a) revoking the current number of states and reverting to 10 states, b) maintain the 32 States and renegotiate new power sharing arrangement based on that number, and c) reverting to the three regions of Bahr El Ghazal, Equatoria and Upper Nile.
- **Interim Governance:** Some stakeholders demanded that the status quo of the TGoNU be maintained until the end of the Transitional Period. Alternative proposals were made for the current governance system to be restructured into a federal or a confederal system of governance. Under a restructured governance system, two options are proposed for the Presidency in the interim period namely; rotational presidency and ceremonial president with an executive Prime Minister.
- **Council of Ministers:** Three main proposals for the reconstitution of the Council of Ministers as follows: a) maintaining the 30 ministries and establishing deputy ministries for each; b) reducing the numbers of ministerial positions to 18 so that the cabinet is lean; and c) restructuring the Council of Ministers based on the three regions with each of them holding 10 portfolios and 10 deputy portfolios.
- **Transitional Legislature:** During the interim period, four positions have been suggested as follows: a) maintain the status quo with 400 members, b) expand the current TNLA to include new Parties, c) dissolve the TNLA and establish a new Assembly with representation based on the three regions, and d) dissolve TNLA and establish a new legislature with two chambers-Lower and Upper with 300 and 128 members respectively.
- **Judiciary in the Transitional Period:** Most stakeholders suggested that the judiciary should be reconstituted and reformed and that the Forum should agree on specific reforms to the Judiciary to be undertaken during the Transitional Period. Others proposed three levels of Judiciary (federal, regional and local) working independently.
- **Institutional reforms:** Various governance institutions were widely viewed as lacking capacity, ineffective and should be reformed. It was further suggested that additional institutions and commissions be established at various tiers to strengthen the implementation of the ARCSS. These are asset recovery; public procurement; equitable representation; reconstruction; natural resource and endowment fund; repatriation, compensation and reparation; conciliation, mediation and arbitration; peace support and implementation; media; national boundary; public debt verification and settlement; and national security.

- **National elections:** Although all stakeholders agree that elections should be held at the end of a transitional period, they however differ on the timing and justification of holding the elections. There are those who want elections conducted by October 2018 while others strongly argued against it. It is proposed that an independent elections and boundary commission be established to conduct elections.
- **Cessation of Hostilities and Permanent Ceasefire:** All stakeholders demanded for a total cessation of hostilities, before the Revitalization Forum is convened. They also proposed that all parties and estranged groups must sign a Political Charter that commit all parties to non-violence before the Forum. It was further proposed that an inclusive permanent ceasefire and transitional security arrangement be negotiated at the Forum with the RPF at the centre.
- **Ceasefire Monitoring and Enforcement Mechanism:** There is also call for effective ceasefire monitoring, verification and enforcement mechanisms including measures to guarantee freedom of movement of CTSAMM through provision of enablers and multipliers. Stakeholders also recommended that CTSAMM's mandate be reviewed to make it robust and effective. A national ceasefire commission is proposed to oversee implementation of the ceasefire and transitional security arrangements.
- **Security Sector Transformation:** There is an overwhelming demand for an overhaul of the security sector in South Sudan, including a complete review and transformation of the security organs to become professional forces with a national character. Other stakeholders want a total disbandment of the SPLA and auxiliary forces and call for the formation of new representative security sector rather than reforming the current security sector.
- **Humanitarian Access and Relief:** Many stakeholders demand the following: commitment at the Forum to prioritize protection of civilians, including specific measures to fast-track the safe and voluntary return of internally displaced persons and refugees; establishment of an IDP and Refugee Commission co-chaired by UNHCR and TGoNU representatives; and a humanitarian response action plan, modelled along Operation Lifeline Sudan (OLS) framework.
- **Economic Recovery:** Extensive economic and civil service reforms including equitable resource sharing based on the three regions of the country were suggested. In addition, stakeholders want a commitment from the international community to fully support economic recovery programmes through a comprehensive "marshal plan" for South Sudan in the revitalisation process.
- **Transitional Justice, Accountability and Reconciliation:** Most stakeholders want expeditious implementation of Chapter V institutions to hold

perpetrators accountable and provide justice including compensation for victims. It is proposed that the establishment of all Chapter V mechanisms be made independent of the whims of the Parties.

- **Permanent Constitution:** Enactment of a Permanent Constitution for South Sudan during the Transitional Period was cited as critical for democratisation and sustainable peacebuilding. In addition to the existing parameters under the ARCSS, there are new proposals as follows: a) establishment of an independent National Constitutional Commission to draft the permanent constitution chaired by an IGAD/AU appointee; b) that additional parameters should be agreed upon at the Forum including reverting to the 1956 boundaries; c) a representative Constituent Assembly should be elected to promulgate the new constitution; e) the new Constitution should be subjected to a plebiscite (referendum).
 - **Joint Monitoring and Evaluation Commission:** Stakeholders want strengthened oversight and enforcement mechanisms including expansion of JMEC membership to include new Parties and estranged groups. They suggested: an expansion of the mandate of JMEC to provide technical assistance to all organs of TGoNU; the JMEC Chairperson's recommendations to be binding upon TGoNU and all Parties to the ARCSS and an establishment of a National Monitoring Mechanism comprising of South Sudanese stakeholders including representatives of the 64 ethnic groups and civil society periodically convened by JMEC.
 - **Supremacy of the Agreement:** The outcome document of the HLRF is to take the form of Addendum to the ARCSS with adjustments of relevant approaches, actions and actors, and should supersede provisions of the Transitional Constitution of the Republic of South Sudan and the ARCSS, and that where there is a conflict, provisions of the Revitalisation Agreement prevail.
- b. **Critical Issues for Success of the Revitalization Forum:** The success of the Forum is dependent on the following factors: inclusivity; cessation of hostilities and permanent ceasefire; political will; unified position of the opposition; IGAD's leadership and credibility as an impartial arbiter; a robust enforcement mechanisms must be agreed by IGAD, African Union and United Nations Security Council prior to the Revitalization Forum; structure of the Forum; gender parity and women's participation; participation of Dr Riek Machar; coordination of concurrent political initiatives such as the National Dialogue, the SPLM re-unification process and the revitalization; wider consultations and transparency.
- c. **Proposed HLRF Agenda:** The three main items proposed for consideration during the Forum include: a) Review of the status of implementation of the ARCSS to identify challenges and agree on remedial steps; b) Discussion on a new inclusive permanent ceasefire and a revision of the existing Transitional

Security Arrangements; and c) Agreement on a new inclusive transitional governance arrangement and number of states.

- d. **Expected HLRF Outcomes:** Stakeholders expect the following to be achieved at the HLRF: Ending of Conflict; Comprehensive Security Sector Reform; Specific Measures to Revitalize the ARCSS; New Governance Structure for the Transitional Period; Clear Action Plan for Economic Recovery and Resource Mobilization; Clear Action Plan to address the dire humanitarian situation and Strengthened Oversight Mechanisms.
- e. **Punitive Measures and Enforcement Mechanisms:** Most stakeholders proposed a wide range of measures for spoilers and violators to ensure compliance.
- f. **Readiness to Declare Ceasefire:** All stakeholders expressed their readiness to cease hostilities, negotiate and conclude a permanent ceasefire agreement at the HLRF and transitional security arrangements.
- g. **Stakeholders' Positions on the National Dialogue, Civil Society Participation and Unified Position of Opposition Groups:** Most stakeholders consulted supported national dialogue in principle but expressed reservations on the potential of the current national dialogue initiative to bring peace. They also support civil society participation in the Revitalization Forum through Track I and/or Track II processes. Whereas majority of the stakeholders preferred the various opposition groups to present a unified position to the HLRF, others desired a unified opposition to be formed.
- h. **Timeline for the Transitional Period:** On average, stakeholders suggested that a new transitional period would require four (4) years to deliver effective transition into democratic elections. The majority proposed 2-3 years while others suggested 4-5 and 5-10 years. In addition, majority thought that a pre-Transitional Period would require from three (03) to six (06) months.
- i. **Conclusion:** Overall, most stakeholders welcomed the revitalization initiative and viewed it as timely to restore implementation of the ARCSS and achieve peace and stability in South Sudan.

