



PEACE, PROSPERITY AND
REGIONAL INTEGRATION

HIGH LEVEL REVITALIZATION FORUM


AGREEMENT ON CESSATION OF HOSTILITIES, PROTECTION OF CIVILIANS AND HUMANITARIAN ACCESS


REPUBLIC OF SOUTH SUDAN


Addis Ababa


21st December 2017



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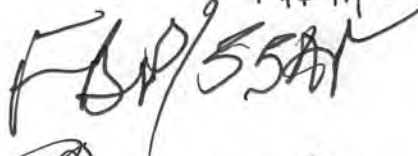
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ABBREVIATIONS

| | |
|-------------|--|
| AOGs | Armed Opposition Groups |
| ARCSS | Agreement on Resolution of Conflict in the Republic of South Sudan |
| AUPSC | African Union Peace and Security Council |
| CTSAMM | Ceasefire Transitional Security Arrangements Monitoring Mechanism |
| CoH | Cessation of Hostilities |
| CSOs | Civil Society Organizations |
| FDP/SSAF | Federal Democratic Party/South Sudan Armed Forces |
| HLRF | High Level Revitalization Forum |
| ICRC | International Committee of the Red Cross |
| IGAD | Inter-Governmental Authority for Development |
| JMEC | Joint Monitoring and Evaluation Commission |
| NAS | National Salvation Front |
| NDM | National Democratic Movement |
| OPP | Other Political Parties |
| PoCs | Protection of Civilian sites |
| PoWs | Prisoners of War |
| SPLA-IG | Sudan Peoples' Liberation Movement/Army - In Government |
| SPLM/A-IO | Sudan Peoples' Liberation Movement/Army – In Opposition |
| SPLM/L – FD | Sudan Peoples' Liberation Movement Leaders – Former Detainees |
| SSDF | South Sudan Defence Forces |
| SSLM/A | South Sudan Liberation Movement/Army |
| SSNMC | South Sudan National Movement for Change |
| SSPM/A | South Sudan Patriotic Movement/Army |
| SSUM/A | South Sudan United Movement/Army |
| TGoNU | Transitional Government of National Unity |
| UNICEF | United Nations Children's Fund |
| UNSC | United Nations Security Council |

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WHEREAS, the Transitional Government of National Unity (TGoNU) and the Sudan Peoples' Liberation Movement/Army – In Opposition (SPLM/A-IO – led by Dr Riek Machar); the National Salvation Front (NAS); the National Democratic Movement (NDM); the Federal Democratic Party/South Sudan Armed Forces (FDP/SSAF); the South Sudan National Movement for Change (SSNMC); the South Sudan United Movement/Army (SSUM/A); the South Sudan Liberation Movement/Army (SSLM/A); the South Sudan Patriotic Movement/Army (SSPM/A) (hereinafter referred to collectively as the Armed Opposition Groups "AOGs"), Other Political Parties (OPP), SPLM Leaders – Former Detainees (SPLM-FDs), National Agenda Political Parties, National Alliance Political Parties, Peoples Democratic Movement (PDM) and Umbrella Party, jointly referred to as "the Parties", individually as "a Party"; JOINED BY other Stakeholders including: the representatives of Civil Society, Women's Bloc, Youth, Faith Based Leaders, Eminent Personalities, Academia and Concerned South Sudanese in the High Level Revitalization Forum ("the Forum" or "HLRF").

WELCOMING and reaffirming our support to the decisions of the Inter-Governmental Authority for Development (IGAD) Assembly of Heads of State and Government's 31st Extra-Ordinary Summit of 12th June 2017, held in Addis Ababa, Ethiopia, which decided: "to urgently convene a High-level Revitalization Forum of the parties to the Agreement on Resolution of Conflict in the Republic of South Sudan (ARCSS) including estranged groups to discuss concrete measures, to restore permanent ceasefire, to fully implement the Peace Agreement and to develop a revised and realistic timeline and implementation schedule towards a democratic election at the end of the Transition Period";

DETERMINED to seize this unique opportunity presented by the Forum to revitalize the ARCSS; and RESOLVED, therefore, to engage constructively and diligently in the process, in order to achieve the peaceful resolution of all conflicts and the complete silencing of the guns in South Sudan;

