## PBF PROJECT DOCUMENT

United Nations
Peacebuilding

| Country: South Sudan |  |
| :---: | :---: |
| Project Title: Support process in South Sudan Project Number from PBF/SSD/A-3 | a people-driven and gender responsive permanent constitution making <br> PTF-O Gateway (if existing project): MPTFO 00129660 - |
| PBF project modality: IRF PRF | If funding is disbursed into a national or regional trust fund (instead of into individual recipient agency accounts): $\square$ Country Trust Fund <br> Regional Trust Fund <br> Name of Recipient Fund: |

List all direct project recipient organizations: United Nations Development Programme (UNDP); United Nations Entity for Gender Equality and the Empowerment of Women (UN Women); United Nations Educational, Scientific and Cultural Organization (UNESCO)

## List additional implementing partners:

Government: Ministry of Justice and Constitutional Affairs (MOJCA), Ministry of Peace Building. Ministry of (iender, Child, and Social Welfare, Ministry of Youth and Sports, Ministry of Information, Information Commission, Reconstituted National Constitution Review Commission (R-NCRC); the National Women Parliamentary Caucus; the Constitution Drafting Committee (CDC); the Preparatory Sub Committee (PSC) and Nati Constitution Conference (NCC).

CSO: Media organizations (Community Media Network South Sudan, Association for Media Development in South Sudan, Union of Journalists of South Sudan. Samaritan FM Radio), Networks of Women (Federation of Women Lawyers South Sudan; Women Local federations; South Sudan Women General Association) and Youth organizations (South Sudan Youth Forum): Council of Traditional Authority Leaders; and religious leaders

Project duration in months ${ }^{12}: 24$ months + 12 Months to 13 December 2024
Geographic zones (within the country) for project implementation: National; Ten states of South Sudan and the $3 \wedge$ dministrative Areas

Does the project fall under one or more of the specific PBF priority windows below: No
$\square$ Gender promotion initiative ${ }^{3}$
Youth promotion initiative ${ }^{4}$
Transition from UN or regional peacekeeping or special political missions
Cross-border or regional project

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Total PBF approved project budget* (by recipient organization):
UNDP: $2,000,000
UNW: $1,200,000
UNESCO: $800,000
Total: $4,000,000
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Any other existing funding for the project (amount and source): No

| PBF 1 ${ }^{\text {st }}$ tranche (55\%): | PBF 2 ${ }^{\text {nd }}$ tranche* (45\%): | PBF 3 ${ }^{\text {rd }}$ tranche* (\%): N/A |
| :---: | :---: | :---: |
| UNDP: \$ 1,100,000 | UNDP: \$ 900,000 |  |
| UNW: \$ 660,000 | UNW: \$ 540,000 |  |
| UNESCO: \$ 440,000 | UNESCO: \$ 360,000 |  |
| Total: \$2,200,000 | Total: \$1,800,000 |  |

## Provide a brief project description:

The Project advances a gender-responsive, people centered, participatory and inclusive constitution making process that is informed by locally contextualized constitution knowledge and legitimate in the eyes of the South Sudanese people. To this end, the Project will support the Government of South Sudan, constitution making institutions such as the National Constitution Review Commission, the Constitution Drafting Committee, and the National Constitutional Conference, as well as non-government and community organizations to support a peaceful and transparent constitution-making process that builds consensus amongst stakeholders on substantive constitutional issues. Project resources will also be dedicated to ensuring that vulnerable groups including women, youth, internally displaced people, refugees, people with disabilities and the rural poor contribute effectively. Two-way feedback will be facilitated between these groups and constitution-making institutions through a strengthened media, CSOs and local outreach that are crucial for awareness raising, information sharing and advocacy throughout the process.

Summarize the in-country project consultation process prior to submission to PBSO, including with the PBF Steering Committee, civil society (including any women and youth organizations) and stakeholder communities (including women, youth and marginalized groups):

UNDP, UN Women and UNESCO consulted with relevant UN entities who are considered strategic partners in this Project, including components of the UNMISS, UNHCR and UNICEF. UN Women and in-house Gender Analysts in UNDP and UNESCO ensured that gender considerations were adequately mainstreamed across the Project Document and address gender related comments received from the review of the Concept Note. Moreover, the Project benefitted from consultations with the UN Constitution Making Working Group, led by UNMISS to ensure a coordinated One UN approach in its implementation by clearly showing the comparative advantage of all entities. Consultations with R-JMEC, Max Planck International and International IDEA were also carried out in view of their support to implement Chapter VI of the R-ARCSS on the permanent constitution making. Additionally, consultations with the Government of South Sudan, in particular the Ministry of Justice and Constitutional Affairs and its Task Force on Chapter V and VI of the R-ARCSS who play a lead role in providing political guidance, drafting the law that enables the constitutional review, setting up various bodies and coordinating initial government efforts and engagement with the international community in this area enriched the design of the Project. The Ministry of Peacebuilding was consulted and reviewed the project document. Select civil society and media organizations, youth and women networks with whom UNDP, UN Women and UNESCO have established relationships were consulted to identify capacity areas needed to strengthen their respective roles in the constitution making process.

In January 2023, UNDP, UN Women, and UNESCO completed a baseline study for the project. The findings of the baseline report are based on consultations with different stakeholders, including government and non-government actors across all sectors from all 10 States, including Central Equatoria (Juba), Western Equatoria (Yambio), Eastern Equatoria, (Torit), Jonglei (Bor), Unity (Bentiu), Upper Nile (Malakal), Lakes (Rumbek), Warrap (Kuajok), Western Bahr el Ghazal (Wau), and Northern Bahr el Ghazal (Aweil) as well as the Pibor Administrative Area. Rights holders and vulnerable groups consulted included women, youth, and persons with disabilities, internally displaced persons (IDPs), refugees, South Sudanese in the diaspora. The purpose of the baseline study was. inter alia, to help assess citizens' engagement and empowerment to participate in the constitution making process. The baseline study showed that both rights holders and duty-bearers require to be enabled to contribute and participate effectively to the constitution-making process. However, the stakeholders feared that due to protracted delay in by the R-TGoNU in establishing the constitution making mechanisms, the permanent constitution may not be completed within the 24 months project period.

## Project Gender Marker score ${ }^{5}$ : 2

$52.68 \%$ and $\$ \$ 2,107,198.81$ of the total project budget is allocated to activities in pursuit of gender equality and women's empowerment.