A. Introduction

1. This report summarizes the key outcomes of the pre-forum consultations conducted pursuant to the IGAD High-Level Revitalization Forum (HLRF). The pre-forum consultations were conducted with the Parties to the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS), identified estranged groups and key stakeholders in the South Sudan peace process.
2. The main objective of the pre-forum consultations was to determine commitment to the ARCSS revitalization process by the Parties, estranged groups, and key stakeholders. Specifically, it sought to elicit positions on the revitalization forum, issues and proposals for consideration, enforcement mechanisms, cessation of hostilities, participation at the Forum as well as suggestions on realistic timelines for implementation of the revitalised ARCSS.
3. The consultations were conducted by the IGAD Council of Ministers led by H.E Dr. Workneh Gebeyehu (Ethiopia). H.E Ambassador Amina Mohamed (Kenya), H.E State Minister Mohammed Ali Hassan (Djibouti), H.E Sam Kutesa (Uganda), H.E Prof. Ibrahim Ghandour (Sudan), H.E State Minister Abdulkadir Ahmed Kheyre Abdi (Somalia) and H.E State Minister Hirut Zemene (Ethiopia) with support of H.E Ambassador Ismail Wais, the IGAD Special Envoy for South Sudan and his Taskforce on the Revitalization Forum from 28 September to 01 November 2017.
4. Consultations were held in four countries: South Sudan, Ethiopia, Sudan and South Africa. Some stakeholders traveled from other countries within and beyond the region. A significant number of groups and individuals submitted position papers on the revitalization process.
5. In total, forty-eight stakeholders' submissions were compiled and analyzed. Thirty-one consultative meetings were held with the various Parties, estranged groups and key stakeholders. Twenty-four of the Parties/groups consulted also submitted position papers. Seventeen individuals/groups submitted only position papers.¹

B. Mandate

6. The IGAD Assembly of Heads of State and Government in its 31st Extra-Ordinary Summit held in Addis Ababa, Ethiopia on 12 June 2017 decided to "urgently convene a High-Level Revitalization Forum of the Parties to the ARCSS, including estranged groups to discuss concrete measures to restore the permanent ceasefire, full and inclusive implementation of the ARCSS, and to develop a revised and realistic timeline and implementation schedule towards a democratic election at the end of the transition period." The Summit further

¹ See IGAD HLRF Pre-Forum Consultation Inventory-List of Notes and Position Paper

mandated the IGAD Council of Ministers to convene and facilitate this Forum and appointed an IGAD Special Envoy for South Sudan.²

7. On 02 July 2017, the IGAD Council of Ministers held its 57th Extra-Ordinary Session in Addis Ababa, Ethiopia, developed and adopted detailed Guidelines and an indicative matrix pursuant to the High-Level Revitalization Forum. It further called upon Parties to the ARCSS including estranged groups to seize the opportunity to revitalize the ARCSS, renounce violence and to develop and submit concrete proposals for consideration at the Revitalization Forum.³
8. From 23-24 July 2017, IGAD Council of Ministers held its 58th Extra-Ordinary Session in Juba, South Sudan, met with the Transitional Government of National Unity (TGoNU) and various stakeholders pursuant to the revitalization mandate. The Council, inter-alia, welcomed the commitment expressed by the TGoNU to fully collaborate and implement the IGAD Summit decision of 12 June 2017, reiterated its call to all South Sudanese stakeholders to embrace the revitalization process by cooperating with the IGAD Special Envoy and tasked the Special Envoy and Chairperson of JMEC to coordinate the revitalization process involving all stakeholders and institutions charged with responsibility for implementing the ARCSS.⁴
9. In accordance with the IGAD Council of Ministers approved Guidelines for the revitalization process⁵ and indicative matrix⁶, the Chairperson of JMEC and the IGAD Special Envoy for South Sudan established a joint IGAD/JMEC HLRF Taskforce to facilitate the successful convening of the Revitalization Forum.

C. Stakeholders Mapping

10. A pre-forum consultation mapping exercise to identify estranged groups and key stakeholders critical for the revitalisation process was undertaken by the Special Envoy with support of the HLRF Taskforce in collaboration with JMEC, CTSAMM and UNMISS.⁷ The TGoNU was also approached for information but this never materialised.
11. The Parties to the ARCSS include all signatories (whether currently within or outside the TGoNU). Estranged groups refers to significant opposition (political or armed) groups/individuals whose participation is critical for the success for

² See Communiqué of the 31st Extra-Ordinary Summit of the IGAD Heads of State and Government on the Situation in South Sudan, dated 12 June 2017.

³ See Communiqué of the 57th Extra-Ordinary Session of the IGAD Council of Ministers on South Sudan, dated 02 July 2017.

⁴ See Communiqué of the 58th Extra-Ordinary Session of IGAD Council of Ministers on the Situation in South Sudan, dated 24th July 2017.

⁵ See Guidelines for the IGAD Council of Ministers Pursuant to the Decision of the 31st Extra-Ordinary Summit of IGAD, 02 July 2017.

⁶ See IGAD Indicative Matrix for the High-Level Revitalization Forum of ARCSS, 02 July 2017.

⁷ See Report of the IGAD Special Envoy to the Chairperson of IGAD Council of Ministers on the Mapping of Parties to the ARCSS and Estranged Groups for the HLRF, August 2017..

the Forum.⁸ Key stakeholders include representatives of South Sudanese society.

12. The consultation schedule was determined by geographical proximity of parties, expression of interest to the Special Envoy by groups and individuals, availability within the pre-forum consultation period and the need to include views of key constituents.⁹

D. Stakeholders Consulted

13. Consultations were held with H.E Salva Kiir Mayardit, President of the Republic of South Sudan, H.E General Taban Deng Gai, First Vice President, H.E Dr. James Wani Iga, Vice President as well as members of the Council of Ministers of the TGoNU. Some Parties represented within the TGoNU were however consulted separately at their request.¹⁰ These included the SPLM Former Detainees and Other Political Parties representatives.¹¹
14. Consultations were also held with Dr. Riek Machar Teny, Mr. Pagan Amum, Mr. Kosti Manibe, Dr. Majak Dagoot, Mrs Rebecca Garang, General Thomas Cirillio, General Peter Gadet, Dr. Lam Akol Ajawin, Lt. General Bapiny Montui, Mr. Gabriel Changson, Col. Bangasi Joseph Bakasoro, Dr. Costello Garang, Dr. Hakim Dario and Mr. Peter Mayen Majongdit.¹²
15. Other key stakeholders consulted included representatives of the Transitional National Legislative Assembly (TNLA), Steering Committee of the National Dialogue, Joint Monitoring and Evaluation Commission (JMEC), CTSAMM, UNMISS, South Sudan Chamber of Commerce, Faith Based Organisations, Eminent Personalities, Youth groups, Civil Society Organisations, Women Bloc and Women Associations, Internally Displaced Persons (IDPs) in Protection of Civilian (PoC) sites, South Sudanese refugees and civil society in diaspora and the international community, partners and friends of South Sudan.¹³
16. Amongst the category who submitted position papers but not consulted are: Lt. General Gathoth Gatkuoth of Federal Democratic Party, Joshua Dau Diu, Co-Chair of the Jieng Council of Elders, Cde Mabior Garang Mabior (issued a Press Release on HLRF), The King of Chollo (Shilluk) Kingdom, Hon. Steven Soroba of United Democratic Party, James Idroy Youngule of the National Reform

⁸ See JMEC, Concept Note on A Forum for the Revitalization of the Implementation of the ARCSS, 02 July 2017.

