AGREEMENT ON IMPLEMENTATION AND MONITORING MECHANISMS

JUBA, SUDAN

This Agreement, between the Government of the Republic of Uganda (The Government) and the Lord's Resistance Army/Movement (LRA/M) (herein referred to as the 'Parties') provides as follows:

THE PARTIES:

HAVING BEEN engaged in negotiations in Juba, Southern Sudan, in order to find just, peaceful and lasting solutions to the conflict, and to promote reconciliation and restore harmony and tranquillity within the affected communities;

HAVING signed agreements on Cessation of Hostilities; Comprehensive Solutions; Accountability and Reconciliation; Permanent Ceasefire; and Disarmament, Demobilisation and Reintegration;

RECOGNISING that within Uganda there already exist coordination mechanisms within the various sectors of Government for implementing policy, and determined to make the best use of these in the implementation of the Agreement;

DETERMINED TO ensure the full implementation of the Agreements they have signed in Juba and thereby to usher in a new dispensation of peace and recovery in the conflict-affected areas;

AGREE AS FOLLOWS

1. **DEFINITIONS**

In this Agreement, the following words and expressions have the meanings attached thereto:

"CMT" refers to the Ceasefire Monitoring Team

"JLG" refers to the Joint Liaison Group

"LRA/M" refers to the Lord's Resistance Army/Movement

"SESG" refers to the Special Envoy of the United Nations Secretary General for LRA affected areas

"The Forum" refers to the Oversight Forum established in this Agreement

"The Government" refers to the Government of the Republic of Uganda

"Transitional Period" refers to the period immediately following the signing of the Final Peace Agreement

Elements of the Final Peace Agreement

2. The Final Peace Agreement shall consist of all the substantive Agreements reached between the Parties in Juba, Sudan. These include: the Cessation of Hostilities Agreement and its six addenda; the Agreement on Comprehensive Solutions and its Protocol; the Agreement on Accountability and Reconciliation, and its Annexure; the Agreement on a Permanent Ceasefire; the Agreement on Disarmament, Demobilisation and Reintegration, and this Agreement. In addition, the Parties shall sign a final agreement and implementation schedule recommitting themselves to the implementation of the above Agreements.

Implementation Commitments and Monitoring

3. The Parties agree that mechanisms are required for the implementation and monitoring of the Final Peace Agreement.

4. The Parties shall agree an Implementation Schedule which shall be attached to the Final Peace Agreement. The Schedule shall set out the dates and timeframes within which the Parties and any implementers of the Final Peace Agreement should undertake their commitments.

5. In the monitoring and verification, gender sensitive mechanisms shall be adopted.

RMTD

6. The Government will solicit additional resources for implementing the Final Peace Agreement.

The Oversight Forum

7. There shall be established an Oversight Forum to oversee and monitor the implementation of the Final Peace Agreement and to provide advice and support to the Parties and any relevant institutions established under the Final Peace Agreement.

8. The Oversight Forum shall be responsible for addressing any disputes arising between the Parties and in the work of the JLG or generally in the implementation of the Final Peace Agreement.

9. The Forum may, as appropriate, request reports from the Parties, the JLG, the Ceasefire Monitoring Team, and any other institution or actor implementing the Final Peace Agreement.

10. The Oversight Forum shall promote confidence-building measures between the Parties and the Parties undertake to cooperate with these measures.

11. The Forum shall operate for a period of nine (9) months which may be extended in consultation with the Government.

Composition

12. The Oversight Forum shall be composed of the following members:

    (a) the Chief Mediator, who shall chair the Forum; and,

    (b) the Special Envoy of the United Nations Secretary General (SESG) for LRA affected areas, who shall speak on behalf of the Forum.

13. The following shall be invited to join the Forum:

    (a) one (1) representative from each of the African Union observer countries; and,

    (b) one (1) representative from the European Union and one (1) representative from each of the countries which are witnesses to the Final Peace Agreement.

14. The participation of an individual in the Oversight Forum shall be without prejudice to any other recognised role they might play in relation to the implementation of this Agreement.

RMTD

Working Practices of the Forum

15. The Oversight Forum shall regulate its own working practices and shall meet regularly and in any event, at least once a month during the Transition period.

16. The Chief Mediator shall be responsible for convening the Oversight Forum. A member of the Forum may request for a meeting.

17. The Forum shall adopt its decisions by consensus.

18. The Forum shall make public its reports and findings.

Resources

19. The Office of the SESG in Kampala shall provide technical and secretariat support to the Oversight Forum.

20. The Oversight Forum shall mobilise the necessary funds for its work.

The Chief Mediator

21. The Chief Mediator shall maintain regular contact with the Parties, the members of the Oversight Forum, the Joint Liaison Group (JLG) established under this Agreement, and with relevant implementing agencies, especially within Sudan.

22. The Chief Mediator may, in consultation with the appropriate Party, and the Oversight Forum, nominate any person to liaise with a Party or any institution with respect to the implementation of the Final Peace Agreement and to report to him or to the Oversight Forum accordingly.

23. The office of the Chief Mediator shall provide the LRA with legal advice and support on issues relevant to the implementation of the Final Peace Agreement, in particular on questions of accountability and reconciliation.

24. The Chief Mediator shall solicit or avail the necessary funds for the JLG to carry out its duties.

25. The Chief Mediator shall establish a technical secretariat to support the work of the JLG.

The Joint Liaison Group

26. The Parties agree to establish a Joint Liaison Group (JLG) to facilitate the monitoring and implementation of the Final Peace Agreement. The JLG shall operate for a period of nine (9) months. The period may be extended with the consent of the Government.