## Briefly explain through which major intervention(s) the project will contribute to gender equality and women's empowerment ${ }^{6}$ :

In a country where peacebuilding and public decision making is dominated by men and the elite, women are particularly at risk of being excluded. The discriminatory social norms and unequal gender relationships further entrench the vulnerabilities of women and are a direct threat against sustainable peace. The Project will develop the gender related capacity, skills, and knowledge of the R-NCRC, CDC leading the constitution making process, advocate for a gender-sensitive constitution making legislation, deploy a Senior Gender Advisor to support the work of the constitution making bodies, support women-specific consultations with the R-NCRC at national and sub-national levels as well as empower women to participate as equal members in society in the constitution making process by ensuring there is gender diversity and at least $35 \%$ females in the composition of all constitution making mechanisms. This will help women to meaningfully engage on all constitutional provisions and mainstreaming gender equality across them. Targeted safe platforms and spaces will be created for women and girls to express their views on issues of concern to them for inclusion in the constitutional text. Other inclusive national and community dialogues especially in the remote or rural areas will be created and made accessible at convenient times to enable women and girls to participate and ensure gender aspects are mainstreamed in broader sensitive or contentious issues. To enable women to engage, take up spaces for dialogue and provide substantive contributions, the Project will increase their capacity and understanding on the constitution making process, key issues of relevance to women, such as cultural and social norms, exclusion from male-dominated decision-making processes, limited access to information, and unequal gender relationship which would otherwise inhibit their meaningful participation. Women

[^1]leaders will also be empowered to develop a Women's Charter, supported to undertake learning exchange opportunities with countries that have undergone gender-sensitive CMP within the region, and facilitated to engage with the media in impactful ways and get involved in civic education and advocacy campaigns at national and local levels. In parallel, identification of gender champions and advocacy targeting the constitution making mechanisms and key influencers and power holders across the political and social (religious, traditional, media and other civic groups) divide will aim to increase the uptake on women's inputs.

## Project Risk Marker score ${ }^{7}$ : 2

## Select PBF Focus Areas ${ }^{8}$ :

### 1.2. Rule of Law

If applicable, SDCF/UNDAF outcome(s) to which the project contributes:

UNCF Priority Area I: Building Peace and Strengthening Governance

Outcome: The South Sudanese population, particularly the most vulnerable groups, benefit from strengthened peace infrastructurcs and accountable governance at the national, state and local levels.

## Outputs:

1.1: Political Governance Processes and Transitional Institutions and Mechanisms supported for effective, transparent, and responsive governance.
1.2: Public Administration strengthened through institution building and reform
1.4: Access to Justice, Rule of Law, Transitional Justice, and Human Rights protection supported

PBF South Sudan Strategic Results Framework
Strategic Outcome Statement 1: South Sudan enjoys more democratic, accountable, and just national institutions which foster increased public confidence.

Sustainable Development Goal(s) and Target(s) to which the project contributes:
SIDC is 5.10 and 16
(21) National reconciliation, (2.2) Democratic (iovernance, (23) Conflict preventon/management

SDG Targets: 5.1; 5.C; 10.3; 16.3; 16.6; 16.7: 16.12
Type of submission: If it is a project amendment, select all changes that apply and X New project
$\boxtimes$ Project amendment

Extension of duration: $\boxtimes$ Additional duration in months (number of months and new end date): 12 months. 13 December 2024
Change of project outcome/ scope: $\square$
Change of budget allocation between outcomes or budget
categories of more than $15 \%$ : $\square \mathrm{X}$
Additional PBF budget: $\square$ Additional amount by recipient

[^2]organization: USD XXXXX

## Brief justification for amendment:

Delay in establishing the constitution making process bodies.
Since the coming into force of the Constitution Making Process Act, 2022 in December 2022, there has been slow progress on establishing the relevant constitution making process bodies that this project aims to support. The Constitution Making Process Act, 2022 was finally officially enacted on 21 December 2022. It requires, among others, the reconstitution of the National Constitutional Review Commission (NCRC) within 45 days, followed by the establishment of the Constitution Drafting Committee (CDC), the nomination of members of the Preparatory Sub-Committee (PSC), and the reeruitment of delegates of the National Constitutional Conference (NCC). As of October 2023, none of these mechanisms have been put in place, and their establishment and operationalization are behind schedule. Following the expiration of the transitional period of the R-ARCSS on $22^{\text {nd }}$ February 2023, the High-Level Standing Committee of the Parties Signatory to the R-ARCSS through a Roadmap endorsed by RJMEC and ratified by the R-TNLA in August 2022, agreed to extend the transitional period by twenty-four (24) months, from the $22^{\text {nd }}$ February 2023 to $22^{\text {nd }}$ February 2025. The roadmap to a peaceful and democratic end of the transitional period of the R-ARCSS is to enable the R-TGoNl to complete the implementation of outstanding provisions of the R-ARCSS, including Chapter VI on the parameters of the Permanent Constitution.

According to the Roadmap schedule and the MOJCA memo of $19^{\text {th }}$ January 2023 on implementation of the Constitution Making Process Act, 2022, the reconstitution of the NCRC and appointment of 57 members by R-TGoNU Executive should have been completed by $5^{\text {th }}$ February 2023; establishment of the (DDC by $5^{\text {th }}$ April 2023; recruitment of members of the NCC from $5^{\text {th }}$ April to $5^{\text {th }}$ June 2023, nomination and appointment of PSC members from $5^{\text {th }}$ June to $5^{\text {th }}$ July 2023; conducting by NCRC the first phase of civic education and public consultations on the constitution-making process by $5^{\text {th }}$ April to $5^{\text {th }}$ July 2023; and preparation of the first report on the public views and first constitutional draft by $5^{\text {th }}$ July to $5^{\text {th }}$ September 2023. However, almost ten months later, none of these tasks have been completed.

As of June 2023, save for the RTGoNU and political parties, nominating groups such as the youth, women groups, civil society organizations, faith based groups, academia, and people with disabilities who should occupy $45 \%$ of the position in the Commission have been submitted to the Taskforce of the MOJCA, their lists of nominees to reconstitute the


[^3]Elections Commission (NEC) shall organize elections in accordance with the provisions of the Permanent Constitution adopted pursuant to the Agreement. As such, the Permanent Constitution is a critical prerequisite for the conduct of elections and post-transition governance arrangements and should be completed before the general elections scheduled to take place in December 2024 as per the Roadmap to the RARCSS. Thus, the extension of this project for a further period of 12 months will build on achievements made thus far.

These achievements include the support provided to the RTGoNU that enabled the enactment of a gender-responsive Constitution Making Process (CMP) Act, 2022, supported printing of 50,000 copies of the CMP Act to enable dissemination of the law at subnational levels, finalized the South Sudanese Women's Charter that consolidates women's priorities for inclusion in the Permanent Constitution, capacitated ten community radio stations at subnational levels that facilitated dissemination of awareness on the constitution making process to nearly | million listners across the Country, finalized engagement of implementing partners to support awareness -raising of the CMP and strengthen CSOs coalitions to lobby citizens participation in the CMP. built awareness on the CMP among nearly 1,000 IDPs and returnees who were able to articulate their concerns and priorities in the constitution making and electoral processes through communique. Building on these achievements, the extension of the project will enable implementation of outstanding activities relating to support of the constitution making mechanisms/bodies (NCRC, CDC, PSC. NCC and Constitutional Assembly) to perform their roles once they are established. In the absence of this project, support to the constitution making bodies to perform their mandated roles will not be possible as there are no donors funding work to support the constitution making process apart from the PBIF.