⁹ See IGAD Consultation Schedule for the Revitalization Forum, September 2017.

¹⁰ See Letter dated 07 October 2017 by Hon. Deng Alor, Minister of Foreign Affairs.

¹¹ Separate consultation was held with the Former Detainees currently in Juba (General Maduit, Deng Alor, John Luk) and the Other Political Parties representatives like Hon. Kornellio Kon Ngu (National Alliance), Hon. Onyoti Adigo Nyikwec and Hon. Joseph Ukel Abango (National Agenda). They also submitted separate position papers.

¹² See IGAD High Level Revitalization Forum, Consultation Note-List of Documents, November 2017.

¹³ See Consultation Notes-List of Documents, *ibid*.

Association and Equatoria Community Association, Edmund Yakani of Community Empowerment for Progress Organisation (CEPO), Elikana Jale of Equatoria Communities in the Western World, Mr. Samson Oyay Awin of Chollo Community Council, Mr. Sebit Sebasio Concerned South Sudanese in Uganda, and Riti Utulu Sisto, Representative of the Ma'di Community - Pageri County.¹⁴

17. Prior to the consultation with the various Parties, groups and individuals, IGAD convened a multi-disciplinary brainstorming workshop of independent high-level South Sudanese Experts from 16-17 August 2017 in Bishoftu, Ethiopia to deliberate on a possible way forward in revitalizing the ARCSS. The Bishoftu retreat offered valuable proposals for the Revitalization Forum.¹⁵

E. Methodology

18. The stakeholders were categorised into five groups: ARCSS Parties in the current TGoNU, ARCSS Parties out of TGoNU, estranged groups (armed or unarmed groups) and key stakeholders including political oppositions.
19. Invitations were sent to the stakeholders informing them of the decision by the IGAD Assembly of Heads of State and Government of 12 June 2017 to convene a High-Level Revitalization Forum of the Parties to the ARCSS, including estranged groups and its objective thereof.
20. Copies of the ARCSS, the 12 June 2017 IGAD Summit Communiqué and subsequent communiqué of the IGAD Council of Ministers, HLRF Concept Note and objective of the revitalization were also provided.
21. Every stakeholder invited and consulted was requested to submit written position papers with concrete proposals.
22. The pre-forum consultations followed a structured and unstructured approach. Guiding questions were used to facilitate the consultations.¹⁶ In either case, structured or otherwise, the open-ended guiding questions allowed for free interactions and comments.
23. After conclusion of the consultations, an analytical framework based on the guiding questions was developed.¹⁷ All consultation notes and position papers were extrapolated into the analytical framework and form the basis of this report.¹⁸

¹⁴ See IGAD High-Level Revitalization Forum, Inventory of Consultation Notes and Position Papers Submitted to H.E Ambassador Ismail Wais, IGAD Special Envoy, November 2017.

¹⁵ See Report and Recommendations of the IGAD High-Level Independent Experts Meeting on Revitalization of the ARCSS, 16-17 August 2017.

¹⁶ See Consultation Guide for HLRF Meetings, September 2017.

¹⁷ See HLRF Pre-Forum Consultation Analytical Matrix, 04 November 2017.

¹⁸ See HLRF Inventory of Consultation Notes and Position Papers submitted to H.E Ambassador Wais, IGAD Special Envoy for South Sudan, 4th November 2017.

F. Key Findings

a) Participation

24. From consultations and the various submissions made to the Special Envoy, key stakeholders can be identified and categorized as follows:

- SPLM/A in Government
- SPLM/A-In Opposition (Taban) in Government
- SPLM – Former Detainees in Government
- Other Political Parties (OPP) in Government
- SPLM/A-IO (Machar) out of Government
- SPLM-Former Detainees out of Government
- Other Political Parties (OPP) out of Government¹⁹
- Armed Political Opposition Groups (APOG)
- Unarmed Political Opposition Groups (UNPOG)
- Other South Sudanese Stakeholders (OSSS) within ARCSS
- Other Key South Sudanese Stakeholders (OKSSS) outside of ARCSS.²⁰

25. These are key stakeholders who should be considered for an inclusive revitalized Peace Agreement.

26. The stakeholders above welcomed the revitalization process and expressed commitment to the process. Some expected the Forum to address all the root causes of conflicts in the Republic of South Sudan. Others viewed it as a limited opportunity to resuscitate, revise and ensure effective implementation of the August 2015 ARCSS in an inclusive manner.

27. Some groups proposed that the Forum should be a platform to negotiate a totally new political settlement outside the framework of the ARCSS. They argued that the premise of the ARCSS was wrong because it shared power within the SPLM/A factions and excluded key constituencies without which sustainable peace could not be guaranteed.

28. All stakeholders accepted that the August 2015 ARCSS cannot be revitalized without taking into account contemporary realities on the ground.

b) Key Position Advanced by Stakeholders

29. The stakeholders advanced a wide range of positions to be considered at the Revitalization Forum. Their positions cover a whole range of issues. An attempt has been made here to categorize them under the ARCSS framework which constitutes the basis for the revitalization process governance, security, humanitarian affairs, economy, transitional justice and constitutional making.

¹⁹ These include political parties which are not parties to the ARCSS.

²⁰ These includes groups that are not represented in the ARCSS like traditional leaders' institutions.

I. Governance

Transitional Government

30. The propositions for a new transitional government include the following five options: a) maintaining the status quo; b) return to the status quo ante 8 July 2016; c) reconstituting the ARCSS to include new Parties; d) establishing a new transitional government of technocrats; and e) establishing a hybrid transitional government of technocrats and politicians, as expounded below.

Option I: Maintain the Status Quo

31. The proponents of this position reject a renegotiation of the 2015 Peace Agreement and advocate for the retention of the current Transitional Government of National Unity (TGoNU)²¹ to continue implementing the Peace Agreement. They reject the return of estranged Parties and inclusion of new parties to the ARCSS and demand that they wait for elections at the end of the Transitional Period.
32. They argued that the Revitalization Forum should identify key impediments to effective implementation of the ARCSS and take remedial measures.
33. They called for strong guarantees for effective implementation of the ARCSS, including funding mechanism, technical support to the TGoNU and punitive measures for all spoilers.

