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Tomorrow, Saturday 14/9

2024

THE REPUBLIC OF SOUTH SUDAN



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2024

**Endorsement of the Parties Signatory to the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) for Postponement/Delay of Elections and the extension of the Transitional Period.**

By

**The High-Level Standing Committee (HLSC) for the Implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS, Sept. 2018) and the roadmap (August, 2022), Wednesday 10<sup>th</sup> September, 2024.**

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## 1. Introduction

- (i) In August 2022 the Parties signatory to the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) agreed on a roadmap that extended the Transitional Period by 24 months from 22<sup>nd</sup> February 2023 to 22<sup>nd</sup> February 2025 with elections to be conducted in December 2024.
- (ii) On 5<sup>th</sup> July, 2024, the Chairperson of the National Elections Commission (NEC) announced the date for the commencement of elections and the process thereof leading to the establishment of an elected government by February 2025, in accordance with section 16 (1) of the National Elections Act, 2012 (Amendment), 2023, read together with the Transitional Constitution of the Republic of South Sudan (TCRSS), 2011 (As Amended).
- (iii) Earlier, on 7<sup>th</sup> June 2023 the Revitalized Transitional Government of National Unity in anticipation of NEC preparations for elections, directed the High-Level Standing Committee (HLSC) for the implementation of the R-ARCSS to assess, analyze and report on the status of implementation of the provisions of the roadmap to determine the preparedness of the government for the conduct of election in December, 2024.
- (iv) The readiness of the R-TGoNU for elections in December, 2024, is dependent on the outcome of the implementation status of the roadmap as detailed in its eight (8) annexes: (i) Annex-1 on the implementation of the provision of chapter-1, (ii) Annex-2a on pre-election activities under chapter-1, (iii) Annex-2b on the implementation of Elections and Post-Elections activities, (iv) Annex-3 on the Dissemination of the R-ARCSS and the roadmap, (v) Annex-4 on the Implementation of the Security Arrangements under Chapter-2, (vi) Annex-5 on the implementation of the provisions of Chapter-3, (vii) Annex-6 on implementation of Chapter-4 on Resource, Economic and Financial Management, (viii) Annex-7 on the implementation of the provisions of Transitional Justice, Accountability, Reconciliation and Healing (TJARH), (ix) Annex-8 on implementation of the provisions of the Parameters for Constitution-Making Process (Permanent Constitution).

## 2. The Assessment of the Status of Implementation of the Roadmap by the High-Level Standing Committee (HLSC).

- (i) Based on the directives of the R-TGoNU, the High-Level Standing Committee collated information/data from the institutions concerned with the implementation of the agreement. On 22<sup>nd</sup> June, 2024 the HLSC assessed, analyzed and produced an explanatory note on the status of implementation of the roadmap. The High-Level Standing Committee



review showed that out of the 153 items and 171 articles contained in the annexes of the roadmap, which cover six (6) chapters of the revitalize agreement in general, only 17 (10%) are completed, 56 (33% ) in progress and 98 (57%) are still outstanding.

- (ii) Notwithstanding the importance of the supporting chapters (chapters 3, 4 and 5) and their associated articles/sub-articles, three (3) chapters (Chapters 1, 2 and 6) are directly related to the conduct of elections. Out of thirteen (13) items and 20 activities of chapter-1, 4 (20%) are completed, 8 (40%) in progress and a further 8 (40%) are pending. On chapter-2 only one (1) article out of the three(3) articles is partially implemented. Of the remaining two (2) articles of chapter-2, 1 (33%) is in progress and another 1 (33%) is pending. On the substantive Chapter 6 on the permanent constitution making process which contains 11 items, 4 (36%) are completed, 5 (45%) in progress and 2 (19%) are outstanding.

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**3. Expanded Meeting of the Presidency (Presidency plus representatives of the Parties Signatory to the R-ARCSS).**

- (i) On the 13<sup>th</sup> August, 2024, the HLSC presented the Explanatory Note on the Status of Implementation of the roadmap to expanded presidency meeting. The meeting listened to the presentation featuring, *inter alia*, completed tasks, tasks in progress and outstanding tasks of each of the security sector mechanisms and electoral institutions.
- (ii) Thereafter, the Expanded Presidency meeting resolved to direct the HLSC for the implementation of the R-ARCSS to call the concerned Security Mechanisms NTC (JDB, JMCC, JTSC, DDR, SDSR-B, NES) and the Elections-related Institutions (NEC, NCRC, PPC and the NBS) to provide updates on the status of implementation to provide basis for a final decision on election.
- (iii) The HLSC met with the concerned institutions on the 22<sup>nd</sup> August, 2024 in which each institution presented its updated report covering: (a) Completed tasks, (b) Tasks in progress, (c) report on Outstanding tasks, (d) report on Challenges, and (e) draw a realistic budget and timeframe for the completion of tasks in progress and those outstanding.
- (iv) The summary of the assessment, analysis and the findings of the HLSC on the updated reports of the various Security Mechanisms and Electoral Institutions are presented in the six (6) annexes to this report: (a) Annex-1 for JDB, (b) Annex-2 for JMCC, (iii) Annex-3 for JDB, (iv) Annex-4 for SDSR-B, Annex-5 for NCRC and (vi) Annex-6 for NEC. Each summary report features tasks completed, tasks in progress, tasks outstanding, challenges, budget and timeframe to accomplish their respective mandates.