The following budget revisions are being proposed as part of a contingency plan submitted to the RCO. The proposed changes are based on A) the baseline study, a Peacebuilding Fund supported project for a people-driven and gender responsive permanent Constitution making process in South Sudan, validated on March 2023, which reiterated the cruciality of civic education and awareness building for the integrity and inclusiveness of the CMP, B) Overbudgeting some activities in the original budget and hence reallocating some of the resources reserved for these activities, C) Some partners, whom the project is directed to support and assist, have completed their work, without spending the designated budget originally allocated for supporting their work, D) demanding new windows of opportunity to deepen specific interventions.

The proposed changes are, as per the budget revisions:
Repurpose of 36000 to activity 1.1.2. from activity 1.2.1
Repurpose of 14000 to activity 1.1.2, from activity 1.2.2
Repurpose of 60000 to activity 3.3.1, from activity 1.3.2

|  | Repurpose of 65000 to activity 3.3.1, from activity 1.3 .6 <br> Repurpose of 25000 to activity 3.3.1, from activity 2.3.2 <br> Repurpose of 55000 to activity 2.2.6, from activity 2.1.1 |
| :--- | :--- |
| Repurposing of the above suggested budget items are all in line with the <br> project strategy toward a gender-responsive, people centered, <br> participatory and inclusive constitution making process, and hence there <br> are no negative implications for any of the activities whose budget will <br> be reduced. This is attributed to the fact that either these activities - <br> whose budget to be reduced - are designated to support partners who <br> have completed their mandate, as the Ministerial Taskforce of the <br> Ministry of Justice and Constitutional Affairs (MOJCA), or <br> overbudgeting some other activities where the remaining budget will be <br> sufficient to implement the future specified activities. |  |

## PROJECT SIGNATURES:



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## I. Peacebuilding Context and Rationale for PBF support

a) A summary of conflict analysis findings

After years of recurring conflict, the 2017 Cessation of Hostilities Agreement has led to a reduction in civilian casualties. However, subnational, and local conflict, often linked to national politics, continues. Such conflict has resulted in alarming levels of gender-based violence (GBV) and conflictrelated sexual violence (CRSV) and reinforced the commodification of women/girls. Community structures and customary systems of conflict management have also been weakened because of ongoing conflict. Political authority has become centralized around an institutionally weak center, creating power dynamics that play out violently in both the political sphere and between power brokers, many of whom are embedded in national security institutions. A transitional constitutional text currently in force reflects a continued failure to reach a genuine political settlement between warring groups.

During the period of intense armed conflict from 2013 to 2018, multiple peace processes were supported by the international community. The Inter-Governmental Authority for Development (IGAD), with support of the United Nations (IN), facilitated negotiations resulting in the signing of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (RARCSS) in 2018. IGAD subsequently established the Reconstituted Joint Monitoring and Evaluation Commission (RJMEC) which is mandated to oversee the R-ARCSS and help resolve any implementation-related disputes. Implementation of the R-ARCSS however, has been slow, with progress further delayed by COVID-19-related restrictions. While hostilities between the more organized parties to the conflict have generally ended, there remains a fragile peace between key political leaders at the center of government. Inter-communal and local, ethnicity-based tensions fuel ongoing violence and threaten a return to civil war.

Implementation of the peace process was further delayed due to the lack of political settlements on several unresolved issues. The pre-transitional period was scheduled to end in May 2019 but had to be extended to February 2020. It was only on 22 February 2020 that the Revitalized Transitional Government of National Unity (R-TGoNU) was finally formed, kicking off the 36 -month transitional period, which is scheduled to conclude by 21 February 2023. The start of the transitional period was also marred by delays; the parties only came to an agreement on the appointment of State Governors in December 2020, as a necessary step paving the way for the re-establishment of the Transitional National Legislative Assembly (TNLA). The President of South Sudan was also delayed in reconstituting the TNLA in May 2021.

Due to the protracted delay in implementing substantial provisions of the R-ARCSS, including with regards to the permanent constitution-making, electoral process. redeployment of the unified forces. as well as establishment of the transitional justice mechanisms by the R-ARCSS transitional period of 21 February 2023, a Roadmap to a peaceful and democratic end to the transitional period of the RARCSS was adopted in August 2022, extending the transitional period for 24 months to last from $22^{\text {nd }}$ February 2023 to $22^{\text {nd }}$ February 2025. The Roadmap provides an opportunity to the Parties to implement the outstanding provisions of the R-ARCSS, including the permanent constitution making, a critical requirement for the conduct of elections in December 2024.

Even some pre-transitional tasks remain incomplete. Progress needs to be made on the $35 \%$ quota for women appointments in the R-TGoNU, agreed upon in the R-ARCSS. The formation and graduation
of the Unified Forces is a critical element of South Sudan's transition intended to prevent the intractable relapse into conflict. However, troops continue to suffer in cantonment and training sites without adequate shelter, healthcare, and food, contributing to a rise in sub-national and localized violence. Moreover, since 2013, civic space has become more restrictive for civil society actors particularly on issues related to peace, security, and justice. In an environment where deep-rooted political distrust is coupled with the option to address tensions through armed violence - especially for youth - the conflicting parties themselves will be challenged to carefully balance internal and external pressures and interests to ensure progress in the constitution-making process. Such a restrictive and insecure environment also creates fear, intimidation and limits the participation of women, youth, displaced populations, and human rights defenders. Further delays to the process are likely to worsen the political and security situation, providing triggers for conflict that could result in substantial challenges for the transitional process.

The absence of a permanent constitution that would guarantee the co-existence and the aspirations of diverse entities, ethnic and key population groups, remains one of the main barriers to obtaining peace in the country. The country's first constitution - the Interim Constitution - was agreed as part of the 2005 Comprehensive Peace Agreement (CPA) and replaced by the Transitional Constitution of the Republic of South Sudan 2011, which came into force on the same day as the country gained its independence. It was expected to be replaced within two years by a permanent constitution, developed through a participatory, inclusive constitution-making process. To this day, that goal remains an aspiration.