Option II: Return to the Status Quo Ante 8 July 2016

34. The stakeholders who advanced this option suggested that the August 2015 Peace Agreement provides a good basis for the restoration of peace and stability in the country. They insisted that the ARCSS was abrogated following the 8-11 July 2016 crisis that led to the departure of key Parties from the TGoNU.
35. The proponents referred to the UNSC Resolution 2304(2016) and the Communiqué of the IGAD Council of Ministers of 5th August 2016 as the rationale for the return to the status quo ante.²²
36. They called for a return of Dr Riek Machar and all the Parties to the ARCSS to the TGoNU.
37. They further demanded for the full deployment of the Regional Protection Force (RPF) to guarantee an enabling environment for the implementation of the resuscitated ARCSS in letter and spirit.

²¹ See the Position Paper of the Transitional Government of National Unity on HLRF submitted on 13 October 2017 to the Council of Ministers in Juba, South Sudan. It holds a strong view against a renegotiation of the ARCSS and a return of Dr Machar to Juba.

²² See Communiqué of the Second IGAD-PLUS Extra-Ordinary Summit on the Situation in the Republic of South Sudan, 5th August 2016, Addis Ababa, Ethiopia.

Option III: Reconstitute the ARCSS to include new Parties

38. The stakeholders who proposed this option strongly believed that the ARCSS is a good framework but should be reconstituted to include new Parties.
39. They argued that the inherent failure of the ARCSS to bring peace emanates from its exclusive nature and thus the need for it to be expanded to accommodate new Parties.
40. They proposed a new inclusive power sharing arrangement, adjustment of implementation mechanisms and timelines towards democratic elections.

Option IV: Technocratic Transitional Government

41. The stakeholders who proposed a Technocratic Transitional Government argued that the TGoNU lacks political will and capacity to implement the ARCSS. They called for its abolition and replacement with a new transitional government of technocrats comprising South Sudanese professionals led by a Prime Minister.
42. They proposed a lean Technocratic Transitional Government with 18 ministerial positions nominated by Parties or selected by stakeholders and demanded exclusion of those taking part in the interim administration from elections at the end of the Transitional Period.
43. They demanded for exclusion of President Salva Kiir Mayardit and Dr Riek Machar from the new transitional administration by guaranteeing safe and dignified retirement from politics.
44. They proposed a package that offers all or at least a combination of the following: a) asylum for the two in a willing country or countries; b) amnesty for specified crimes committed against humanity from 15 December 2013 to the end of the transition, or date of the deal with specified conditions; c) reasonable financial incentives that ensure decent life either in South Sudan or abroad; d) credible threat of force to back up the package.

Option V: Hybrid Transitional Government of Technocrats and Politicians

45. The stakeholders also proposed a hybrid transitional government of technocrats and politicians. Under this option, the TGoNU would be reconstituted to include new parties and a new position of an executive Prime Minister established to implement the ARCSS.
46. The Council of Ministers led by the Prime Minister would be nominated by the Parties and they would be ineligible to contest elective positions in the election immediately at the end of the transitional period.

II. State Restructuring

47. Some stakeholders proposed a total overhaul of the current governance system in South Sudan. Three key proposals were advanced namely: a) revoking the current number of states and reverting to 10 states, b) maintaining the 32 States and renegotiate new power sharing arrangement based on that number, and c) reverting to the three regions of Bahr El Ghazal, Equatoria and Upper Nile.
48. Majority proposed that South Sudan should revert to the three regions (colonial districts and boundaries as at 1/1/1956) and use them as the basis for state restructuring in a federal or a confederal arrangement with three tiers of governance – Local or County Government; State Government, and a Federal Government with its capital in Juba.
49. Proponents for a federal system argued that the country be divided in the three federal regions of Bahr El Ghazal, Equatoria and Upper Nile with Juba as a Capital City. The three branches of the government at the central level would be representative of the federal regions. Each of the three regions would also have its own governance system.
50. The second option is confederation. They proposed that, each region Bahr El Ghazal, Equatoria and Upper Nile would constitute a confederal unit with the right to self-governance and may decide on residual powers to be allocated to the confederal government. The regions therefore would become the basis for power and wealth sharing.

III. Interim Governance under Federal/Confederal system

51. Under the above restructured governance system, two options were proposed for the Presidency in the interim period namely; rotational presidency and ceremonial President with an executive Prime Minister;

Rotational Presidency

52. In this option, it is proposed that each of the three regions nominate a Chief Executive Officer to constitute a Presidential Council with equal powers. Decisions would be by consensus.
53. The Presidential Council would appoint an executive Prime Minister who would establish a representative Cabinet for the duration of the Transitional Period.
54. The Head of the Presidential Council is to be rotational among the three regions during the Transitional Period. The Presidential Council would elect its Head (President of the Council) on yearly basis.

Ceremonial Presidency

55. In this option, a ceremonial President was proposed with an executive Prime Minister and two deputies. The deputy Prime Ministers' mandate is to be clearly

defined with one of them being in-charge of implementation and compliance with the revitalized ARCSS, while the other handles inter-governmental relations.

IV. Council of Ministers

56. Three main proposals were advanced for the reconstitution of the Council of Ministers as follows: a) maintaining the 30 ministries and establishing deputy ministries for each; b) reducing the numbers of ministerial positions to 18 so that the cabinet is lean; and c) restructuring the Council of Ministers based on the three regions with each of them holding 10 portfolios and 10 deputy portfolios.
57. In addition, representation of groups requiring special consideration would be included in the Council of Ministers, with at least 30% positions reserved for women.

V. Transitional Legislature

58. Regarding the nature of a transitional legislature, four positions were suggested; a) maintain the status quo with 400 members, b) expand the current TNLA to include new Parties, c) dissolve the TNLA and establish a new Assembly with representation based on the three regions, and d) dissolve TNLA and establish a new legislature with two chambers-Lower and Upper.
59. In the latter option, the Upper House would be called the Interim National Assembly (INA) and the Lower House, the Interim House of Nationalities (HoN). The Upper House (or INA) is to consist of 300 members with each region nominating 100 members. The Lower House (HoN) – to consist of 128 members with two representatives nominated from each of the 64 nationalities (ethnic groups).
60. It is further proposed that the Upper House is to be responsible for making laws while the Lower House ensures national unity, preserving cultural heritage and peaceful co-existence between the nationalities.

VI. Judiciary in the Transitional Period

61. Most stakeholders noted that the current judiciary lacks independence and technical capacity and is ineffective. They proposed that the judiciary should be reconstituted and reformed and that the Forum should agree on specific reforms to the judiciary to be undertaken during the Transitional Period. Others proposed three levels of Judiciary (federal, regional and local) working independently.
62. Some stakeholders called for the establishment of an independent Constitutional Court vested with powers to adjudicate on matters relating to the Peace Agreement.

VII. Institutional reforms

63. The various governance institutions were widely viewed as lacking capacity, ineffective and should be reformed. It was further suggested that additional institutions should be established at various tiers to strengthen the implementation of the ARCSS.
64. The new proposed independent institutions and commissions include: asset recovery; public procurement; equitable representation; reconstruction; natural resource and endowment fund; repatriation, compensation and reparation; conciliation, mediation and arbitration; peace support and implementation; media; national boundary; public debt verification and settlement; and national security.