**4.1 Summary Report on the Views of the Parties Signatory to the R-ARCSS based on the Status of Implementation of the Roadmap, August, 2022 (Details in Annex-1).**

- (i) The I-TGoNU Parties considered three (3) options: (a) Conduct elections under using the data of the 2010 elections, the Transitional Constitution of the Republic of South Sudan (TRCSS), 2011 (Amended), (b) Extended the extended Transitional Period by 12 months and (c) Split elections into two (2) phases namely Presidential Elections in December, 2024 (Phase-1) and Parliamentary and Local Government Elections in December, 2025 with the current National Transition Legislature (TNL) have its mandate extended for



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12 months. **The I-TGoNU rejected the first two (2) options in favor of option-3.**

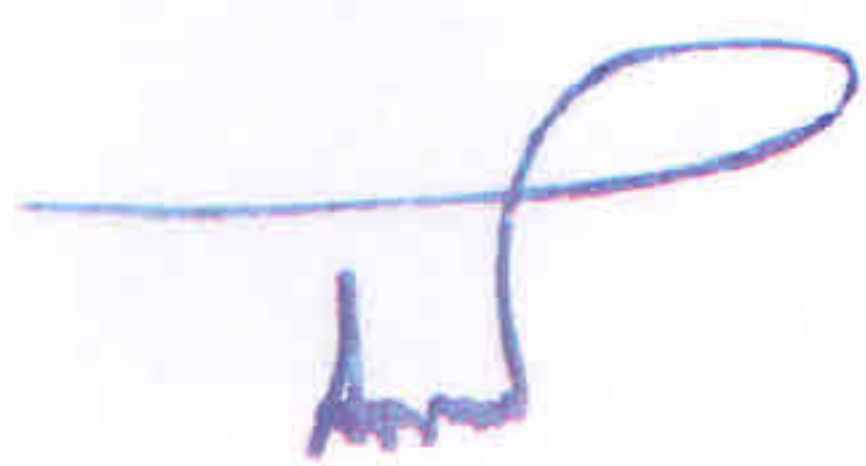
- (ii) The SPLM-IO took the position that all the provisions and activities of the R-ARCSS and the roadmap that are in progress and outstanding must be fully implemented. Generally speaking the SPLM-IO observed that the country is not ready for elections and concluded that Transitional Period should be extended by 24 to 36 months.
- (iii) SSOA supported elections, but that since most of the critical provisions of the R-ARCSS and the roadmap are incomplete, the parties should dialogue and reach consensus on how elections could be conducted.
- (iv) The OPP and the FDs support the position of the I-TGoNU particularly on splitting elections into phase-1, Presidential and Gubernatorial Elections and phase-2 Parliamentary and Local Government Elections.

#### **4.2 Summary Report on the Status of Implementation of JMCC Mandate (Details in Annex-2).**

- (i) The mandate of the Joint Military Ceasefire Commission, as outlined in Annex-2 of the roadmap covers thirteen (13) activities (Annex-1).
- (ii) Out of the key activities identified in this annex, the current status reveals that 31% have been fully implemented, 15% are in progress, and a significant 54% remain pending. The JMCC recorded one (1) challenge which the lack of funding. This disparity highlights the urgent need for action and resources to facilitate the effective functioning of the commission.
- (iii) The Budget and timeframe: For the JMCC to accomplish its tasks it requires **\$\$5,570,000.00 (Only Five-million Five-hundred Seventy Thousand Dollars) and three (3) and Half months.**

#### **4.3 Summary Report on the Status of Implementation of JTSC Mandate (Details in Annex-3)**

- (i) The Joint Technical Security Committee (JTSC) plays a critical role in the implementation of security arrangements under Chapter-2 and the roadmap. There are twenty (20) tasks its mandate.
- (ii) The committee is tasked with addressing various security-related items to ensure a stable environment conducive to the upcoming elections and the broader peace process.





(iii) The JTSC has completed 5 (25%), 4 (20%) are in progress and a further 11 (55%) are pending. This status indicates a pressing need for action to address the outstanding tasks and challenges faced by the committee.

(iv) **The Budget and Timeframe: The JTSC budget \$11,400,000.00 (Only Eleven-million Four-hundred Thousand Dollars) and eight (8) months to completed its activities which are in progress or outstanding.**

#### **4.4 Summary Report on the Status of Implementation of JDB Mandate (Details in Annex-4)**

(i) The Joint Defense Board (JDB) serves as the highest authority under the Chapter-2 of the R-ARCSS and Annex-4 of the roadmap. It is tasked with overseeing the implementation of critical security measures necessary for maintaining stability and facilitating the electoral process in South Sudan.

(ii) According to the enumerated items in the roadmap, the JDB is responsible for a total of 17 activities. As of now, only 2 (12%) items have been completed, 5 (29%) items are in progress and a significant 10 (59%) items remain pending.

(iii) The JDB has identified 11 key challenges that hinder its effectiveness: (a) delays in the confirmation of ranks and the deployment of necessary forces, particularly the second or middle echelon, (b) Incomplete deployment of the Necessary Unified Forces and the lack of the required equipment.