Writing a new constitution positively influences a post-conflict country's prospect for peace. Research reveals that such processes both reduce the risk of conflict recurrence, as well as builds trust through compromises. The 2018 R-ARCSS sets out several steps that must be taken in this constitution-making process; inter alia, through placing a responsibility on the R-TGoNU to develop a permanent constitution within 24 months through inclusive dialogues, negotiations, and broad-based consensus building. This approach aims at confronting deep-seated regional, ethnic, or religious issues in a way that top-down, elite-driven constitutional reforms may not. While the 24 -month timeline is considered ambitious by many stakeholders, the project will pay attention to strengthening the quality of institutions, civic education, achievement of broad agreement on complex and contested issues and civic participation generally as it is critical for fostering the legitimacy of the process and outcome. In May 2021, the RJMEC convened a workshop that brought together nominees from parties to the conflict and other stakeholders to agree on how the permanent constitution-making process should be conducted. The outcome of the workshop outlines a roadmap that forms the basis of constitutionmaking law. In line with the R-ARCSS, the outcomes identified four institutions as critical actors in the constitution-making process: (i) the Reconstituted National Constitutional Review Commission (R-NCRC) which is mandated to carry out consultations with the public and conduct civic education (ii) the Constitution Drafting Committee (CDC) tasked to prepare the draft constitutional text based on the consultations and under the direction of the R-NCRC and NCC; (iii) the National Constitutional Conference (NCC) which will be responsible for reviewing the draft text and (iv) a Constituent Assembly (CA), which will deliberate on and adopt the final Constitution. Since then, the ConstitutionMaking Process Bill has been drafted by the MOJCA, subsequently discussed by the Governance Cluster, and cleared by the Council of Ministers. The MO)JCA submitted the Bill to the reconstituted INL^ that debated, enacted, and signed into law by the President on 21 December 2022.

Since the enactment of the Constitution Making Process Act 2022, there has been delay in establishing the constitution making mechanisms and operationalization of the Act. The Act requires, inter-alia, the reconstitution of the Nationa! Constitutional Review Commission (NCRC) within 45 days and followed by the establishment of the Constitution Drafting Committee, and the Preparatory Sub-

Committee for the National Constitutional Conference (NCC). As of October 2023, the R-NCRC, CDC, PSC, NCC, and CA have not been constituted yet. Their establishment and operationalization are way behind schedule by about nine (9) months, per the RTGoNU timelines outlined in the Roadmap and Ministry of Justice and Constitutional $\Lambda$ ffairs' memo on the implementation of the Act. The delay to establish these bodies was due to the failure of the nominating groups/stakeholders such as the RTGoNU and political parties to timely submit the list of their nominees to the Taskforce of the MOJCA to reconstitute the NCRC.

The RTGoNU and political parties who are to occupy $55 \%$ of the position in the Commission had to dialogue and agree on the number of representatives each political party can send for nomination in the Commission. However, in the $32^{\text {nd }}$ meeting of the RJMEC on $05^{\text {th }}$ October 2023, the RTGoNU reported that the RTGoNU and political parties have agreed and submitted their list of nominees to the President of the Republic of South Sudan for appointment in the NCRC. It is envisaged that once the President approves and appoints the nominees the NCRC shall be reconstituted and subsequently the CDC. These constitution making mechanisms will need operational and rapid capacity development support on the constitution-making process and content issues to ensure they can effectively discharge their mandates in an inclusive, gender sensitive and youth focused way. Additionally, the NCC members and Constituent Assembly (CA) members will also need to be supported with technical skills building to engage in well-informed debates regarding the constitutional text.
The continued context of violence and political polarisation reflects a clear lack of trust and consensus amongst many of the parties whose buy-in will be important for ensuring agreement on the final constitution text that is meaningfully owned by both elite political leaders and communities themselves. The permanent constitution will thus need to address several contentious outstanding issues which could not be resolved during the peace process such as: (i) power-sharing arrangements and the related details of the structure of government roles; (ii) the nature of structure of federalism in South Sudan, including issues related to how financial and substantive powers are divided among different levels of government, and how federal boundaries will be agreed; (iii) land and related natural resource ownership and management issues and (iv) citizenship and national identity. These issues all have the power to cause tension and if handled poorly, risk upsetting the fragile peace.

The RJMEC and the IGAD have been leading the process of bringing stakeholders together to drive forward the constitution-making process, as well as supporting high-level negotiations and dialogues. However, the R-ARCSS recognises the importance of constitution-making consultation and civic education as critical mechanisms for building public inputs to and support for the final constitutional outcomes. In light of this, the UN will use its convening and coordination, political engagement, advocacy, technical support, capacity-building, and programming role to support both government and non-governmental actors across the country. This will support engagement in peaceful negotiation, as well as facilitate dialogues and discussions that can help build consensus across a broader group of influential stakeholders and representatives, especially at state and community level, and mitigate the potential for constitution-making disagreements that could exacerbate grievances and inequalities or trigger conflict.

Women leaders highlighted the need for intentionally engaging them in critical issues of constitution making and their priorities for ensuring that the institutions established are gender-balanced and all the processes undertaken in the constitution making process are gender-responsive. The youth acknowledged the importance of organizing themselves by equally ensuring adequate representation of their age bracket in key institutions and processes, campaigning for spaces to express themselves and nurturing a strong partnership with the Ministry of Youth, the NCRC, women, CSOs and the media if they are to meaningfully participate and contribute on the many contentious issues in a responsible way. While acknowledging their crucial role in informing and educating the public about what is
happening in the constitutional process and the key issues being debated as a means for increasing the transparency and accountability of the process itself, the media noted the difficult environment made up of arrests and threats against journalists that will make it challenging for them to cover the process.

Women continue to suffer from structural discrimination and exclusion from decision-making. The high threat of gender inequality and SGBV continues to impact their ability to engage in public life. Gender equality in political processes tend to be addressed in a compartmentalized and interest-specific manner. Women's strategic interests are often addressed through a check list of normative issues. Yet this partitioned approach does not sufficiently address the gendered nature of a constitution-making process and constitution. Moreover, women's participation in peacebuilding remains low compared to men's across states in South Sudan, creating both normative challenges around women's participation as a matter of right, and substantive challenges for the content of constitution as their influence over political settlement and agenda setting is limited. The recurring violence that has touched all areas and levels of society across South Sudan continue to weaken institutions, deepened ethnic and tribal divides. Hence mobilizing women across the political and ethnic divide has occasionally been a delicate balance between Government and the opposition. Despite the $35 \%$ quota for women's representation at all levels, getting them appointed within the constitutional making bodies may fall far short of this target as witnessed with the Cabinet, County Commissioners etc ${ }^{12}$. Women are often perceived by the public and male counterparts as representing women's issues and less likely to effectively address broader public policy issues regardless of personal expertise. Majority of women led organisations, they are male dominated and unlikely to advance gender equality. Despite the existence South Sudan Female Journalists Network, the media is still male dominated and reporting on gender issues generally remains low, thereby impacting their effectiveness on facilitating gender sensitive civic engagement through reporting and civic education.