MINDFUL of the profound pain and suffering caused to our people by the war that has engulfed the country; obstructing livelihoods, impeding humanitarian access, and causing millions to abandon their homes, with over two million South Sudanese refugees hosted in neighbouring countries and beyond with support from UNHCR;

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AWARE of the deep yearning of the South Sudanese people for the return of stability to their country, and for the chance to live in peace and dignity in an inclusive, democratic and just society, where all human beings can flourish, and girls and women are treated with dignity and respect;

ACKNOWLEDGING that since the signing of the ARCSS, new realities on the ground such as the renewed and changing dynamics of the conflict, and the emergence of other armed and political groups, give particular urgency to the revitalization process;

RECOGNIZING that a credible revitalization process requires a peaceful and an enabling environment which would create the conditions conducive for the provision of humanitarian assistance, and for holding free deliberations;

FURTHER RECOGNIZING that a cessation of hostilities is an important foundation for the restoration of the Permanent Ceasefire;

COMMENDING the significant role and efforts of IGAD, the African Union (AU) and all partners to bring sustainable peace and stability to South Sudan;

ALSO COMMENDING the role played by the United Nations Mission in South Sudan (UNMISS) in protecting civilians in South Sudan;

ACKNOWLEDGING the vital efforts of the Joint Monitoring and Evaluation Commission (JMEC) and the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) to bring sustainable peace to South Sudan;

DEPLORING the continued violations of ceasefire agreements and declarations in South Sudan, and HAVING IN MIND the lack of genuine will and robust mechanisms to ensure enforcement and compliance with those commitments;

REAFFIRMING the importance of the Parties to this Agreement, to fully respect and observe fundamental human rights, international humanitarian law and humanitarian principles at all times and without any reservations;

AGREE AS FOLLOWS:

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PART I

CESSATION OF HOSTILITIES

Article One

The Declaration

- 1) With effect from **00:01 hours** (South Sudan local time) on the **24th day of December 2017**, a Cessation of Hostilities (CoH) shall come into force, and the Parties shall cease all hostile military actions and operations in furtherance of the armed conflict between and among the Parties.
- 2) All forces shall immediately freeze in their locations, except for movements authorized by CTSAMM for logistical and administrative purposes.
- 3) Where opposing forces are in close proximity they shall immediately disengage.
- 4) Within 72 hours of the signing of this Agreement, each Party shall notify its commanders and affiliates of this Agreement and the obligations to cease all hostilities.

Article Two

Commitment to the Agreement

- 1) Each Party shall implement this Agreement in full and in good faith, and shall ensure that its affiliates and all forces or armed groups under its command and control at all times observe the Agreement, particularly the provisions on prohibited acts.
- 2) The obligations of a Party to respect the cessation of hostilities shall therefore apply to its affiliates and the armed groups that are under the command and control of that Party. Accordingly, each Party shall also disclose to CTSAMM the location of the headquarters of all its military and affiliates.
- 3) The Signatories to this Agreement and the Special Envoy shall continue to engage any other groups not part of this Agreement, and bearing arms to abandon violence, and, where appropriate, to join this Agreement.

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- 4) In the implementation of this Agreement, the Parties shall abide by the international human rights and humanitarian law, as well as international best practices and standards on the cessation of hostilities, protection of civilians, and provision of humanitarian access.
- 5) Each Party and any entity with responsibility for any aspect of the Agreement shall take the necessary steps to ensure that women and girls are not excluded or disadvantaged in the implementation of any aspect of this Agreement, and that their special needs and vulnerabilities are fully addressed.
- 6) This Agreement shall apply to all parties of South Sudan without any formal distinction.

Article Three

Obligations of the Parties under the CoH

- 1) The Parties shall respect and ensure full compliance with international humanitarian law.
- 2) All hostile military actions, including the following, are prohibited:
 - (a) attacks aimed at dislodging, capturing ground or equipment, ambushes, and killing one another;
 - (b) reconnaissance operations against each other;
 - (c) laying of mines of any nature including anti-tank and anti-personnel mines;
 - (d) use of proxy militias to provoke or attack one another;
 - (e) recruitment and enlistment, including from Protection of Civilian sites (PoCs) and refugee camps;
 - (f) recruitment and enlistment of children;
 - (g) sexual violence;
 - (h) interference and jamming of one another's field military means of communication; and
 - (i) any provocative and deceptive actions.