(iv) **On Budget and Timeframe: The JDB budget is estimated \$16,302,004 (Only Sixteen-million Three-thousand two four Dollars or its equivalent in South Sudanese pounds) and four (4) months period to fulfill its mandate. The total budget reported by the JDB for the entire security sector (JMCC, JTSC, JDB) is \$33,272,000 (Only Three-million two-hundred Seventy-two Thousand Dollars.**

#### **4.5 Summary Report on the Status of Implementation of SDSR Board Mandate (Details in Annex-5).**

(i) The Strategic Defense Review Board (SDRB) is a pivotal institution tasked with the professionalization of the new security sector in the Republic of South Sudan. This initiative is essential for establishing a cohesive and effective security apparatus that can contribute to national stability and peace.

(ii) The SDRB has identified a total of 14 items that need to be accomplished, as outlined in annex-4 of the roadmap, particularly items 4.1 and 4.3. Currently,

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the status of these items is as follows: 5 (36%) items are completed, 4 (28%) in progress and 5(36%) are pending.

(iii), also accounting for 36%. This distribution indicates a balanced yet challenging landscape, with significant work still required to meet the SDRB's objectives.

(iv) The SDRB has encountered five (5) key challenges in its efforts to professionalize the army, with the most pressing being the establishment of a professional military force capable of fulfilling its duties effectively. Addressing these challenges is crucial for the overall success of the of the SDSR Board.

(v) The SDRB has budgeted **\$4,900,000.00 (Only Four-million Nine-hundred Thousand Dollars or its equivalent in South Sudan Pounds) and four (4) months to completed its mandate.**

#### **4.6 Summary Report on the Status of Implementation of National Elections Security Mandate (Details in Annex-6)**

(i) **The Mandate of Elections security:** Ensure the integrity, fairness, and accuracy of the electoral process. The mandate covering seven (7) points (See Annex-6 of this report) incorporates creating an environment enabling voters to register and later cast their votes freely without fear of intimidation or violence.

(ii) **Status of the phase-I tasks the National Elections Security: (a) Completed (1) activities on the Formation of Elections Security Committees, (b) two (2) tasks (2) are in progress on the Elections Security Committee meetings preparations and Others related Tasks and only one (1) challenge that of funding.**

(iii) **Estimated Budget and Timeframe:** Budget for training of Police Service Personnel, procuring necessary equipment, implementing security measures, and ensuring the integrity of the overall electoral process: (a) The total Elections Security Budget is **\$ 73,615,055 (Pre-Elections. \$ 67,615,055, \$ 3,000,000, Post Elections \$ 3,000,000 and Other operational costs)** and (b) The timeframe to complete ongoing tasks **six (6) months** given timely and adequate funding.



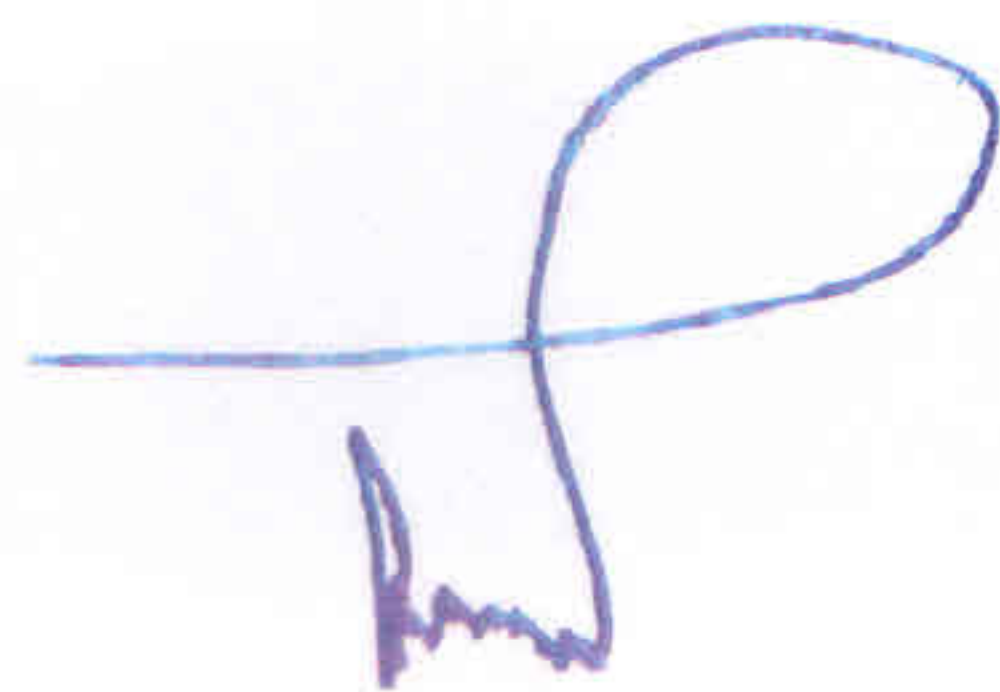
#### 4.7 Summary Report on the Status of Implementation of the National Transitional Committee (NTC) Mandate (Annex-7)

