

IGAD

INTERGOVERNMENTAL AUTHORITY
ON DEVELOPMENT



AUTORITÉ INTERGOUVERNEMENTALE
POUR LE DÉVELOPPEMENT

FINAL DRAFT AGREEMENT ON CESSATION OF HOSTILITIES BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH SUDAN (GRSS) AND THE SUDAN PEOPLE'S LIBERATION MOVEMENT/ARMY IN OPPOSITION (SPLM/A IN OPPOSITION)

The Government of the Republic of South Sudan (hereinafter referred to as the “**Government**” abbreviated as “**GRSS**”), and the (**Sudan People’s Liberation Movement/Army in Opposition**) (hereinafter referred to as (**SPLM/A in Opposition**)), separately referred to as a Party and jointly referred to as “the Parties” agreed to this Cessation of Hostilities (CoH) Agreement (hereinafter referred to as “the Agreement”)

NOTING that the Preamble of the Transitional Constitution of the Republic of South Sudan, 2011 states that the Parties are dedicated to a genuine national healing process and building of trust and confidence in South Sudanese society through dialogue;

CONSIDERING the scale of human suffering that has engulfed the Republic of South Sudan since 15th December 2013, and resulted in great loss of human life, destruction of property and massive displacement;

CONSCIOUS of the fact that this crisis was triggered by differences within the same political organization, the SPLM, that induced military confrontation within the SPLA;

DETERMINED to seek a peaceful solution to the crisis within a framework of cessation of hostilities where verification and monitoring mechanism, which shall be supported by local communities, shall be put in place to monitor compliance and evaluate the progress;

BEARING in mind that the Intergovernmental Authority on Development (IGAD) and the international community are concerned about the violence and humanitarian crisis resulting from the armed conflict in South Sudan;

RECOGNISING the various efforts to bring a peaceful resolution to the crisis by IGAD, the African Union (AU), the United Nations (UN), the European Union (EU), the Troika (Norway, UK, and USA), China, and the IGAD Partners' Forum (IPF);

MINDFUL of the desire of the people of South Sudan to live in peace and dignity, and in an all-inclusive democratic society based on justice, equality, respect for human rights and the rule of law; and

REAFFIRMING the commitment of the Parties to building a unified, stable and peaceful nation in which power shall be peacefully transferred;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. DECLARATION OF CESSATION OF HOSTILITIES

1.1 The Parties hereby agree to cease all military actions aimed at each other and any other action that may undermine the peace process;

1.2 The Parties shall, upon the coming into effect of this Agreement;

- a) commit to immediately cease all military operations and freeze their forces at the place they are in;
- b) refrain from taking any actions that could lead to military confrontations including all movement of forces, ammunition resupply, or any other action that could be viewed as confrontational;
- c) ensure that all forces or armed groups under their influence, control or/and command shall observe this Agreement; and
- d) **disengage forces or armed groups under their control;**
- e) **Redeploy and/or progressively withdraw armed groups and allied forces invited by either side from the theater of operation.**

1.3 **The time for lifting of the state of emergency shall be recommended by the monitoring and Verification Mechanism.**

2. CESSATION OF HOSTILE PROPAGANDA

- 2.1 The Parties shall cease hostile media and other propaganda campaigns including any action that may undermine the peace process;
- 2.2 The Parties shall not engage in any hostile propaganda, particularly those that fan ethnic hatred, through any form of media.

3. PROTECTION OF CIVILIANS

- 3.1 The Parties shall refrain from attacks on the civilian population and commit to the protection of human rights, life and property as provided by various national, continental and international instruments;
- 3.2 The Parties shall refrain from any acts of rape, sexual abuse and torture as prohibited by applicable national, continental and international instruments;
- 3.3 The Parties shall not engage in any acts of violence against children, girls, women and the elderly and more importantly, they shall support the reunion of families;
- 3.4 The Parties shall cease acts of violence including summary executions, displacement of populations, all forms of torture, destruction of property, attacking civilian aircrafts, vehicles or riverboats, recruitment of child soldiers or any other acts as prohibited by applicable national, continental and international instruments.