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PART II

PROTECTION OF CIVILIANS

Article Five

Obligations of the Parties

- 1) The Parties shall at all times protect the human rights of civilians, and shall ensure the safety and dignity of individuals and communities.
- 2) The Parties shall take specific measures to:
 - (a) protect vulnerable persons including children, women, girls, the elderly, and persons with disabilities or special needs;
 - (b) support and facilitate the reunion of families and the decent burial and memorialization of the dead; and,
 - (c) facilitate the free movement of persons, including women and girls;
 - (d) ensure protection of media and Civil Society.
- 3) In the implementation of this Agreement, consideration shall be given to the special protection needs of women, girls and those with special needs.
- 4) The Parties shall facilitate the free movement of merchandise and shall not loot property, including businesses, vehicles and goods, but shall protect all persons conducting commercial activities across the country.

Article Six

Prohibited Acts

The following acts are prohibited:

- (a) attacks, inside and outside South Sudan, on the civilian population including killings, abductions and robberies;
- (b) sexual and gender-based violence;
- (c) torture, inhuman and degrading treatment;

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- (d) the laying of ambushes;
- (e) offences against property;
- (f) unauthorised or unlawful entry into any Protection of Civilian sites;
- (g) unauthorised or unlawful entry into an Internally Displaced Persons' camp, or a refugee camp or settlement;
- (h) perpetuating or inciting violence in or around the sites referred to in paragraphs (f) and or (g) above; and
- (i) any other human rights violations.

Article Seven

Protection of Civilians

- 1) The Parties shall protect civilians from any form of attacks by other armed actors not part of this Agreement operating within South Sudan.
- 2) The Parties shall cooperate with UNMISS in the discharge of its mandate to protect civilians.
- 3) The Parties shall fully support full and rapid deployment and operations of the Regional Protection Force.
- 4) The Parties shall ensure that all other non-South Sudanese armed groups leave the country.

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PART III

APPLICABLE HUMANITARIAN OBLIGATIONS

Article Eight

Humanitarian Access

- 1) The Parties shall uphold international law, and shall allow and facilitate unfettered access for people in need to receive assistance from the United Nations, and impartial international and national non-governmental organizations.
- 2) The Parties shall guarantee the safety and security of all humanitarian personnel.
- 3) The Parties shall facilitate the safe and voluntary return of refugees and internally displaced persons, taking into account the special needs of the most vulnerable, in particular women, children and the elderly.
- 4) The Parties shall allow and facilitate the free and unimpeded movement of people, and passage of goods and humanitarian relief, including the establishment of safe corridors.

Article Nine

Demobilization, Release of abducted Children, Women and Detained Persons

- 1) Immediately upon the signing of this Agreement, each Party shall unconditionally demobilize any child recruited or enlisted by their group to the United Nations Children's Fund (UNICEF).
- 2) The Parties shall release the following persons to the International Committee of the Red Cross (ICRC) without delay:

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- (a) any person who has been deprived of his or her liberty for reasons related to the conflict;
 - (b) any Prisoners of War (PoWs);
 - (c) all political prisoners and detainees; and
 - (d) any abducted women and children.
- 3) Within 72 hours of the signing of this Agreement, the Parties shall submit to the ICRC a complete list of PoWs, and all political prisoners and detainees.
- 4) Political prisoners and detainees shall be released within 14 days.

Article Ten

Prohibited Acts

In accordance with international humanitarian law, the following acts are prohibited:

- (a) recruiting or enlisting children into armed conflict;
- (b) deliberate attacks on humanitarian personnel and assets;
- (c) deliberate restriction of the movement of humanitarian personnel and goods,
- (d) attacks on humanitarian convoys and vehicles;
- (e) looting of humanitarian supplies and assets;
- (f) obstruction and interference with humanitarian operations;
- (g) all forms of harassment of the media; and
- (h) media campaigns against the mediators and envoys.