- (i) The NTC was established vide Republican Order No. 18/2020 to complete the uncompleted provisions of the Chapter-II, Article 1.4.8, of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS, 2018).
- (ii) The NTC budget is to facilitate training and deployment of one hundred fifty thousand (150,000) Necessary Unified Forces (NUF)s. The total proposed budget is **\$86,316,644** (Only Eighty-six million Three-hundred sixteen Thousand Six-hundred Forty-four Dollars) or equivalent to **SSP.431,583,220,000** (Only Four-hundred Thirty-one Billion Five-Hundred Eighty-Three million Two-hundred Twenty South Sudanese Pounds) to be implemented in **twelve (12) months** period. The allocation of the amount is set as in Table 6.2 below:

#### 4.8 Summary Report on the Status of Implementation of NCRC Mandate (Details in Annex-8)

- (i) The National Constitution Review Commission (NCRC) is a critical body established to oversee the development of a permanent constitution for the Republic of South Sudan. This process is essential for establishing a solid legal framework that supports governance, democracy, and the rule of law in the country.
- (ii) The NCRC has identified a total of 52 tasks necessary to fulfill its mandate. Out of these, 11 (79%) are completed, 1 (7%) in progress and 2(14%) which include 10 fundamental activities and 23 substantive constitution-making process activities (Annex-8 of NCRC).
- (iii) Budget and Timeframe: The NCRC has faced several challenges, with the primary issue being the timely provision of adequate funding. The budget prepared by the NCRC to accomplish its tasks amounts to **\$43,112,509.00** which is equivalent to **SSP. 47,000,791,980.00** South Sudanese pounds (SSP). Out of this total, **\$1,261,120,000.00** (Equivalent to **\$800,000.00**) has been disbursed

#### 4.9 Summary Report on the Status of Implementation of NEC Mandate (Details in Annex-9)





- (i) The National Election Commission (NEC) is the designated authority responsible for preparing and conducting free, fair, and credible elections in the Republic of South Sudan. The NEC plays a crucial role in ensuring that the electoral process is transparent and inclusive, thereby contributing to the overall stability and democratic governance of the nation.
- (ii) The NEC has identified a total of 19 activities necessary for the successful conduct of the elections. Currently, the status of these activities is as follows: Completed 7 (37%) activities, in Progress 5 (26%) activities and 7 (37%) Pending activities. See Annex 9 for more details.
- (iii) Budget and Timeframe: The NEC budgeted for \$230,540,617.00 (Only Two-hundred Thirty million Five-hundred Forty Thousand Six-hundred and Seventeen Dollars. The additional time required is Seven (7) months>
- (iv) Despite some progress, the NEC faces significant challenges that hinder its ability to meet the upcoming electoral deadline. Among the nine critical challenges identified are: limitations and delays in the data required for continuity, inadequacy of funding, insecurity and accessibility issues in certain regions of the country, environmental challenges, particularly flooding and gaps in some legal provisions affecting the electoral process

#### 4.10 Summary Report on the Status of Implementation of the Activities of the Political Parties Council (Electoral Cycle Activities and Costs-Details in Annex-10)

- (i) The mandate of the Political Parties Council (PPC) is to provide regulatory oversight and ensure adherence to democratic principles within and between political parties. Central to its mission is the implementation of comprehensive capacity-building initiatives for both council members and political entities, alongside dynamic public awareness campaigns to elevate civic participation.
- (ii) The tasks associated with the mandate of the PPC total fifty-five (55). Out of these, 24 relate to legal framework of which 22 are completed and 2 in progress. Ten (10) concern information and education of which 5 are completed and 5 more are in progress. On registration there are 15 activities out of which 12 are completed and 3 in progress.
- (iii) **Budget and Timeframe:** (a) Total Budget \$43,432,237 out of which \$5,000,000 is paid and the balance is \$38,432,237 and (b) **On Timeframe depends on that of the NEC and NCRC:** (a) The electoral cycle has Stages



1-8, activities and the summary of tasks to be performed by all 3 Electoral Bodies (NEC, NCRC and the PPC) on the roadmap for successful free and fair election in the Republic of South Sudan and (b) The cycle also shows activities solely carried out by the PPC or PPC in collaboration with the NEC and the NCRC in different stage.

#### **4.11 Summary Report on the Status of Implementation of National Bureau of Statistics (NBS) Mandate (Details in Annex-11).**

- (i) Currently, sources of available population Data (5<sup>th</sup> Sudan Population and Housing Census-2008, Population Projection for South Sudan and South Sudan Population Estimation Survey (PES) 2021).
- (ii) Population and Housing Census 2024 (Census Features, Individual enumeration, Universality within defined territory, Simultaneity, Defined periodicity).
- (iii) **On conduct of elections on 22<sup>nd</sup> December, 2024. (a) If the question is should the census be held before elections or an alternative data source used for boundary delimitation (b) If the decision is for a new census, then NBS needs more time of approximately 16-20 months.**
- (iv) **If the decision is for a projection based on the 2008 population census, then: (a) NBS is ready to produce the relevant data, and (b) NBS needs time and fewer resources.**
- (v) **If the decision is for voter registration data to be used, then: (a) NBS will play a collaborative role with NEC, (b) If the decision is to hold elections that do not require boundary delimitation, then this question is not relevant, but NEC and NBS will collaborate on population data for planning purposes.**
- (vi) **The budget and Timeframe:** The NBS budget of \$100M (Only One-hundred Million Dollars) was approved in February 2024 by the Council of Ministers. Phase-I (planning) and Phase-II (cartography) require \$38.1M, which the cabinet also agreed to release immediately. To access additional resources elsewhere, the government MUST first settle the above.