Youth participation in politics and democratic processes also remains a challenge in South Sudan. The State of Adolescents and Youth Report of South Sudan, 2019, produced by the Ministry of Culture, Youth and Sports outlines how young people are systematically excluded from decision making based on their young age and inexperience since politics is regarded as a space for mature and experienced people. The focus on youth, in terms of their engagement in the political arena, is a relatively new and acritical priority in the country. Young men and women, who make up $70 \%$ of the population, also suffer high rates of exclusion and disenfranchisement. They are rarely found in formal political leadership and decision-making positions or represented adequately in political institutions and processes. Young men's exclusion makes them particularly susceptible to radicalisation and involvement in armed violence especially cattle rustling and inter-communal violence, while young women face the double discriminations caused by age and sex. Spaces to foster intergenerational dialogues that can increase the uptake of youth ideas on political issues are rare.

Additionally, ethnic and religious minorities also face specific challenges in participating in national and sub-national political processes, while the large number of internally displaced persons (IDPs) across the country and refugees living in neighbouring Uganda, Kenya, DRC, Sudan, and Ethiopia, as well as South Sudanese living in the diaspora, are also often excluded from national discussions. It is critical that the routine exclusion of marginalised groups across the country is directly addressed during constitution-making; if not, legitimacy and sustainability of the outcome may be undermined.

[^5]b) A brief description of how the project aligns with/ supports existing Governmental and UN strategic frameworks ${ }^{13}$, how it ensures national ownership.
The United Nation's (UN) support to South Sudan's constitution-making is firmly embedded in the UN's broader peacebuilding and state building frameworks. A stable constitutional settlement is one critical element of building a more sustainable peace. The UN Secretary-Generals guidance first released in 2009 and updated in 2020 observes that: "the UN recognizes that constitution making may present an exceptional opportunity for a state to create a common vision of its future. It also appreciates that constitution making may present risks, especially when it requires changes in the distribution of power and resources or raises issues related to rights or identity." ${ }^{14}$ Accordingly, all support under this Project to support the development of a permanent and gender responsive South Sudan constitution will be delivered through a peacebuilding lens, with activities designed and implemented with a view towards building a sustainable peace and/or mitigating the likelihood of conflict.

This Project aligns with the 2030 Agenda for Sustainable Development (Agenda 2030) to which South Sudan is committed. Sustainable Development Goal 16 which aims to promote peaceful and just societies and building effective, accountable, and inclusive institutions provides the basis upon which the Project is anchored as an enabling goal that could unlock the realisation of other goals. Furthermore, the Project promotes gender equality and women's empowerment in line with SDG 5 by adopting a gender responsive approach and ensuring women's effective and meaningful participation in the constitution making. The Project also aims at advancing an inclusive approach that draws on all traditionally excluded groups such as youth, displaced populations and other minorities to the permanent constitution making by creating equal opportunities for their participation in accordance with SDG 10.

This Project is also aligned with national priorities. It is anchored within the National Development Strategy, 2018-2021 (NDS) and the Revised National Development Strategy (R-NDS) 2021-2024. The NDS had six interconnected priority strategic actions (PSA), with PSA 2 requiring the Government to "develop appropriate laws and enforce the rule of law". The permanent Constitution will provide the foundation for the rule of law and any future law-making and hence, underpins the entire PSA. The R-NDS has five core objectives: establish and/or strengthen institutions for transparent, accountable and inclusive governance; foster macroeconomic stability and lay foundations for the diversification of the economy; build critical infrastructure for sustainable development, including roads, energy, public buildings and broadband capability; increase support to the social sector for human capital development and protect the vulnerable population. to leave no one behind: and mainstream gender in all development policies and programmes and empower women and youth as drivers of growth and nation-building. As per the R-NDS, the pursuit of these objectives will be guided by, inter alia, principles of democracy and rule of law. Thus, the Permanent Constitution will provide the basis for the rule of law and principles for democracy, hence the tool for achieving the goal and objectives of the R-NDS. The Project further supports the implementation of Chapter VI of the RARCSS on constitution-making which calls for an inclusive and participatory approach to ensure its text responds to the South Sudanese people's demands and aspirations for a constitutional order.

The UN Cooperation Framework (2019-2021), which covers all the UN Agencies, Funds and Programmes (AFPs) involved in this Project, had four priority areas and outcomes, two of which will be supported through this Project:

[^6]- Priority I: Building Peace and Strengthening Governance - Outcome: The South Sudanese population, particularly the most vulnerable, benefit from strengthened peace infrastructures and accountable governance at the national, state and local levels.
r Priority IV: Empowering Women and Youth - Outcome: Participation and leadership in decision-making; and protection against gender-based violence for women and youth enhanced.

The updated UN Sustainable Development Cooperation Framework (UNSDCF) 2023-2025 also provides the basis for the project. Specifically, Outcome 1 , output 1.1 requires support to the Government of South Sudan to enable the Government with enhanced capacities to develop a permanent constitution, implement effective devolution, and run free and fair elections. as per the provisions of the R-ARCSS, in partnership with civil society.

Each of the participating UN organisations has their own country programme framework which also underpin their work on the Project. These include the UNDP Country Programme Document, 20192021 (Output 1.2) on strengthening peace infrastructures and accountable governance at the national, state and local levels including through the permanent constitution making; the UNESCO Country Strategy Document, 2019-2021 on freedom of expression as an inalienable human right and the UN Women Strategic Note, 2019-2021, (Outcome 3, 4, 6) on promoting positive gender, social norms, supporting the government with increased access to information and capacity support to implement WPS commitments in the R-ARCSS and new constitution and enhancing women's organizations and individuals capacities to influence peacebuilding processes.

The Eligibility Process through the 2021 Conflict Analysis identified the constitutional process as a valuable entry point for sustainable institutional change that can prevent the renewed outbreak of the civil war. This process has led to the development of the PBF 5-Year South Sudan Strategic Results Framework. The project aligns to Strategic Outcome Statement 1: South Sudan enjoys more democratic, accountable, and just national institutions which foster increased public confidence. Within this outcome, the Framework provides guidance on support to national dialogue and participatory political processes for the development of an inclusive constitution through the development of a gender responsive, inclusive, people-driven, and participatory constitution- making process, including one which as appropriate draws upon customary law traditions in the country, and will measure commonly agreed benchmarks over 5 years based on strategic-level indicators. It will further contribute to the Integrated One South Sudan Peacebuilding Architecture and Framework, being developed by the Ministry of Peacebuilding to drive collective efforts for accelerating the implementation of critical provisions in the 2018 R-ARCSS.