VIII. National Elections

65. All stakeholders agreed that elections should be held at the end of a transitional period. They however differed on the timing and justification of holding the elections.
66. Those who want elections conducted by October 2018 argued against further extension of the Transitional Period. They called for prioritization of reforms to make adequate preparations for elections by the end of the current term.
67. Stakeholders who opposed election by the end of the current Transitional Period argued that the conditions for free and fair elections do not exist, and therefore demanded for a revision of the timeline. They further proposed the establishment of an Independent National Electoral and Boundaries Commission composed of both South Sudanese and other nationals to prepare and conduct elections at the end of the Transitional Period.
68. Some groups also called for a comprehensive disarmament, demobilization and reintegration (DDR) of ex-combatants before elections can be conducted.

IX. Cessation of Hostilities and Permanent Ceasefire

69. All stakeholders demanded for a total Cessation of Hostilities (CoHs), before the Revitalization Forum is convened. They proposed that all parties and estranged groups must sign a Political Charter that commit all Parties to non-violence before the Forum.
70. Stakeholders called for all armed groups to commit to total cessation of hostilities, a nation-wide permanent ceasefire, disengagement of fighting forces, assembling them in agreed locations and cantonment of all forces. This is to be followed by a credible and robust DDR programme which would include community disarmament. It was further proposed that the DDR should be overseen by the UN.

X. Ceasefire Monitoring and Enforcement Mechanism

71. There was also call for an effective ceasefire monitoring, verification and enforcement mechanisms. Stakeholders called for measures to guarantee freedom of movement of CTSAMM through provision of enablers and multipliers.
72. It was further recommended that CTSAMM's mandate be reviewed to make it robust and effective. A national ceasefire commission was proposed to oversee implementation of the ceasefire and transitional security arrangements.
73. Stakeholders also called for the full deployment of the RPF mandated and well-resourced to provide security in the interim period. It was proposed that the RPF mandate should be reviewed, have a separate mandate and command structure from UNMISS.

XI. Security Sector Transformation

74. There was an overwhelming demand for an overhaul of the security sector in South Sudan. Majority proposed for complete review and transformation of the security organs to become professional forces with a national character.
75. Some stakeholders demanded for the total disbandment of the SPLA and auxiliary forces and called for the formation of new representative security sector rather than reforming the current security sector. The formation of the new security sector would be based on regional quotas. A national security commission was proposed to be established to oversee recruitment into the national army.
76. To avoid security vacuum in the interim period, a Joint National Security Unit of military, police and other allied forces with contributed by all the Parties with armed wings would be established with joint command and backed by a Multi-National Security Stabilization Force from the AU, UN and Partners. Alternatively, that the RPF could provide security to the nation and must be deployed in all parts of the country.
77. Some parties demanded for the lifting of the state of emergency by the Government and the release of all political prisoners as a sign of commitment by all parties.

XII. Humanitarian Access and Relief

78. Many stakeholders demanded for commitment at the Forum to prioritize protection of civilians, including specific measures to fast-track the safe and voluntary return of internally displaced persons and refugees. An IDP and Refugee Commission was proposed to be established co-chaired by UNHCR and TGoNU representatives.

79. Some stakeholders proposed for detailed humanitarian response action plan, modelled along Operation Lifeline Sudan (OLS) framework, to those in dire need of assistance.

80. There was an overwhelming demand for all armed actors to grant unconditional and unimpeded humanitarian access.²³

XIII. Economic Recovery

81. The stakeholders also demanded for extensive economic and civil service reforms including equitable resource sharing based on the three regions of the country.

82. There was demand for commitment from the international community to fully support economic recovery programmes through a comprehensive "marshal plan" for South Sudan in the revitalisation process.

83. There was demand for dedicated financial support for the full implementation of the revitalised ARCSS.

XIV. Transitional Justice, Accountability and Reconciliation

84. The stakeholders also called for expeditious implementation of Chapter V institutions to hold perpetrators accountable and provide justice including compensation for victims.

85. Specifically, there was demand for full implementation of the AU Obasanjo Report by bringing to justice the persons named therein including holding President Kiir and Dr. Machar accountable for war crimes and crimes against humanity. In addition, that the mandate of these mechanisms be revised to include post-July 2016.

86. Majority demanded that the establishment of the Truth Commission and Hybrid Court for South Sudan (HCSS) be independent from the Parties to ARCSS. It was further recommended that the AU be responsible for establishing both the Truth Commission and the HCSS.

87. Similarly, there was call for a genuine complimentary process for national dialogue, truth seeking, reconciliation and healing amongst communities.

XV. Permanent Constitution

88. All stakeholders demanded the enactment of a Permanent Constitution for South Sudan during the Transitional Period as a basis for democratisation and sustainable peacebuilding.

²³ See Report and Recommendations of IGAD High-Level Independent Experts meeting on Revitalization of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, 16-17 August 2017, Bishoftu, Ethiopia p.3.

89. In addition to the existing parameters under the ARCSS, there were new proposals as follows: a) establishment of an independent National Constitutional Commission to draft the permanent constitutional chaired by an IGAD/AU appointee; b) that additional parameters should be agreed upon at the Forum including reverting to 1956 boundaries; c) a representative Constituent Assembly should be elected to promulgate the new constitution; e) the new Constitution should be subjected to a plebiscite (referendum).

90. Some stakeholders also proposed that the National Constitutional Amendment Committee be transformed into a Constitutional Review Commission to undertake the permanent constitutional-making process.

XVI. Joint Monitoring and Evaluation Commission

91. The stakeholders would like to see strengthened oversight and enforcement mechanisms. Specifically, some are calling for the expansion of JMEC membership to include new Parties and estranged groups.

92. There was also a call to expand the mandate of JMEC to provide technical assistance to all organs of TGoNU charged with implementation of the ARCSS.

93. Some stakeholders proposed that JMEC Chairperson's recommendations should be binding upon TGoNU and all Parties to the ARCSS.

94. There was demand for a National Monitoring Mechanism comprising of South Sudanese stakeholders including representatives of the 64 ethnic groups and civil society periodically convened by JMEC.

XVII. Supremacy of the Agreement

95. The outcome document of the Revitalization Forum should take the form of Addendum to the ARCSS with adjustments of relevant approaches, actions and actors and should supersede provisions of the Transitional Constitution of the Republic of South Sudan and the ARCSS and that where there is a conflict, provisions of the Revitalisation Agreement prevails.

c) Critical Issues for Success of the Revitalization Forum

96. Several issues were raised by the stakeholders consulted as critical for the success of the HLRF. These include the following:

Inclusivity

97. The Revitalization Forum must be inclusive of all Parties and estranged groups including representation of key stakeholders.

Cessation of Hostilities and Permanent Ceasefire

98. There were demands for all stakeholders to cease hostilities before the Forum begins. This was deemed necessary for the Forum to be conducted in an environment free of violence.
99. Some suggested that declaration of ceasefire should be made a precondition for all warring parties' participation in the Forum.

Political Will

100. The lack of political will of key Parties to the ARCSS was pointed out by many stakeholders as the major cause for the failure of the ARCSS implementation. They expressed fears that intransigent parties may well frustrate the revitalization process. It was recommended that IGAD must agree on punitive measures for spoilers.
101. That IGAD and international partners, must agree upon specific enforcement measures to be laid out up front before Forum discussions commences.

Unified Opposition's Position

102. The proliferation of many armed groups as well as fractured political opposition after July 2016 was cited as a big challenge to the successful conduct of the Revitalisation Forum. To improve the chances of success, it was suggested that all various opposition groups must come together and formulate a unified position for the resolution of the current crisis.