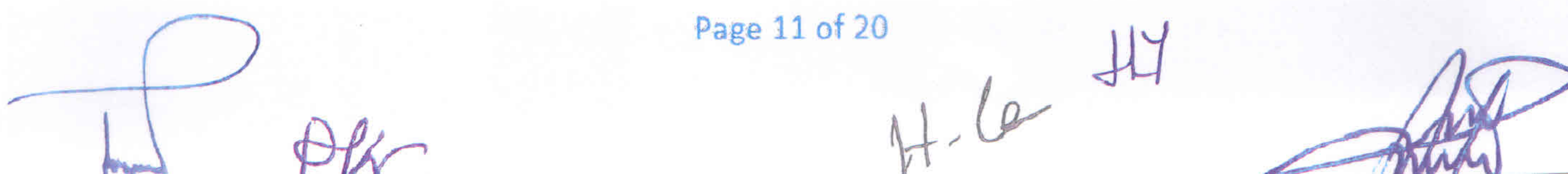
## 5. Recommendations of the five (5) Security Sector Mechanisms, the SDSR-Board and the National Elections Security in the Ministry of Interior.

- (i) To date the deployment of phase-1 cantoned, trained, graduated and unified forces remain incomplete and must be completed.
- (ii) The bulk of the SPLM/IO, a large number of SSOA and other forces have been in their respective assembly areas for nearly 3 years. The JMCC is unable to prepare them for the JTSC to take over for training and graduation and subsequent deployment by the JDB.
- (iii) In order to secure the agreement, phase-2 of the security arrangements needs to be implemented to establish a national non-partisan security sector under the command of one (i) commander-in-Chief, who is the President of the Republic.
- (iv) The integration and unification of the combatants of the agreement parties that have armed wings on time, is necessary to enable them register as Political Parties in time for the elections. This action will create a conducive security environment for elections and enhance democracy.
- (v) In consideration of the untimely, inadequate and prolonged delay in funding, the security mechanisms have requested for extension of timeframe by approximately **eighteen (18) months** {three (3) and Half (1/2) months for the JMCC, eight (8) for JTSC, three (3) months for the JDB and four (4) months SDSR-Board}.
- (vi) In order to achieve the objectives of the security arrangements under chapter-2 of the R-ARCSS and annex-4 of the road map, timely and adequate payment of the budget required by the security sector must be adhered to so as to address the challenges of implementing their work plan.

### 5.1 Recommendations from the Reports of the Elections-related Institutions (NCRC, NEC, PPC and the NBS).

The elections-related institutions that are concerned with the conduct of elections in South Sudan are the NCRC, NEC, PPC and the NBS. The PPC and the NBS have a supporting role while the NCRC has a preparatory role. The operational duty is vested in the NEC.

Considering the mandates of all the Elections-related Institutions (NCRC, NEC, PPC and the NBS), the NCRC is the most time-determining (takes longer

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time) for it to complete its tasks and deliver the permanent constitution. From their respective reports:

## 5.2 Recommendations of the National Constitutional Review Commission-NCRC (Annex-8).

- (i) **The NCRC** is the body which is authorized to prepare the ground for the promulgation of the permanent constitution under which elections are to be carried out (Article 1.20.6 of the R-ARCSS/Annex-8, Item 20). The NCRC requires **18 months** to complete all its critical tasks (See Table 6.1 attached. In its report, it is however observed that the NCRC included the 6 months of the NCC and the 2 months of the adoption and assent of the permanent constitution.
- (ii) So far only 27% of its tasks are completed. Sixty-three (63%) are either in progress or outstanding altogether due to funding constraints. In order for the NCRC to complete its work it has budgeted **\$43.1 million** which must be paid in full or in part to allow the Commission fulfill its mandate. This amount includes the funds required for the funding of the functions of the NCC.
- (iii) Based on the outcome of NCRC assessment of the status of implementation of its tasks, the NCRC concludes that it is impossible to produce the permanent constitution for elections on 22<sup>nd</sup> December 2024.
- (iv) Further, the NCRC comments that if elections must take place as scheduled by the NEC, the parties to the agreement will have to make a political consensus and agree to use the Transitional Constitution of the Republic of South Sudan (TCRSS), 2011(As amended). Otherwise, there is no constitutional basis for conduct of elections in December 2024.

## 5.3 Recommendations of the National Election Commission-NEC (Details in Annex-9).

- (i) The National Election Commission (NEC) is the institution authorized to conduct elections under the permanent constitution and the National Election Act, 2012, (Amendment) 2023.
- (ii) On the 5<sup>th</sup> July 2024 the Chairperson of the NEC announced that elections shall be held on 22<sup>nd</sup> December 2024. This announcement was made before the assessment of the status of implementation of provisions of the NEC, which revealed that 63% of its critical tasks remain either in progress or outstanding.