Several constitutional provisions contribute to positive peace in the long term, especially the $35 \%$ gender quota on women participation, human rights clauses, the decentralization of justice and governance structures, or the establishment of a system of checks and balances, and entry points for the support of inclusive political institutions. The work on the constitutional process and inclusive consultations that need to be linked with efforts of civic education and non-partisan political party support and made conditional to the participation of all major political forces were noted as critical. Initiatives that support technical, political, and logistical aspects of drafting and passing legislation such as the constitution were also mentioned as an entry point for tangible support that can build trust and confidence in the peace process. Targeted engagement with young people in communities involved in armed violence, especially in areas with a high prevalence of incidents caused by armed young people militias were another priority area singled out to support positive and sustainable peace at the subnational and community level.

Recognizing that the constitution making process must be successful, the Project design and implementation is guided by the following principles to promote national ownership:

- Consultation in the Project design: Government, civil society organizations, the media, networks of key population groups such as women and youth, R-JMEC, Max Planck International, International IDEA have been consulted. UN entities who are considered strategic partners in this Project including UNMISS, UNHCR, OHCHR and UNICEF have equally been consulted. Involving local counterparts in the decision-making process is a valuable investment in the long-term success of the Project.
- Alignment with national priorities: The Project is aligned with the National Development Strategy and the country's UN Country Framework established between the Government of South Sudan and the UN system. In its strategy, the Project describes how participating UN organizations will implement capacity development, provision of technical advice and expertise, and civic education and participation to the constitution making process over the two-year period.
- Dialogue: The Project provides platforms for political and technical dialogue among national stakeholders and the UN participating organizations to facilitate broad based inclusion at all levels. Reaching a constitutional settlement in a highly fragmented, decentralized South Sudan requires engagement both with political elites whose buy-in and ownership will be vital, but also a range of different political, community, traditional, religious and influential actors at different levels of government across the country.
- National Execution: The Project will execute and implement the activities directly through national institutions such as the MOJCA tasked with drafting the law on the constitution making process and facilitating the establishment of the constitution making bodies; the RNCRC, the CDC and NCC who will lead the process. Members of civil society including the media, community and traditional leaders, gender equality advocates and the people will also be empowered to assume advocacy and leadership roles, in holding officials and institutions accountable, and assuming responsibility for civic education and the participation of their communities, especially of women, youth. displaced groups and ethnic minorities.
c) A brief explanation of how the project fills any strategic gaps and complements any other relevant interventions, PBF funded or otherwise. Also provide a brief summary of existing interventions in the proposal's sector by filling out the table below.

As of October 2023. this PBF project is the only funding source for supporting constitution making process in South Sudan

| Project name (duration) | Donor and budget | Project focus | Difference from/ complementarity to current proposal |
| :---: | :---: | :---: | :---: |
| Enhancing Trust between <br> Communities and Revitalized Government of National Unity (RTGoNU) by Facilitating an Enabling | Government of Japan and UNDP Core Resources Total budget: US $\$ 400,000$ | The project facilitates stakeholder participation in the permanent constitution making process and clauses relevant to the electoral process. It | The PBF project will focus on establishing the constitution making bodies and facilitating consensus building on broader and other areas such as federalism, land governance, human rights, gender etc., and |


| Environment for a <br> Free, Fair and <br> Credible <br> Transitional <br> Elections and Social <br> Service Delivery |  | also facilitates political dialogue and reform of the electoral architecture. | promote public participation and civic education. It will also build on and scale up public participation and civic education supported by the funding from Japan which is limited to 2 states and support to 3 media organizations. |
| :---: | :---: | :---: | :---: |
| Multi Donor <br> Programme on <br> Promotion of <br> Freedom of <br> Expression and <br> Safety of Journalists | Multi Donor <br> Programme <br> $\$ 200,000$ | The project aims to promote a conducive media environment for media professionals at policy and practice levels, with the focus to promote freedom of expression for all citizens, access to information for everyone, promote safety of journalists, media independence and professionalism | The PBF project will focus on strengthening capacities of media personnel and media sector that will create a platform for inclusivity, participation of everyone right from the national to the grass root levels, platforms for dialogue and accountability. In addition, support to the media during the constitution making process ensures that citizens are informed with timely and accurate information as well as educated about the process |
| Promoting Women, Peace and Security in the Revitalized Agreement on the Resolution of the Conflict in South Sudan | Embassy of the Kingdom of the Netherlands $\$ 150,000$ | The project aims to support South Sudanese women's engagement in key reform processes in the transitional period including in the Constitution Making process. Funds have been set aside specifically to support women's engagement in the Constitution making process by supporting | The PBF project will support a scaling up on the awareness raising on the constitution making process, build greater buy-in across the country on the Women's Charter which will outline women's priorities for the constitution making process and will ensure that key institutions with mandates in the permanent constitution making process will |


|  |  | awareness raising on the process and strategizing before critical meetings | have dedicated technical gender expertise to ensure a gender-responsive process. |
| :---: | :---: | :---: | :---: |
| Strengthening the Constitution Making Process in South Sudan, 2022-2027 | The European Union (Budget not confirmed) | The support through Max Planck <br> Foundation seeks to strengthen the capacities of the bodies responsible for the permanent constitution making process and the civic education process. This will be achieved through knowledge transfer trainings to the CSC technical legal assistance to the NCC, CA, production of constitutional drafts and civic education materials. Training of Trainers workshop on civic education are also envisaged. | Technical assistance from Max Planck Foundation will focus on legal and legislative drafting of the CMP Bill and constitutional text. This project will complement this with provision of technical support on core values, standards and principles set in international instruments such as gender, human rights and other substantive areas e.g. elections, federalism and judicial independence. Max Planck Foundation will not support CSOs but will provide material for the civic education process supported through this project. |
| Monitoring of Chapter VI of the RARCSS |  | The IGAD and RJMEC have led political dialogues and negotiations that led to the convening of a workshop for parties to the conflict and representative of women and youth groups that resulted in the roadmap informing the constitution making Process Bill, 2021 with the technical support of Max Planck Foundation. | The PBF project will provide expert support to the constitutionmaking process, namely, capacity development, technical advice and expertise, and civic education and public participation that complements ongoing political dialogue which equally unlock any political obstacles to the process. |

## II. Project content, strategic justification, and implementation strategy

a) A brief description of the project focus and approach

Chapter VI of the R-ARCSS sets out the general principles and some key process elements to guide the constitution-making process. In particular, Clause 6.13 states that "the process of permanent Constitution-making shall be led and owned by the people of South Sudan." This clause guides the entire process and has informed the development of this Project Document. This Project Document also responds to Clause 6.16 of the R-ARCSS which states that "The RTGONU and the R-NCRC shall seek the assistance of regional and international experts to benefit from the experience, expertise and best practices to assist in the Constitution-making process".