IGAD's Role

103. IGAD's leadership and credibility as an impartial arbiter will be critical for the success of the Revitalization Forum. The dual position of the Government of Republic of South Sudan as a member of IGAD and a party to the conflict is deemed a complicating factor. They proposed that the Government of South Sudan should not be invited to the table as an IGAD member in matters pertaining to the ARCSS unless other parties are equally represented.

Enforcement mechanisms

104. The stakeholders further attributed the failure of the ARCSS to lack of clear enforcement mechanisms. They pointed out that the Government of the Republic of South Sudan violated the ARCSS repeatedly with impunity and IGAD failed to take unified, firm position and action. They proposed that for the revitalization process to succeed, a robust enforcement mechanisms must be

agreed by IGAD, African Union and United Nations Security Council prior to the Revitalization Forum.

Structure of the Forum

105. The design of the Forum will be critical for success. Stakeholders proposed that the Revitalization Forum should have two-tracks. One track to be more inclusive and another more technical.
106. There should be a separation of political discussion from military/security discussions during the forum. That politicians should focus on dealing with governance issues and military officers to deal solely with security issues.

Gender Parity and Women's Participation

107. Equal representation and participation of women at the Forum is critical for the success of the revitalisation process. It was proposed that there should be gender balance with 50:50 representation of women in the Forum.

Participation of Dr Riek Machar

108. Many stakeholders feared that without the participation of Dr Riek Machar in the Forum, the war would not stop. They recommended his release from confinement in South Africa to participate in the revitalization process.

Coordination of Initiatives

109. Coordination of concurrent political initiatives such as the National Dialogue, the SPLM re-unification process and the revitalization is considered critical for success of the forum. Stakeholders proposed that IGAD leaders must prioritize their efforts and ensure complementarity to improve chances of success.

Wide consultation

110. Wider consultation with key stakeholders within and outside South Sudan before the commencement of the Forum is considered an important element that gives the process legitimacy and ownership of its outcome by all South Sudanese.

Transparency

111. Stakeholders demanded transparency in the revitalisation process. They recommended regular communications on the progress or lack thereof.

d) Proposed HLRF Agenda

112. The recommendations on agenda items by stakeholders consulted and those that made written submissions fell broadly into four categories.

Review ARCSS Implementation

113. Assess the status of implementation, identify challenges and agree on remedial steps including the following:
- Stock-taking impact of July 2016 crisis on ARCSS implementation;
 - Return of Parties, estranged groups and inclusion of new stakeholders;
 - Participation of Dr. Riek Machar and President Salva Kiir in the transitional government;
 - Reconstitution of ARCSS institutions at all levels;
 - Review of all obsolete provisions;
 - Women's representation in all ARCSS institutions (gender parity);
 - Review of all chapters and prioritization of tasks and reforms e.g., Chapter 2 – TSA, Chapter 3- Humanitarian, Chapter 5 accountability and Chapter VI Permanent Constitution –making as priority;
 - Establishment of independent implementation mechanisms for each chapter of ARCSS;
 - Effective oversight mechanisms;
 - Enforcement mechanisms;
 - Funding for revitalized ARCSS;
 - Coordination of complementary initiatives;
 - New realistic timelines and revised implementation schedule towards credible elections.

Permanent Ceasefire and Transitional Security Arrangement

114. Discussion on a new inclusive permanent ceasefire and a revision of the existing Transitional Security Arrangements as follows:
- Inclusive permanent ceasefire and transitional security arrangements;
 - Role of the Regional Protection Force (RPF);
 - Effective monitoring and verification mechanism inclusive of all parties, women/gender expertise;
 - Security Sector reform/transformation;
 - Child soldiers;
 - Disarmament, demobilization and reintegration (DDR);
 - Accountability for perpetrators of violations;
 - Enforcement mechanism.

Transitional Governance System and Number of States

115. Reconstituting the transitional government, structure of the state and determination of the number of states during the transitional period as follows:
- Transitional leadership and state structure;²⁴

²⁴ Three models proposed; a) Transitional government of technocrats, b) broad based government of National Unity including previously excluded regions, c) hybrid model

- Interim legislature;
- Creation of independent Judiciary;
- Federalism with devolution of power;²⁵
- Determination of number of regions/states;
- Land issues and management of public resources;
- Reconstitution of TGoNU and current power sharing formula;
- Institutional reforms (electoral commissions, etc.);
- Parameters and timeline on a new constitution;
- Transitional period.

e) Expected HLRF Outcomes

116. According to the various stakeholders consulted and position papers submitted, the following are the key expected outcomes from the HLRF namely:

Ending of Conflict

- Cessation of hostilities and new agreement on a definitive permanent ceasefire, inclusive of all arms groups;
- Inclusion of all estranged groups and fighting forces in the ARCSS permanent ceasefire agreement;
- An effective, inclusive Monitoring and Verification Mechanism to ensure compliance with the Ceasefire Agreement;
- Gender consideration and relevant expertise included in oversight mechanism;
- Elimination of two armies in the TSA;
- Full deployment of RPF to provide security in major towns during ARCSS implementation.

Comprehensive Security Sector Reform

- Agreement on cantonment of forces;
- One national army or formation of a new professional national army;
- Reform of security sector institutions including national security services;
- Agreement on Disarmament, Demobilization and Reintegration (DDR);

Specific Measures to Revitalize the ARCSS

Option I: Expedited ACRSS Implementation

- No extension of the ARCSS Transitional Period;

retaining current leaders and new nominees drawn from technocrats and excluded groups on rotational power model.

²⁵ All but two parties voiced rejection of the 32 states; overwhelming proposal for return to 1956 boundaries, three regions and 10 states configuration with devolution of power and resources.

- Clear identification of implementation challenges and agreement on remedial steps;
- Enforcement measures to ensure compliance;
- Immediate establishment of the Hybrid Court for South Sudan;
- Election at the end of the current term.

Option II: Revised ARCSS

- A reconstituted transitional government or a non-partisan technocratic government to implement a 'revitalized' ARCSS;
- Revisions of obsolete provisions;
- A revised and realistic timeline for implementation of the ARCSS and conditions for credible elections at the end of the transition period;
- Dedicated funding for ARCSS implementation;
- Women's equal participation in ARCSS institutions;
- Effective monitoring and implementation mechanism with expanded membership²⁶;
- Effective ARCSS enforcement mechanism;
- Coordination or complementarity of various initiatives;
- Awareness creation through outreach programmes;
- Commitment by IGAD to 'speak with one voice' and inclusion of IGAD - PLUS in oversight and enforcement mechanisms.

Option III: A New Peace Agreement

- A South Sudanese led-agreement outside the ARCSS framework;
- A new renegotiated inclusive Peace Agreement concluded;
- Inclusive National Dialogue initiated;
- Key aspects of the ARCSS retained including transitional justice;
- Agreement on new governance structure based on federal or confederate system;
- Transitional Government of 3-member Presidential Council that is accountable to a Constituent Assembly (power sharing based on 3 regions);
- Additional parameters agreed for the Permanent Constitution;
- Elections under a new constitution.

New Governance Structure for the Transitional Period

Option I: An Inclusive reconstituted TGoNU

- Current TGoNU expanded to include new Parties and stakeholders to ARCSS;
- Transitional leadership barred from elections at the end of the transitional period.

²⁶ Suggestions ranged from expanding JMEC, CTSAMM membership, to establishing a High-Level Ceasefire Observation Commission (HLCOC) by IGAD & AU alongside JMEC and including all members of IGAD + in the new mechanism.