- (iii) The failure of the commission to complete its critical tasks for the election process is ascribed to lack of funding. The Commission, looking at the outcome of its assessment, decided to rescheduled elections from the 22<sup>nd</sup> December, 2024 to the 21<sup>st</sup> July 2025.
- (iv) **The Budget and Timeframe:** The NEC demands timely payment of its budget estimated at \$ 230,540,617.00 (Only Three-hundred Thirty Million Five-hundred Forty Thousand Six-hundred Seventeen Dollars) of which approximately \$15,000,000.00 (Only Fifteen-million Dollars) has been paid or equivalent of SSP. 253,594,678,735.00 (Only two-hundred Thirty Billion Five-hundred Ninety-four Million Six-hundred Seventy-Eight Thousand Seven-hundred thirty-five South Sudanese Pounds).
- (v) The NEC is unable to confirm a new date for elections until: (a) a political decision is taken on the question of elections on 22<sup>nd</sup> December, 2024, (b) the Permanent. Constitution is promulgated, (c) The amendment of the National Election Act, 2012 (Amendment), 2023 to conform with the permanent constitution of the Republic of South Sudan and (d) The provision of the funds required.

#### 5.4 Recommendations of the Political Parties Council-PPC (Details in Annex-10)

- (i) The ten (10) functions contained in the mandate of the PPC defines the critical role the commission plays in the electoral process, that of registering Political Parties, regulating and monitoring their activities (Section 21 of the Political Parties Act, 2012 (As Amended 2022)).
- (ii) The PPC listed amongst its pending activities that are not within its mandate such as the voter registration, Elections Observer Accreditation, Electoral Code of conduct, elections-period and post-elections activities. These are core tasks of the NEC.
- (iii) Whilst it plays a support role, the PPC interacts and shares many activities with the NCRC and the NEC in the electoral cycle stages 1 to 8 (See Annex-10). The total number of the PPC activities are fifty-five (55). Three (3) under legal frame work all completed, twenty-four (24) under Planning and Implementation in which 22 are completed and 2 are in progress. Information and Education has thirteen (13) of which 10 are completed and 3 in progress.



Registration has fifteen (15) activities comprising of 12 uncompleted and 3 in progress. Thus eighteen (18) tasks of the PPC are outstanding.

- (iv) **The total budget presented by the PPC is \$60,107,237 (Only sixty-million One-hundred Seven Thousand two-hundred Thirty-Seven Dollars or Equivalent in South Sudanese Pounds). Out of that \$16,675,000.00 (Only Sixteen-million Six-hundred Thousand Dollars or its South Sudanese Pounds Equivalent) for Electoral Campaign, which should have been allocated from the national budget. An amount of \$43,432,237.00 (Only Forty-three million Four-hundred thirty-two Thousand two-hundred thirty-seven Dollars) is allocated for Planning and Implementation). Out of the budget of the PPC \$5,000,000.0 (Only Five Million Dollars) has been paid.**
- (v) The PPC demand that these funds be paid in time and in full for it to accomplish its work ready for elections within the timeframe proposed by the NCRC and the NEC.
- (vi) Since its reconstitution, the PPC has not had a smooth relationship with the Political Parties wishing to register. This has to change so as to ensure smooth preparations for elections. More clarity is needed on registration fees and application procedures.

#### **5.5 Recommendations of the National Bureau of Statistics-NBS (Details in Annex-11)**

- (i) With technological advance, the census process would take 16-18 months. Priority tables (i.e., allowing the Elections Commission to draw up constituencies) would be produced within a month of enumeration.

#### **6. Conclusion:**

- (i) The Parties Signatory to the R-ARCSS assert that in the past six (6) years, since the signing of the agreement in September 2018 and the roadmap in August 2022, peace and security has prevailed across the country as the SSPDF and the Opposition forces uphold the peace agreement. The sporadic skirmishes and road attacks perpetuated by the non-signatory rebel forces in Equatoria and Upper Nile have diminished substantially. The sporadic insecurity among communities is manageable.
- (ii) The Parties Signatory to the agreement believe it is extremely important to maintain the peace, security and relative political stability ushered by the R-ARCSS. The parties, therefore, recommit to accomplish the uncompleted



activities, maintain the improved trust gained by the parties during the intervening period and aim to achieve permanent peace, security and political stability in South Sudan by ensuring that elections are conducted in a secure environment and well-established electoral system that will deliver free, fair, credible and democratic elections to avoid return of country to war.

- (iii) The parties are cognizant of the sluggish and behind schedule implementation of the majority of the provisions of the agreement. The parties, however, recognize the achievement made during this period at all levels.
- (iv) The High-Level Standing Committee observed that all the security sector mechanisms and the elections-related institutions created by the agreement have not completed the implementation of the provisions and tasks of their respective mandate(s). Thus, the organs of each sector, security and elections-related, have requested for more time and reliable disbursement of funds to complete their mandates and ensure peaceful and democratic elections.