Through this Project, the UN will accompany institutional partners and people of South Sudan to develop a locally owned, people centered, human rights based and gender responsive permanent national constitution which will provide a foundation on which to more firmly build a peaceful and prosperous country. The project offers three areas of expert support to the constitution-making process, namely, capacity development, technical advice and expertise especially on core values such as gender equality and human rights, and civic education and public participation, to complement the political dialogue and negotiations being led by IGAD and RJMEC. This support will also supplement Max Planck Foundations' support on capacity strengthening of the bodies responsible for the permanent constitution making and the civic education process through knowledge transfer trainings for the CSC as well as technical legal assistance to working committees of the NCC and CA, production of civic education materials and trainers of trainers' workshops on civic education.

The constitution-making process is not only a technical exercise but one where the primacy of politics must be acknowledged at all stages. Lack of understanding and accommodation of political processes can delay or halt the process. Successful interventions through this Project will therefore link up the Project's efforts with political processes, in particular by relying on UNMISS to use its good offices to unlock political obstacles through discussions with the R-TGONU, R-JMEC, IGAD, the African Union and other bilateral partners.

## b) Provide a project-level 'theory of change'

If the constitution-making mechanisms and institutions are functional and capacitated to work in an inclusive, gender-sensitive and youth focused manner; and engage in inclusive consultations involving civil society, women, youth, and displaced populations; and

If the public, particularly women, youth especially those susceptible to armed violence and displaced groups has access to information about the constitution-making process through a strengthened and accountable media, CSOs and local outreach;

Then, it will be more likely that a permanent constitution is adopted within a reasonable timeframe in South Sudan and perceived as legitimate by key stakeholders and communities. Consequently, the gender-responsiveness, inclusiveness, consensus-based nature of the constitution will provide a strong basis for peacebuilding and nation-building;

Because institutions key to the constitution-making process will be in place and able to carry out their role, build consensus on sensitive and contentious issues with key stakeholders; and because the public
and population groups often excluded in peace processes such as women, youth and displaced populations will be meaningfully engaged in designing the permanent constitution.

## Assumptions:

- Genuine will of key political actors to move forward on the permanent constitution making process will remain, including overcoming highly contentious issues, managing potential spoilers and counteracting any insecurity caused especially by the youth that deepens the ethnic, political and tribal divides.
- Information sharing and outreach to CSOs and communities over a 24 -month period will be sufficient to instill a meaningful understanding and sense of ownership over the constitution making process in communities, women, youth and displaced populations that have otherwise not been exposed or engaged in the nation-building and political processes.
- A lack of inclusive, gender-sensitive and youth focused approaches in the constitution making processes are due to lack of capacity among the mechanisms and institutions as well as inadequate preparedness of women, youth and displaced groups to participate and take decisions, and not political will or cultural bias;
- The democratic space for media and civil society organizations to promote public engagement in the constitution-making process is preserved and protected.


## c) Provide a narrative description of key project components

The project contributes to the development of a permanent and gender responsive constitution through an inclusive, participatory and people centered approach. While there are three phases to the constitution making process, the first two phases only will be supported through this project: Phase 1 - on the enactment of the law on the process, carrying out civic education and public consultations, drafting the constitutional text based on public submissions and publishing the first report on the constitution text. Phase 2 - on convening of the National Constitutional Commission by the preparatory sub-committee to debate and adopt the final draft constitutional text prepared by a drafting committee. Phase 3 which involves the TNLA transforming into a Constituent Assembly will deliberate and adopt the final permanent constitution; and civic education to disseminate the contents of the Constitution - will not be part of the scope of this project. This phase will nonetheless be support through interventions outside this project. Phase 1 and 2 will be achieved using a comprehensive approach to support the realization of the theory of change through the following three interrelated Outcomes related Outputs:

## Outcome 1: The R-TGoNU establishes inclusive and functional constitutional making mechanisms for developing a permanent constitution peacefully

Output 1.1: A gender-responsive law guiding the constitution making process is developed and enacted

The R-ARCSS specifically recognizes that at least two constitution-making laws will have to be passed as part of the process: (i) a law setting out the details of the constitution making process and (ii) a law describing how the TNLA will operate as a Constituent Assembly, including how they will review and make decisions regarding the constitutional text. The first law has been drafted. RJMEC with support from Max Planck organized a constitution-making workshop that agreed on the broad principles and bodies regarding the constitution-making law which was relayed to the MOJCA to draft the law to guide the constitution making process. Through the output, the project will provide technical assistance in support of this law-making, drafting the TNLA to Constituent Assembly Law; and drafting the additional substantive text of the constitution. The project will also ensure gender-sensitive provisions
are embedded across the drafted laws to ensure gender-responsiveness before roll-out. Once enacted, the project will support the printing, translation, and dissemination of the laws to make them widely known ensuring that women and youth led organizations, women and youth receive copies.

Through the project, the UN supported the R-TGoNU to enact a gender-responsive Constitution Making Process (CMP) Act, 2022 to guide the constitution making process. Prior to enactment and rollout of the legislation, the UN supported the CSOs' gender review of the CMP Bill and recommendations were used to prepare members of the Transitional National legislative Assembly (NTLA) to ensure gender-sensitive provisions are embedded in the CMP Bill. Recommendations to improve the Bill to gender-responsiveness presented to the Committee on Justice and Constitutional Affairs of the NTLA included ensuring that the minimum $35 \%$ for women representation applies 10 all mechanisms of the CMP and a provision included to guarantee that all the nominating groups implement the $35 \%$ to avoid depending on their political will. The gender responsive Constitution Making Process Act was officially enacted on 22 December 2022 to pave way for the establishment of the Reconstituted National Constitution Review Commission (R-NCRC), the Constitutional Drafting Committee (CDC), Preparatory Sub-committee, and the National Constitutional Conference (NCC).

To enable dissemination of the CMP Act, the project printed 50,000 copies of the legislation and is in the process of supporting the Ministry of Justice and Constitutional Affairs to disseminate them across all the states of South Sudan. The project will ensure that youth and women led organizations and women received sufficient copies of the Act for sub-sequent dissemination at the grass-root levels.

A pending task that will be completed within the period of the No Cost Extension shall be to support the development and enactment of a law describing how the TNLA will operate as a Constituent Assembly, including how they will review and make decisions regarding the permanent constitutional text.

Output 1.2: The MOJCA and Ministerial Task Force on Chapter VI R-ARCSS coordinates and facilitates the establishment of constitution making mechanisms.

In accordance with the Resolution of the Council of Ministers and by Ministerial Order of 26 March 2021 the MOJCA established a Task Force to oversee and coordinate implementation of Chapter VI of the R-ARCSS on the permanent constitution making process. The project will support the functioning of the five-person Task Force (two of whom are women) ensuring that it has the technical and operational capacity to discharge its role cognizant of the international good practice on constitution making. In particular, the project will support the Task Force in facilitating the nomination, appointment, and composition of the R-NCRC, NCC and CDC in accordance with the RARCSS and the law which require $35 \%$ of to be women. Advocacy and technical advice will be provided on the composition of these bodies to reflect the gender, age (youth), social, ethnic, religious, and regional diversity of South Sudan in recognition of the need for inclusivity, transparency and equitable participation in the constitution making process. The project will also advise and ensure that the discussions of the Task Force address gender equality.