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PART IV

IMPLEMENTATION AND ENFORCEMENT

Article Eleven

Monitoring and Verification Mechanisms

- 1) The Parties agree that CTSAMM shall be restructured in the course of the revitalization process. The regional and international members of CTSAMM, with relevant stakeholders in their areas of control, shall undertake monitoring and verification activities until a permanent ceasefire is agreed upon.
- 2) During the revitalization period, the reconstituted CTSAMM Board shall meet bi-monthly outside South Sudan to ensure full participation of all the parties.
- 3) This Agreement shall be formally monitored and verified by CTSAMM.
- 4) Civil Society organisations and communities may support, as appropriate, the work of CTSAMM.
- 5) Each Party shall allow CTSAMM to monitor and verify its adherence to the provisions of this Agreement including the movement of its personnel and equipment.
- 6) The Parties shall provide to CTSAMM advance notification of any movement of its personnel and equipment for CTSAMM to verify and monitor.
- 7) The Parties shall fully cooperate with CTSAMM in the discharge of its functions under this Agreement and shall unconditionally allow and grant unhindered access to CTSAMM to verify and monitor in all areas under its control.
- 8) The Parties shall provide CTSAMM with information it requires for the discharge of its duties, including the following:

(a) the location of their forces;

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- (b) the location of any military units in close proximity that need an immediate disengagement;
 - (c) the names, ranks and contact information of field commanders relevant to the implementation of this Agreement;
 - (d) the names, ranks and contact information of their liaison officers; and
 - (e) reporting on sexual violence.
- 9) The Parties shall assist CTSAMM to develop a map depicting the location of their forces.
- 10) The Parties shall unconditionally allow CTSAMM to monitor and verify the adherence of their forces and affiliates with the provisions of this Agreement.
- 11) The Parties shall report to the relevant entities any violations of this Agreement.

Article Twelve

Prohibited Acts

The following acts are prohibited:

- (a) attacks, harassment, intimidation and arrest, abduction or detention of CTSAMM personnel; and
- (b) obstruction or interference with the movements and work of CTSAMM.

Article Thirteen

Accountability for Any Violations

Parties shall prevent, investigate and ensure accountability for breaches of this Agreement. This shall not preclude investigations and punishment by any other entities.

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- NDM
- SSM
- SSM/C
- SSAF
- REAF
- NGO
- NDW
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Article Fourteen

Enforcement of Compliance

- 1) In the case of any violation of this Agreement by any party, an armed group, organization or person, CTSAMM shall report such breach to the JMEC and the Chairperson of IGAD Council of Ministers in a timely manner for quick remedial action and accountability.
- 2) The Chairperson of JMEC, in accordance with its mandate, shall report any serious breaches to the TGoNU, IGAD Assembly of Heads of State and Government, the African Union Peace and Security Council (AUPSC), and to the United Nations Security Council for their action.
- 3) The action referred to in sub-section (2) above, may include the measures decided by the 28th Extra-Ordinary Summit of the IGAD Heads of State and Government of 24th November 2014.
- 4) The Parties call upon neighbouring States to promote the implementation of this Agreement in their territories.
- 5) The JMEC shall be restructured and reconstituted to include all armed groups, women and youth representation.

PART VI

MISCELLANEOUS PROVISIONS

Article Fifteen

Promoting the Agreement

- 1) Each Party signatory shall assume responsibility for promoting this Agreement to the people of South Sudan. The Parties shall identify the most effective information and dissemination mechanisms and strategies for promoting this Agreement, and shall hold joint media and public events, and encourage civil society and communities to support and promote the Agreement.



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- 2) The Parties shall seek the assistance of UNMISS, and any other regional or international entities, to disseminate information about this Agreement to the general South Sudanese public, using appropriate methods, with priority given to the rural areas, women, children and youth in particular.

Article Sixteen

Resources for Implementation

The IGAD and TGoNU shall mobilize the resources required for the implementation of this Agreement from national, regional and international sources.

Article Seventeen

Amendment

The Parties may amend this Agreement by consensus, failing which by at least two thirds of the Parties.