27. The JLG shall be composed of three (3) persons nominated by the Government; three (3) persons nominated by the LRA; and, a person nominated by the Chief Mediator in consultation with the Parties, who shall chair the Group.

Functions of the JLG

28. The JLG shall have the following functions:

    (a) monitoring the implementation of the Final Peace Agreement in accordance with the Implementation Schedule adopted by the Parties;

    (b) making recommendations to the Government or other implementing agencies on any aspect of the implementation of the Final Peace Agreement;

    (c) furnishing the Oversight Forum with regular briefings; and,

    (d) making recommendations to the Chief Mediator concerning the holding of a stakeholders' conference.

29. The Government and the JLG shall refer to the Oversight Forum any issues arising from the working of the JLG.

Working practices of JLG

30. The JLG shall adopt a work plan and appropriate working practices.

31. The decisions of the JLG shall as far as possible be reached by consensus.

32. The JLG shall propose the names of persons to be considered for state appointments under clause 3 of the Implementation Protocol to the Agreement on Comprehensive Solutions.

33. The Government shall ensure that all departments implementing national programmes relevant to the Final Peace Agreement cooperate with the work of the JLG and submit regular reports to the Group.

34. The JLG may request the Government for specified information on the implementation of the Final Peace Agreement; provided that the JLG may not make any request for or receive any report relating to an investigation or proceeding undertaken in the implementation of the Final Peace Agreement, or on any matter which might prejudice the Security of the State or the rights of third parties.

Transitional Period

35. Immediately upon the signing of the Final Peace Agreement a Transitional Period of one (1) month shall commence, during which the Parties shall prepare for the DDR process and for accountability in Uganda.

The Government's Obligations

36. During the Transitional Period, the Government shall urgently take the necessary steps to establish national mechanisms of accountability and reconciliation as are provided for in the Agreement on Accountability and Reconciliation. In this regard, the Government shall give priority to commencing criminal investigations and establishing the special division of the High Court.

37. On the basis of the steps taken under clause 36 of this Agreement, the Government shall request the UN Security Council to adopt a resolution under Chapter VII of the Charter of the United Nations, requesting the International Criminal Court to defer all investigations and prosecutions against the leaders of the Lord's Resistance Army.

38. The Government shall give to the ICC a comprehensive report on the Juba Peace Process, the Agreements between the Parties, and the progress on the implementation of the Agreement on Accountability and Reconciliation.

39. The Government shall provide the Chief Mediator, the Oversight Forum and the JLG with updates on the status of the implementation of the Final Peace Agreement, especially the obligations under clauses 36 and 37 above.

The LRA's Obligations

40. During the Transitional Period, the LRA shall observe the Permanent Ceasefire agreed upon and fully assemble in Ri-Kwang-Ba.

41. The DDR process shall begin after the Transitional Period.

RMYD

42. The LRA in Uganda shall surface in accordance with clause 8.3 of the Agreement on Disarmament, Demobilisation and Reintegration.

The Chief Mediator's Obligations

43. Before the end of the Transitional Period, the Chief Mediator shall, in consultation with the Oversight Forum, determine whether or not the Government has established the national mechanisms and sought a deferral from the UN Security Council in accordance with its commitment under clauses 36 and 37 of this Agreement.

44. Before the end of the Transitional Period, the Ceasefire Monitoring Team shall verify whether or not the LRA has assembled in Ri-Kwang-Ba and whether its forces in Uganda have surfaced in accordance with clauses 40 and 42 of this Agreement, and shall advise the Chief Mediator and the Oversight Forum accordingly.

45. If upon verification, the Oversight Forum determines that the Government has not met its obligations as referred to in clauses 36 and 37, the Transitional Period shall be extended for not more than 30 days.

Miscellaneous Provisions

46. The Provisions of clauses 26, 27, and 28 of the Protocol to the Agreement on Comprehensive Solutions (relating to victims and vulnerable groups) shall not be subject to clause 34 of that agreement (relating to commencement of implementation).

47. In any of the agreements between the Parties a reference to "the mediator" or "the mediation" shall be construed as a reference to the Chief Mediator.

Dissolution of the LRA/M

48. Upon the Disarmament and Demobilisation of LRA members under the Agreement on DDR, the LRA/M shall stand dissolved.

IN WITNESS WHEREOF the duly authorized representatives of the Parties have signed this Agreement in Juba on the 29th day of February 2008

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Hon. Ruhakana Rugunda (Dr)	Dr David Nyekorach Matsanga
Minister of Internal Affairs and	Leader of the LRA/M Delegation
Head of GoU Delegation	

WITNESSED BY:

29/2/2008

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H.E. Lt. General Riek Machar Teny-Dhurgon (PhD)
Vice President, Government of Southern Sudan
And Chief Mediator of the Peace Talks

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H.E. Joaquim Alberto Chissano
Special Envoy of the United Nations Secretary General
for LRA affected areas

André M. Kapanga

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H.E. André M Kapanga (PhD)
For the Government of the Democratic Republic of Congo

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H.E. Japheth R. Getugi
For the Government of the Republic of Kenya

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H.E. Nsavike G. Ndatta
For the Government of the United Republic of Tanzania

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Lt. Gen. (Rtd.) Gilbert Lebeko Ramano
For the Government of the Republic of South Africa

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Mr. Roeland van de Geer
EU Special Representative for the Great Lakes Region

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H.E Bryan E. Burton
For the Government of Canada

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Mr. Timothy R. Shortley
Senior Advisor to the Assistant Secretary of State for African Affairs,
For the Government of the United States of America