Option II: Technocratic transitional government

- Government of technocrats established to oversee the transition and organise elections at end of transitional period;
- President Salva Kiir and Dr. Riek Machar excluded from the transitional government and offered a safe dignified exit.

Option III: Resource sharing based on Regions

- Revert to 3 regions (Equatoria, Bahr El Gazhal and Upper Nile);
- 10 state solution with devolved power and resources to Regions, States and Counties;
- Retain 32 States and share power across all states.

Clear Action Plan for Economic Recovery and Resource Mobilization

- Prioritisation of key reforms;
- Financial support from international partners (marshal plan);
- Agreed wealth/resource/oil revenue sharing formula;
- Implementation of key economic reforms in Chapter 4 including establishment of Economic and Financial Management Authority (EFMA), stabilization funds and equitable employment in customs, immigration, revenue authorities.

Clear Action Plan to address the dire humanitarian situation

- Humanitarian corridor and unimpeded access to humanitarian assistance;
- Urgent plan for return, resettlement, reintegration of IDPs;
- Return and voluntary repatriation of refugees;
- Justice for victims (reparations).

Strengthened Oversight Mechanisms

- An expanded JMEC membership to include estranged parties and key stakeholders;
- Effective and expanded CTSAMM;
- Establishment of national oversight mechanisms including civil society and traditional leaders;
- JMEC autonomy guaranteed and not subject to Parties to ARCSS;
- Punitive measures and enforcement mechanisms.

117. The stakeholders consulted held the view that the ARCSS failed because of lack of compliance /enforcement and accountability mechanisms.

118. They proposed the following **measures for spoilers and violators** to ensure compliance:

- Targeted individual sanction, regional travel bans and asset freezes to be effected by all IGAD member states and international community;

- Prosecution for violations at the Hybrid Court for South Sudan (HCSS) and or referrals to the International Criminal Court (ICC);
- Group sanctions on spoilers;
- Arms embargo supported by all IGAD members;
- Incentives to ensure compliance, e.g. President Salva Kiir and Dr Riek Machar exit packages (no sanctions);
- Perpetrators of human rights violations to be excluded from holding position in the transitional government or any public office immediately after the transition;
- Traditional justice system to be revived;
- Reparations for victims and affected communities;
- Sanctions/arms embargo on countries undermining the peace process;
- Disbandment of rebel groups within region;
- Designation of intransigent armed groups as negative forces.

f) Readiness to Declare Ceasefire

119. All the stakeholders consulted expressed readiness to cease hostilities, negotiate and conclude a permanent ceasefire agreement at the HLRF.
120. There was strong emphasis on the need for an effective ceasefire monitoring, verification and enforcement mechanisms to be agreed at the Forum. The following options were advanced for cessation of hostilities:

Option I: Unilateral Ceasefire Prior to the HLRF

121. All parties to cease hostilities and declare ceasefire prior to commencement of the HLRF. This is deemed as an important confidence building measure and a demonstration of commitment to the revitalization process.
122. It was proposed that IGAD demands all armed groups to declare ceasefire without pre-conditions to participate in the Forum. In contrast, some groups preferred that an effective ceasefire be agreed upon under a new arrangement in which all armed groups are included.

Option II: Ceasefire at the start of the HLRF

123. A formal signing and public announcement of ceasefire agreement at the commencement of the HLRF involving all armed groups and Parties to the ARCSS.
124. That IGAD should arrange for the parties to sign a formal inclusive new ceasefire agreement at the start of the HRLF and thereafter facilitate the parties and estranged groups to agree on a new permanent ceasefire arrangements with effective implementation modalities and oversight mechanisms during the Forum.

g) Stakeholders' Positions on the National Dialogue, Civil Society Participation and Unified Position of Opposition Groups

125. The consultation also elicited stakeholders' positions on the national dialogue initiative, participation of civil society groups in the HLRF and on unified position of the opposition groups. The views expressed were generally mixed as reflected below:

National Dialogue

126. Most stakeholders consulted supported national dialogue in principle but expressed reservations on the potential of the current national dialogue to bring peace.
127. Others conditioned their support to an inclusive genuine national dialogue, which they argued could only take place upon successful revitalization of the ARCSS.
128. Some stakeholders view the current national dialogue initiative as disingenuous, ill-conceived and an attempt to divert attention from an urgently needed resolution of the conflict.
129. Others argued that any dialogue is important and that the current national dialogue initiative is complementary to the revitalization process. They proposed that it should either be supported by IGAD as complementary or be incorporated into the revitalized ARCSS.

Civil Society Participation

130. Most stakeholders supported civil society participation in the Revitalization Forum. Some however expressed caution over the partisan nature of some civil society organizations based in Juba. It was recommended that various interest groups be represented and that diaspora South Sudanese civil society actors should also be considered.
131. Proposals were also made for a Track II peace process to allow civil society and key stakeholders to engage in complementary peacebuilding. The following options were suggested to streamline civil society participation:

Option I: Form Track II Peace Process under ARCSS

132. A proposal was made for tasking and resourcing of civil society groups and traditional institutions with implementation of some provisions of the revitalised ARCSS including possible national dialogue and community reconciliation as complementary initiatives.

Option II: Include Civil Society Actors in Track I

133. This include representation of civil society and key stakeholders in all agreement processes/institutions as observers. There was also a demand for wider representation of the various CSOs groups including women, traditional institutions, diaspora, refugee and IDPs representatives.

Option III. Establish National Oversight Mechanisms

134. Proposals were made to establish a national South Sudanese ARCSS Oversight Forum that include traditional leaders' representatives and civil society actors to monitor implementation of a revitalised ARCSS alongside JMEC.

Unified Position of Opposition Groups

135. Majority of the stakeholders preferred the various opposition groups present a unified position to the HLRF. Others however desired a unified opposition to be formed.
136. The stakeholders cited divergence in views, infighting between various groups, factions within groups (some in government others out) and lack of facilitation as obstacles for forging unified positions. The following options were proposed:

Option I: Unified Position of Oppositions groups prior to the HLRF

137. A proposal was made for IGAD and international partners to facilitate meetings of various opposition groups to explore possibility of unification of oppositions position prior to the Forum. Such unification could be around key issues, positions, and expected outcomes from the revitalization process.

Option II: Unified Oppositions Position at the Forum

138. A second proposal was made for a side event at the Revitalization Forum for various opposition groups to reconcile their positions around key issues at the beginning of the Forum. Many of the opposition groups made similar proposals for consideration at the Revitalization Forum.

Option III: Unified Opposition

139. A third proposal was for all, or at least the various opposition groups, to unify under one or more groupings prior to the HRLF to minimise infighting and to engage the government collectively.

h) Timeline for the Revitalised ARCSS

140. On the question of realistic timeline for implementation of the revitalised ARCSS, opinions were divided. Majority considered timeline to be dependent on agreed tasks, political will, and available technical and financial capacity.

Option II: Include Civil Society Actors in Track I

133. This include representation of civil society and key stakeholders in all agreement processes/institutions as observers. There was also a demand for wider representation of the various CSOs groups including women, traditional institutions, diaspora, refugee and IDPs representatives.