Article Eighteen

Dispute Settlement

- 1) Any dispute that may arise in the implementation and interpretation of this Agreement shall be resolved amicably between the signatories.
- 2) In case of a failure to resolve the matter the Parties shall refer the matter to the IGAD Council of Ministers.

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Article Nineteen

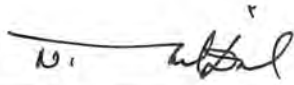
Status of the Agreement

- 1) Upon signature, this Agreement shall become an Addendum to the Agreement on the Resolution of the Conflict in the Republic of South Sudan.
- 2) In witness of the above, the duly authorized representatives of the Parties have signed this Agreement on this 21st day of December 2017, in Addis Ababa, Ethiopia.

 
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Signatures of the Parties, other Stakeholders, Guarantors and Witnesses to this Agreement

I. THE PARTIES:



Hon. Nhial Deng Nhial
TGoNU Head of Delegation



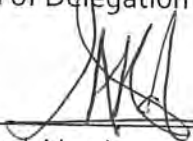
Hon. Henry Dilah Odwar
SPLM/A -IO Head of Delegation



Mr. Ufondi Ndima Fibel Abia
NAS Head of Delegation



Hon. Deng Alor Kuol
For the SPLM – FDs



Dr Lam Akol Ajawin
NDM Head of Delegation



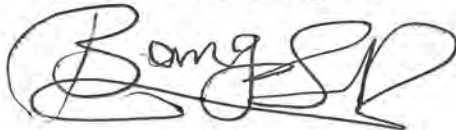
Hon. Gabriel Changson Chang
FDP/SSAF Head of Delegation



Mr Denay Chagor
SSUM Head of Delegation



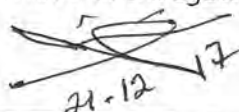
Mr Hussein Abdelbagi Akol
SSPM Head of Delegation



Col. Joseph Bangasi Bakosoro
SSNMC Head of Delegation

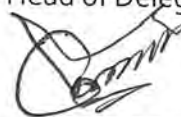


Gen. Bapiny Montul
SSLM Head of Delegation



21.12.17

Mr. Taban Julu Ladimbe Lomuja
PDM Head of Delegation



Hon Kornelio Kon Ngu
National Alliance Political Parties



Hon. Joseph Ukel Abango
National Agenda Political Party



Hon. Peter Mayen Majongdit
Umbrella Parties Head of Delegation

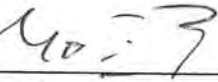
II. STAKEHOLDERS:



Bishop Enock Tombe Stephen Loro
Faith Based Leader



Sheik Mohamed Hassan Morjan
Faith Based Leader



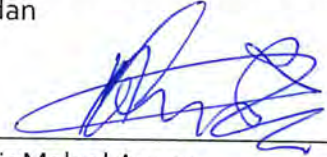
Prof. Moses Macar Kacuol
Eminent Persons



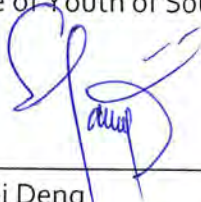
Mrs. Amer Manyok Deng
Representative of Women's Bloc of
South Sudan