4. HUMANITARIAN ACCESS

- 4.1 The Parties shall open humanitarian corridors, support all humanitarian assistance, including the creation of conditions that enhance urgent supply of aid to all displaced populations in line with the Communiqué of the 23rd Extraordinary Session of the IGAD Assembly of Heads of State and Government of 27th December 2013 and the UNSC Resolution 2132 of 24th December 2013;
- 4.2 The Parties agree to provide an enabling environment to facilitate decent burials of the dead and memorialization, support reunion of families, and any such acts that promote human dignity;
- 4.3 The Parties undertake to assist displaced persons and refugees who wish to return to their original areas of abode within the Republic of South Sudan or elsewhere;

4.4 The Parties commit to allow the free movement of persons and goods within the areas affected by the armed conflict;

4.5 Nothing in this Agreement shall in any way undermine the dignity and sovereignty of the people of South Sudan;

5. MONITORING AND VERIFICATION

5.1 The Parties shall commit to the immediate formation of a Monitoring and Verification Mechanism (MVM) under the leadership of IGAD;

5.2 The IGAD Special Envoys in consultation with the Parties shall establish a Joint Technical Committee (JTC) responsible for setting up a Monitoring and Verification Team (MVT) and drawing up the modalities for the implementation mechanism;

5.3 The MVM shall be responsible for monitoring the implementation of this Agreement;

5.4 The MVT, whose membership will be determined by JTC shall be approved and be accountable to the IGAD Special Envoys;

5.5 The MVT shall verify and report to IGAD Special Envoys on the Parties' compliance with the Agreement, including the requirements to protect civilians. The team may use its discretion in deploying verification missions on the basis of credible information, complaints submitted by the Parties, and/or direct requests from the IGAD Special Envoys.

6. COMPOSITION OF MVT

6.1 The MVT shall, with the consent of the Parties, be composed of representatives drawn from IGAD Member States, the Parties and Partners which shall include a mix of civilians, and individuals with a military background;

6.2 The MVT shall be comprised as follows:

a. One (1) chairman, three (3) headquarters staff, and eighteen (18) monitors working in teams drawn from the Parties, the region and the international community;

b. Based on the requirements on the ground, the IGAD Special Envoys may deploy additional monitors in consultation with the Parties;

- c. The Chairman shall be selected by the IGAD Special Envoys, in consultation with the Parties, and report directly to the Special Envoys; and
- d. The IGAD Special Envoys may restructure the MVT as necessary to achieve the stated objectives in consultation with the Parties as appropriate;

6.3 The MVT at local levels shall:

- a. collaborate with local communities in performance of their work;
- b. have focal points known as local committees whose membership shall be drawn by the MVT in consultation with the local community; and
- c. identify the local committees from traditional and religious leaders, women and youth representatives;

7. OPERATIONS OF THE MVT

7.1 The MVT shall monitor activities of the Parties and acts associated with their forces, and armed groups under their control or invited allied forces that may complicate the peace process;

7.2 The MVT shall also:

- a. be unarmed, and shall enjoy full protection by the Parties;
- b. enjoy complete freedom of movement and unhindered access throughout all areas controlled by the Parties, and may conduct verification missions by air and/or land, as determined by the JTC;
- c. have its headquarters to be based in Juba, with team sites in other areas to be identified by the JTC so as to ensure maximum coverage and agility;
- d. have the aerial support which will be provided in order to conduct verifications in a timely manner, as well as boats and ground vehicles to enable local patrolling and coordination; and
- e. use its discretion to conduct verification missions in response to credible information, complaints submitted by the Parties, and/or direct requests from the IGAD Special Envoys;

7.3 IGAD will provide dedicated liaison officers to the headquarters and each of the team sites in order to facilitate the safe and timely coordination of all aerial and ground movements of the verification team(s).

8. POSITIONS OF THE FORCES

8.1 The Parties shall declare the positions of their forces to the JTC and commit to remain at the declared positions at the signing of this Agreement which shall be certified by the MVT;

8.2 The declared positions of the forces of the Parties shall be monitored by the MVT.

9. AMENDMENTS TO THIS AGREEMENT

This Agreement may be amended by mutual consent of the Parties which shall be in writing and be signed by the Parties.

10. DISPUTE RESOLUTION

Any dispute that may arise from the implementation and interpretation of this Agreement shall be resolved amicably by the mediation of the IGAD Special Envoys.

11. ENTRY INTO FORCE

This Agreement shall enter into force 24 hours after the signature by the Parties.

In witness of the above, the duly authorized representatives of the Parties have signed this Agreement on this day X of January 2014, Addis Ababa, Ethiopia.

For the Government of the Republic of South Sudan

For the Sudan People's Liberation Movement/Army in Opposition

Name

Name

Witnessed by the IGAD Special Envoys

H.E. Amb. Seyoum Mesfin

Gen. Lazaro Sumbeiywo

Gen. Mohamed Ahmed M. El Dabi