#### 7. **The Way Forward: Requirement for additional Time to complete critical provisions for elections to be conducted.**

- (i) All security sector mechanisms and the elections institutions require time to complete important tasks of their mandates in order to conduct elections. The timeframe for the security sector mechanisms is eighteen (18) months. While the timeframe proposed by the electoral institutions range from 7 to 18 months. **Therefore, based on the reports of concerned institutions, 18 months is the longest timeframe.**
- (ii) The constitution-making process covers a series of activities: (a) The completion of all core NCRC tasks in progress and outstanding, (b) **Article 6.6** on "The Executive of the Revitalized T-GoNU conducting adequate consultations with all the stakeholders, (c) **Article 6.4** on "The permanent constitution to be completed not later than twenty-four (24) months, (d) **Article 6.13** on "The process of permanent constitution making shall be led and owned by the people of South Sudan".
- (iii) From the analysis of all the institutional reports and the above points, a permanent constitution can be delivered within eighteen (18) months plus two (2) for the amendment of the National Elections Act, 2012 (Amendment), 2023, making a total of twenty (20) month. Accordingly:

**Final Recommendation:** Postponed elections from the 22<sup>nd</sup> September, 2024. Then: (i) Allow the remaining Five (5) months of the 'Extended Transitional

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Period of the R-ARCSS/Roadmap which end 22<sup>nd</sup> February, 2025 for mobilization of funds whilst the elections-related institutions continue with the implementation of the articles/sub-articles which are in progress or outstanding, (ii) Extend the Transitional Period of the R-ARCSS/Roadmap (Item 4.4) by Twenty-four (24) months from 22<sup>nd</sup> February, 2025 to 22<sup>nd</sup> February 2027.

(iv) **Now**, considering the many tasks of the agreement that must be accomplished in order for the concerned institutions to conduct free, fair, credible and democratic elections in South Sudan:

(a) The Parties Signatory to the Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) **ENDORSE the postponement/delay** of the elections scheduled for 22<sup>nd</sup> December, 2024 as recommended by the concerned security sector mechanisms and the elections-related institutions.

(b) The Parties to the R-ARCSS agree to extend the Transitional Period from 22<sup>nd</sup> February, 2025 to 22<sup>nd</sup> February, 2027 and Conduct elections in December, 2026 i.e. two (2) before the end of the new transitional period in December, 2027 when the elected government will up and running.

## 8. Measures to ensure adherence to the time lines set in the R-ARCSS/Roadmap.

### *D* 6.1 Resolve Funding Constraint.

- (i) All the security sector mechanisms and the elections-related institutions have not completed the tasks associated with their respective mandates due to severe funding constraints.
- (iv) The total budget required by all the elections-related institutions stand at \$433,760,363.00 (Only Four-hundred Thirty-three million Seven-hundred Sixty Thousand Three-hundred Sixty-three Dollars. The HLSC will continue to engage these institutions to reduce the budget to affordable amount.
- (v) For the security sector mechanisms, the budget estimate is \$133,187,585.00 (Only one-hundred Thirty-three million one-hundred-Eighty-Seven Thousand Five-hundred Eighty-five Dollars), which the NTC reduced to \$95,415,588.4. In addition the National Election Commission budgeted for is \$73,615,055.00 (Seventy-three million Six-hundred Fifteen Thousand Fifty-five Dollars).



- (vi) The overall Elections budget is \$640,563,003.00 (Only Six-hundred Forty million Five-hundred Sixty-three Thousand Three Dollars).
- (v) The bulk of funding must be internally generated. External donors will only chip in if we are seen to be serious and accountable in our expenditure. The following is recommended to showcase government seriousness in resourcing the implementation of the agreement:
  - (a) Tap into all the sources of income that we could muster,
  - (b) Adopt austerity measures and cut down on infrastructural projects,
  - (c) Implement strict and prompt accountability measures on dealing with finance. With these measures in place, we can confidently approach the international community to provide assistance and hope to get a positive response.

**6.2 Monitoring and Evaluation Role of the High-Level Standing Committee (HLSC)**

- (a) To include in its mandate the role of Monitoring and Evaluation Committee to provide an early warning mechanism on any delay in the implementation of the activities of the agreement and report to Presidency on a monthly basis.
- (b) The monthly reports shall, among other things, include identifying the activities whose implementation is behind schedule, finding out the causes of delay and suggest remedial actions.

**6.3 Decision expected to be taken by the leadership.**

- (a) Extended Meeting of the Presidency to endorse the postponement/delay of elections as proposed above.
- (b) Invoke article 8.4 of the R-ARCSS to extend the transition period as stipulated in the R-ARCSS/Roadmap.

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**Table 3.2: NCCRC Pending Substantive Constitutional-Making Activities (Amended)**

No	Activities		Timeline
	NCCRC	Amended	
1	Civic education to create awareness on constitutional issues		
2	Public consultations to collect views on constitutional issues		
3	Analysis of public views		
4	Preparation of the report		
5	Validation of the First Draft	Validation of the constitutional options	
6	Publication of the First Draft	Publication of the options	
7	Establishment of the PSC		
8	Convening of the NCC		Beginning of the 6 months
9	Development of Rules of Procedure		
10	Submission of the report and First Draft to the NCC	Submission of the report and options	
11	Deliberation on the report and First Draft Constitutional Text	Deliberation on the report and options	
12	Second round of civic education on the First Draft	NCC function	
13	Second round of public consultation	NCC function	
14	Analysis and submission of the report on the public views	NCC function	
15	Deliberation on the second report	NCC function	
16	Development and adoption of the Second Draft	NCC function - development and adoption of the Draft Constitutional Text	
17	Submission of the Final Draft to the Minister of Justice	NCC function	End of the 6 months
18	Transformation of TNLA into a Constituent Assembly	R-TGoNU function	Beginning of the 2 months
19	Submission of the Final Draft to the CA	RTGoNU function	
20	Deliberation on the Final Draft in the CA	CA function	
21	Adoption of the Text as the Permanent Constitution	CA function	
22	Signing of the draft Permanent Constitution	The President	
23	Final round of civic education to disseminate the Constitution	RTGoNU	End of the 2 months