Dr Koiti Emmily
Representative of Youth of South Sudan



Hon. Alokir Malual Aguer
Representative of Civil Society of South
Sudan



Mr Simon Akuei Deng
Representative of Business Community of
South Sudan

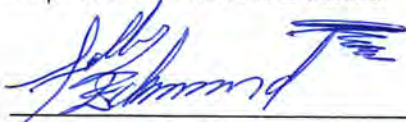
Hon. Rebecca Nyandeng Garang



Prof. Pauline Elaine Riak
Representative of Academia



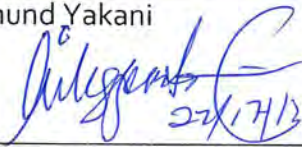
Mr Biel Boutros Biel



Mr Edmund Yakani



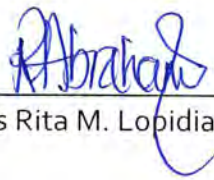
Mr Rajab John Simon Mohandis



Mr Alikaya Aligo Samson



Ms Sarah Nyanath Elijah

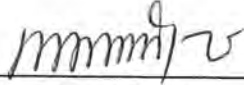


Ms Rita M. Lopidia


Hon Amb. Prof. Francis Mading Deng

III. THE GUARANTORS:

A) IGAD Heads of State and Government



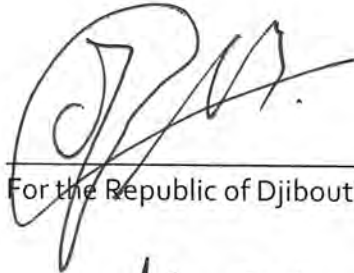
H.E Hailemariam Dessalegn
Prime Minister of the Federal Democratic
Republic of Ethiopia and Chair of IGAD



For the Republic of Uganda



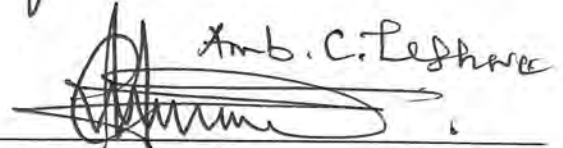
For the Republic of Sudan



For the Republic of Djibouti



For the Federal Government of Somalia



For the Republic of Kenya

B) African Union High Level Ad-hoc Committee for South Sudan and African Union Commission



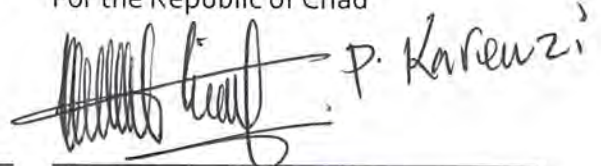
For the People's Democratic Republic of
Algeria



For the Republic of Chad

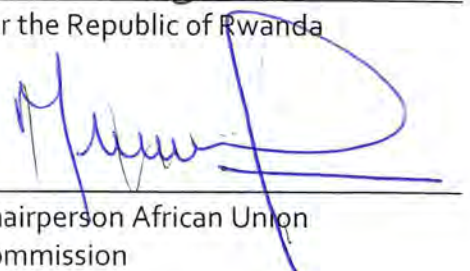


For Federal Republic of Nigeria



For the Republic of Rwanda

For the Republic of South Africa



Chairperson African Union
Commission

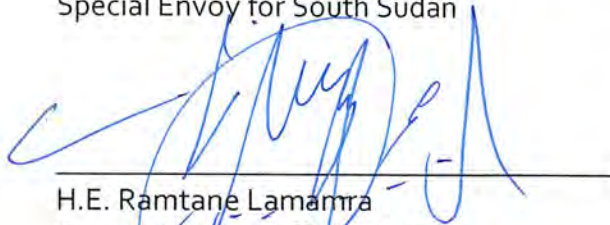
IV. FOR THE IGAD LED MEDIATION:



H.E. Amb. Dr Ismail Wais
Special Envoy for South Sudan



H.E. Georges Chikoti
Former Foreign Affairs Minister
Republic of Angola



H.E. Ramtane Lamamra
Former Foreign Affairs Minister
People's Democratic Republic of Algeria



H.E. Hanna Tetteh
Former Foreign Affairs Minister
Republic of Ghana

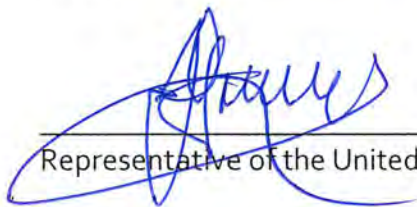
V. INTERNATIONAL PARTNERS AS WITNESSES:



Representative of the Peoples Republic of
China



Representative of the Kingdom of
Norway



Representative of the United Kingdom

Representative of the Unites States of
America

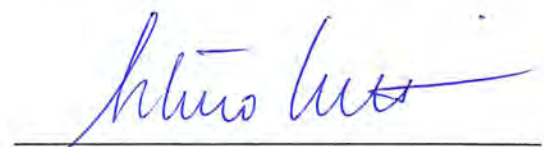


Representative of the United Nations



Representative of the European Union

Representative of the United States of
America



Representative of the IGAD Partners
Forum (IPF)