

Briefing of the AU Ad hoc committee (C5) on South Sudan

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Tomorrow (25 January) the African Union (AU) Peace and Security Council (PSC) is scheduled to hold a briefing session. The briefing focuses on the AU High-Level Ad Hoc Committee of five countries from the five regions of the AU (C5) on South Sudan. It is anticipated that the chairperson of the C5, South Africa, will deliver the briefing report to the PSC.

The session is expected to enable the PSC to be updated on the activities of the C5. It is also expected to serve as an opportunity to clarify the terms of reference of the C5 and how its role can best be leveraged for supporting IGAD in the South Sudan peace process. It was during its 474th session that the PSC called for the establishment of an AU High-Level Ad-hoc Committee of Heads of State and Government, comprising one representative from each of the five regions of the Continent (C5). Initiated to enhance and scale up AU's support to IGAD and its mediation efforts in South Sudan, the role expected of the C5, according to the terms of the communiqué of the 474th session of the PSC, is to 'strengthen Africa's support to (Inter-Governmental Authority on Development) IGAD and assist the South Sudanese parties and stakeholders to achieve durable peace in their country'.

Following consultations with the IGAD and the five regions, the AU Commission designated Algeria, Chad, Nigeria, Rwanda and South Africa as members of the High-Level Ad Hoc Committee. Welcoming the constitution of the C5, the summit level 484th session of the PSC held on 29 January 2015 encouraged the 'committee to take all the necessary steps

to enhance the IGAD-led mediation'. At its 494th session held on 30 March 2015, the PSC urged the C5 'to meet as early as possible to elaborate its terms of reference and determine its work plan in support of IGAD.' It was only during the AU summit held in Johannesburg, South Africa in June 2015 that the C5 was officially launched.

Since that time, the C5 has for quite sometime had only a passive and episodic engagement in the South Sudan peace process. During the course of 2018, the C5 has come to assume an active and substantive engagement. In the briefing to the PSC, South Africa's Ambassador Ndumiso Ntshinga is expected to provide updates on the activities that the C5 has undertaken in pursuing its role.

On 30 June 2018, the C5 held a summit level meeting on the margins of the AU summit held in Nouakchott, Mauritania. The meeting that South Africa's President Cyril Ramaphosa chaired discussed the peace process in South Sudan and the issue of how to leverage and reinforce the role of the Committee vis-à-vis the work of IGAD.

In the communiqué that it adopted following the meeting, the 'Ad-hoc Committee emphasized the added value of the Ad hoc Committee to the IGAD-led peace process and underscored the need for Africa to fully assume its responsibilities and create all requisite conditions for definitively ending the war in South Sudan'. Importantly, the communiqué called for 'the elaboration of a roadmap to guide actions, including imposition of punitive measures against those who violate the ceasefire and obstruct the peace efforts.' Following the signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (RACRCS) in September 2018, Ambassadors of members of the C5 held a meeting on 13 November 2018 with the Chairperson of the AU Commission to discuss on the role of the C5 in the implementation process of the R-ARCSS. Elevating the active role of the C5 further, the meeting underscored the importance of a field visit by the C5

to South Sudan. A meeting that the C5 held with the Special Envoy of IGAD Ismail Wais on 19 November 2018 highlighted the need for Africa to accompany IGAD and the parties to the peace agreement for ensuring successful implementation of R-ARCSS. The meeting also agreed on two important course of action. The first and most important was the proposal for the C5 to sign as guarantors of the RARCSS.

It was also agreed that the C5 would undertake a visit to South Sudan on 2 December 2018. In a ceremony held on 21 November at the AU Commission headquarters, the C5 signed the RARCSS as guarantors. This has helped in writing the C5 into the R-ARCSS and assigning to it a role of guarantors of the peace agreement. As the briefing report would highlight, subsequently the Ambassadors of the C5 visited South Sudan on 1-5 December 2018. During the visit, the expectation of the C5 and indeed the AU to ensure the successful implementation of the peace agreement was underscored. Most importantly, the C5 were able to have first hand assessment of the challenges facing the implementation of R-ARCSS.

It is expected that the briefing will highlight the major issues facing the implementation of the RARCSS. It is to be recalled that the lack of trust between the leaders of the major parties and the problems in the security arrangement precipitated the collapse in July 2016 of the initial August 2015 Agreement on the Resolution of the Conflict in South Sudan (ARCSS). Addressing this issue of the trust deficit in the political leadership remains an issue facing the R-ARCSS, which the C5 can work on to address. Other challenges observed include breaches of the ceasefire agreement, perpetration of violations against civilians and maintain the cohesion of the opposition groups signatory to the peace agreement. In a statement he delivered to the 3rd reconstituted Joint Monitoring and Evaluation Commission (JMEC) board meeting held on 23 January, the Interim Chairperson A. Njoroge observed the split within the leadership of South Sudan Opposition Alliance

(SSOA), an umbrella body constituting the third group, in addition to President Salva Kiir, and SPLA-IO leader Riek Machar, to sign the R-ARCSS. Njoroge stated that 'it should be made clear to all leaders of SSOA that what we have achieved so far must be well guarded, and we must not let our unity of purpose fragment through absence of dialogue.' In terms of clarifying the role of the C5, there are several issues that need to be addressed. One and most important is the division of labor and the modalities for coordination and collaboration between the C5 and IGAD. This is particularly crucial for ensuring that no divergence emerges and there is a common approach in dealing with issues that arise in the implementation of the R-ARCSS. In the context of the elaboration of the terms of reference and program of work of the C5, another issue is whether and how the C5 plays a role, beyond providing political support, with respect to the implementation of specific elements of the peace agreement. Given that there is detailed matrix for the implementation of the R-ARCSS with timelines and responsibilities of different actors, the briefing is expected to highlight the areas where the C5 is best placed to make contribution in facilitating or taking a role in the implementation of the agreement. It is expected that one of the role that the C5 can play is in contributing to providing guidance in carrying out the AU's assigned role with respect to the implementation of specific areas of the agreement, including notably in the establishment of the Transitional Justice institutions such as the Hybrid Court.

The expected outcome of the session is a communiqué. This will help in defining the broad terms of reference of the C5 within the framework of the terms of the 474th session of the PSC and identify the areas from the R-ARCSS implementation matrix where the C5 is expected to have active role in supporting implementation. The PSC may also envisage the establishment of a consultative meeting as a framework for coordination the role and support of the C5 with IGAD.