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141. On average, four (04) years were preferred provided it will enable democratic elections at the end of the Transitional Period and delivers effective transition into democratic dispensation.
142. Majority proposed 2-3 years with prioritisation of key tasks to be undertaken during the Transitional Period. Others proposed 4-5 years to ensure sufficient reforms and preparation towards elections. A few suggested 5-10 years to guarantee stability.
143. Apart from those who rejected the ARCSS, majority proposed that the revised timeline should commence after 3 to 6 months' Pre-Transitional period to allow adequate preparation for implementation.

G. Conclusions

144. Overall, there is an overwhelming support and high expectations by all stakeholders on the ARCSS revitalisation process. Many viewed the process as a timely opportunity to restore peace and implementation of the ARCSS.
145. Many of the positions advanced and proposals submitted during the consultation process were very valuable. They must be considered at some stage whether before, during or after the Revitalisation Forum, if the cycle of violence is to be broken and for lasting peace to be restored in South Sudan.

H.E. Ambassador Ismail Wais
H.E Ambassador Ismail Wais
IGAD Special Envoy for South Sudan

Appendix I: Inventory



High Level Revitalization Forum

Inventory of Consultation Notes and Position Papers Submitted to
H.E Ambassador Ismail Wais, IGAD Special Envoy for South Sudan

November 2017

Addis Ababa, Ethiopia

No	Party/Group/Institution/Individual	Position Paper Submitted	Consultation Notes	Status/Comments
1.	Joint Monitoring & Evaluation Commission (JMEC) -JWC Evaluation Report -Chairpersons Statement	Yes	Yes	Filed /analyzed
2.	TGoNU (Presidency) -H.E Salva Kirr Mayardit -H.E Gen. Taban Deng Gai -H.E Dr. James Wani Iga	No	Yes	Filed /analyzed
3.	TGoNU Council of Ministers - TGoNU Position paper on HLRF -TGoNU ARCSS Status Report	Yes	Yes	Filed /analyzed
4.	Dr. Riek Machar Teny, SPLA-IO	No	Yes	Filed /analyzed
5.	Den Alor, Gen. Maduit, John Luk, Former Detainees (TGoNU)	Yes	Yes	Filed /analyzed
6.	Pagan Amum, Kosti Manibe, Majak Dagoot, FDs outside TGoNU	Yes	Yes	Filed /analyzed
7.	Mrs. Rebecca Garang, Prominent Personality	No	Yes	Filed /analyzed
8.	Gen. Thomas Cerillio, National Salvation Front (NAS)	Yes	Yes	Filed /analyzed
9.	Gen. Peter Gadet, South Sudan United Movement (SSUM)	Yes	Yes	Filed /analyzed
10.	Dr. Lam Akol, National Democratic Movement (NDM)	Yes	Yes	Filed /analyzed
11.	Lt. Gen. Bapiny Montui, South Sudan Liberation Movement/Army (SSLM/A)	Yes	Yes	Filed /analyzed

12.	Hon. Kornellio Kon Ngu, Chairperson, National Alliance Parties	Yes	Yes	Filed /analyzed
13.	Hon. Onyoti Adigo Nyikwer, Chairperson Democratic Change Party (Other Political Party –National Alliance Group)	Yes	Yes	Filed /analyzed
14.	Rt. Hon. Anthony Makana, Speaker, Transitional National Legislative Assembly (TNLA)	No	Yes	Filed /analyzed
15.	Joseph Ukel Abango & 9 other, National Agenda Political Parties	Yes	Yes	Filed /analyzed
16.	Gabriel Changson, Federal Democratic Party/South Sudan Armed Forces (FDP/SSAF)	Yes	Yes	Filed /analyzed
17.	Hon. Col Bangasi Joseph Bakasoro, Chairman South Sudan National Movement for Change (SSNMC)	Yes	Yes	Filed /analyzed
18.	Dr. Costello Garang, South Sudan Patriotic Movement (SSPM)	Yes	Yes	Filed /analyzed
19.	Hon. Steven Soroba Budia/Martin Aligo, United Democratic Party	Yes	No	Filed /analyzed
20.	Chollo (Shilluk) Kingdom	Yes	No	Filed /analyzed
21.	Dr. Hakim Dario, Taban Lomuja & Wilfred Plalum Peoples Democratic Movement (PDM)	Yes	Yes	Filed /analyzed
22.	Simon Akuei Deng, South Sudan Chamber of Commerce, Industry and Agriculture	Yes	Yes	Filed /analyzed

23.	Community Empowerment for Progress Organisation (CEPO)	Yes	No	Filed /analyzed
24.	Hon. Peter Mayen Majongdit, Umbrella of Opposition Political Parties for Democratic Transformation	Yes	Yes	Filed /analyzed
25.	South Sudan Council of Churches	Yes	Yes (FBO)	Filed /analyzed
26.	Rev. Bishop Enock Tombe, Faith Based Groups & Chairperson of Other South Sudanese Stakeholders	Yes	Yes (FBO)	Filed /analyzed
27.	Steering Committee, National Dialogue	No	Yes	Filed /analyzed
28.	Gen. Andrew Makur, Eminent Persons	Yes	Yes	Filed /analyzed
29.	Dr. Emily Koiti & Youth representatives	No	Yes	Filed /analyzed
30.	Madam Amier Mayok Deng, Women Bloc of South Sudan	Yes	Yes	Filed /analyzed
31.	Women Associations of South Sudan	Yes	Same as above	Filed /analyzed
32.	Ms. Alokier Manual Aguer, Chairperson South Sudan Civil Society Alliance & Representative of CSOs in JMEC	Yes	Yes	Filed /analyzed
33.	Shiek Vitale Aligo Samsom, D/Chairperson South Sudan Civil Society Alliance	Yes	Same as above	Filed /analyzed

34.	CSO Groups/ SSUNDE & OTHERS	Yes	Yes	Filed /analyzed
35.	Samson Oyay Awin, Chollo Community Council, Khartoum	Yes	No	Filed /analyzed
36.	Elikana Jale, Equatoria Communities in the Western World, USA/Canada and Australia	Yes	No	Filed /analyzed
37.	James Idroy Youngule, Chairperson, Equatoria Community Association and Acting C/person National Reform Association	Yes	No	Filed /analyzed
38.	Mr. Sebit Sabasio, Concerned South Sudanese (Eastern, Central, Western & Western Bahr El Ghazal States) in Uganda on HLRF	Yes	No	Filed /analyzed
39.	IDP Representatives in POC Site 1&3	No	Yes	Filed /analyzed
40.	Independent South Sudanese Experts	Yes	No	Filed /analyzed
41.	Ridi Utulu Sisto, Representative, Ma'di Community, Pageri County	Yes	No	Filed /analyzed
42.	International Community based in Juba (Troika & EU).	Yes	Yes	Filed /analyzed
43.	Lt. Gen Gathoth Gatkuoth Hothnyang, Federal Democratci Party (FDP)	Yes	No	Filed /analyzed
44.	Joshua Dau Diu, Co –Chair of JCE-South Sudan	Yes	No	Filed /analyzed

45.	Cde. Mabior Garang Mabior, Chairman SPLM-National Committee for Information and Public Relations (Press Release on HLRF)	Yes	No	Filed /analyzed
46.	South Sudanese Taskforce on Women Participation	Yes	No	Filed /analyzed
47.	South Sudanese Refugees and CSO in Diasporas.	No	Yes	Filed /analyzed
48.	Moses A. Taban, Concern South Sudanese Community Elder	Yes	No	Filed/analyzed