**NB:**

1. The activities of the NCCRC end with activity No.9.
2. The timelines of NCCRC must be trimmed accordingly.










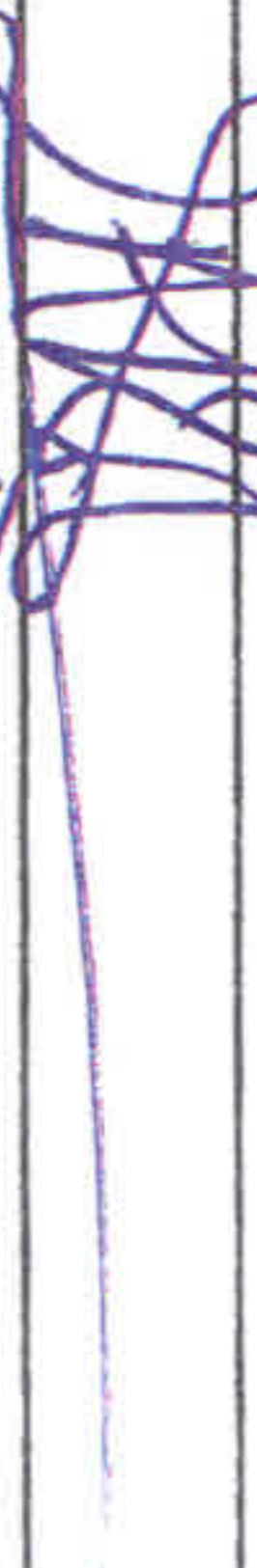










**Table 5.3: Timelines for the Implementation Process to End the Transitional Period by Conducting General Elections**

S/N	Activity	Timeline	Implementing Body	Remarks
1	Declaring a date for end of Transition	D-Day	R-TGoNU	
2	Widening of political and civic space	D + 7 days	R-TGoNU	
3	Amendment of the NSS Act	D + 14 days	Judicial Reform Committee	
4	Report of the Judicial Review Committee	D + 14 days	R-TGoNU & TNLA	
5	Amendment of the CMP Act 2022	D + 14 days	R-TGoNU & TNLA	
6	Adoption of the new Judicial Act	D + 3 months	R-TGoNU & TNLA	
7	Establishment of the Constitutional Court	D + 3 months	R-TGoNU & TNLA	
8	Training and Deployment of NUF	D + 4 months	R-TGoNU	
9	Registration of political parties	Continuous	PCC & Parties	
10	Adequate funding of all institutions	Budget	R-TGoNU	
11	Formation of the NCC	D + 5 months	R-TGoNU and all signatories	
12	NCC convenes	D + 6 months	PSC and R-TGoNU	
13	NCCRC reports to the NCC	D + 6 months	NCCRC & NCC	NCCRC started work earlier than D-Day.
14	NCC submits a Draft Permanent Constitution to the Minister of Justice	D + 12 months	NCC & Minister of Justice	
15	Adoption of the Permanent Constitution	D + 14 months	R-TGoNU & CA	
16	Amendment of the National Elections Act	D + 15 months	R-TGoNU & CA	
17	Announcement of Census Result	D + 16 months	NBS	NBS was in place already.
18	Announcement of Voters Register	D + 22 months	NEC	
19	Announcement of date of elections	D + 22 months	NEC	
20	Dissolution of R-TGoNU	D + 25 months	President	
21	Conduct of elections	D + 28 months	NEC	Elections must be held during the dry season
22	Elected government assumes power	D + 30 months	R-TGoNU, NEC & CJ	



**Table. 6: Signed by the Representatives of the Parties Signatory to the R-ARCSS in the High-Level Standing Committee (HLSC)**

S/N	Name of Representative	Party	Position	Remarks
1	Hon. Tut Gatluak Manime	I-TGoNU	Chair	
2	Hon. Puot Kang Chuol	SPLM/A-IO	Deputy Chair	
3	Hon. Dr. Martin Elia Lomuro	I-TGoNU	Secretary General	
4	Hon. Santo Malek Anai	I-TGoNU	Member	
5	Hon. Joseph Malek Arop	I-TGoNU	Member	
6	Hon. Taban Luka Guya	I-TGoNU	Member	
7	Hon. Onyoti Adigo Nyikwe	I-TGoNU	Member	
8	Hon. Angelina Jany Teny	SPLM/A-IO	Member	
9	Hon. Stephen Par Kuol	SPLM/A-IO	Member	
10	Hon. Martin Abucha Gama	SPLM/A-IO	Member	
11	Hon. Gai Mayen Luk	SPLM/A-IO	Member	
12	Hon. Dr. Lam Akol Ajawin	SSOA	Member	
13	Hon. Josephine Lagu Yanga	SSOA	Member	
14	Hon. Michael Ayuen Johnson	SSOA	Member	
15	Hon. Isaiah Hakim Garang	FDS	Member	
16	Hon. Albino Akol Atak	OPP	Member	
17	Hon. Richard Omwony Valent	OPP	Member	
18	Hon. Majok Mading Dier	OPP	Member	
19	Hon. Mayen Jeremiah Turic	OOP	Member	