To expedite the nomination process to the NCRC. the project provided technical advise and supported the Ministry of Justice and Constitutional Affairs and its Task force to advocate with the nominating group/stakeholders, including the T-TGoNU and political parties to build minimum consensus. The Task force has subsequently written and held several meetings and dialogue with the political parties. civil society, and others on breaking deadlocks. Moreso, the project has conveyed messages through
various platforms and meetings including the Trilateral Task Force of the UN, IGAD and AU, RJMEC plenary meeting, and the Joint High Level Task Force of Government, the UN, IGAD and AU on the need for political goodwill to expeditiously establish the R-NCRC and commence the permanent constitution drafting process given the slippages in the set timelines. Consequently, as of ()ctober 2023, all the nominating groups, including the RTGoNU, political parties, youth, women groups, civil society organizations, faith-based groups, academia, and people with disabilities who should occupy position in the NCRC have submitted to the Taskforce of the MOJCA, their lists of nominees to reconstitute the NCRC pending approval of the President and ratification by the NTL.A.

Output 1.3: The capacities of constitution making mechanisms to perform their mandated roles regarding constitution-making are strengthened

The R-ARCSS and the Resolutions from the RJMEC workshop identified four institutions that are central to and play major roles in steering forward a peaceful but effective constitution-making process, namely the reconstituted NCRC, CDC, NCC, and TNLA (which will be converted into a Constituent Assembly). Once the R-NCRC and NCC are constituted, the project will support them to develop their rules of procedure ensuring they are gender sensitive; and undertake rapid capacity needs assessments to identify key strengths and weaknesses of each body, and co-design a capacity development plan that mainstreams gender equality and women's empowerment to ensure that the leadership and staff have the basic technical, infrastructure and communications capacities in place to do their jobs properly. Women members of the NCRC and NCC will be consulted and gender sensitive benchmarks in the assessment and report will be ensured.

Informed by the assessments, the project will build the functional, technical, and operational capacities of these bodies, including assisting in setting up offices; developing systems/procedures; providing tailored trainings for the commissioners, secretariat, and rapporteurs on issues such as negotiation, dialogue, conflict management, gender equality, human rights-based processes. UNDP will recruit a Capacity-Building Consultant who has gender expertise as well to be co-located with the R-NCRC, to enable them to efficiently stand up the organization with human and administrative capacities. UN Women and UNDP will also facilitate the placement of a Senior Gender Advisor and a Human Rights Advisor respectively within the R-NCRC to ensure a gender responsive and rights-based process. The Project will also facilitate the recruitment and deployment of short-term consultants who can provide constitution-making expertise and share comparative good practice on key topics as requested by partners. Female staff will be direct beneficiaries of the material and other forms of support.

All activities under this output remain constrained as they are pegged on the reconstitution and establishment of the related constitution making mechanisms. They are planned for implementation during the period of extension and once the constitution making bodies are established and reconstituted. However, preliminary work for the recruitment of a Senior Gender Advisor has been completed. The onboarding and deployment of the Senior Gender Advisor to the R-NCRC is pending the re-constitution of the Commission.

## Outcome 2: Constitution-making mechanisms and key non state actors implement genderresponsive, inclusive, people-driven, and participatory processes for building consensus around the substance of the permanent constitution

Output 2.1: The R-NCRC is supported to undertake inclusive and gender responsive public consultations with nonstate actors and receive public submissions

Once the R-NCRC becomes operational, the Project will support the planning and convening of inclusive and gender responsive consultations with different political and nonstate actors whose buyin to the final text produced by the Commission will be essential. The project will use existing state and grassroot structures such as the Rule of Law Forums and Justice, Confidence Centers, Women Empowerment centers and community radios that have been established with the UN support across the 10 states as sustainable platforms to channel information, consult and facilitate dialogues. These dialogues will seek to bring together stakeholders such as women and youth to promote public debate, discuss, understand, and work through sensitive and contentious constitutional issues and build on past and ongoing engagements. Such dialogues will involve actors at both national and sub-national levels of government, as well as CSO representatives, faith-based leaders, representatives of women, youth, people with disabilities, ethnic or religious and the rural poor. These dialogues will complement the broader public education and engagement activities being supported under Output 3 but will be smaller forums to enable "thought-leaders" to discuss their ideas in a safe space and develop their proposals for the R-NCRC on draft constitutional text based on informed technical advice provided by the Project. Support will also be provided to the R-NCRC to collect, collate, and analyze the outcomes of the first phase of the public consultations in a synthesized report before it is transmitted to the Constitution Drafting Committee. The project will ensure that public consultations include women to raise issues of specific interest to them. Topics for discussions will be held on women's rights, gender equality and women's empowerment to ensure that the consultations with the R-NCRC consider women's views and advance gender issues. The reports on the consultations will equally outline the level of participation by women and girls and include gender equality and concerns females raised.

Activities under this output 2.1 to provide support to the R-NCRC to carry out an inclusive and gender responsive public consultations with non-state actors and receive public submissions, are pending the reconstitution of the Commission and will be implemented during the extension period.

Output 2.2: Dialogues, mediated negotiations and broad-based consensus building on the content of the permanent constitution are facilitated with key stakeholders

Dialogues surrounding selected contentious issues will be conducted by the project partners in collaboration with UNMISS, including using their good offices mandate, to build consensus amongst different stakeholder groups and developing informed proposals and provisions with support of this Project. The project will commission and produce policy papers, comparative legal and technical briefs on critical issues identified by stakeholders, like Federalism, Land Governance, Judicial Independence, Gender and Human Rights to help inform their interventions and support consensus building measures, which will be addressed to the R-NCRC. UNMISS is already actively using its good offices mandate to engage national and state government to ensure links with political processes and the constitution making process, which can be harnessed for the benefit of this work. A range of sub-national level stakeholder dialogues will further be organized to complement these larger activities and build trust and knowledge amongst key partners. Where there is a breakdown of political processes relating to the R-ARCSS, these dialogues could still serve as an avenue to keep building trust and discussing ideas, while higher level peacebuilding efforts continue to be implemented by IGAD and RJMEC.

The Project will also work with CSOs and community-based groups as implementing partners to support their role as "intermediaries" between their communities and decision-makers. These groups will be supported to reach out to their target communities, educate and engage them to develop well informed submissions which are based on local level considerations and the real needs of ordinary people, that can be presented to the R-NCRC and NCC. To this end, the Project through UNDP will administer small grants on a competitive process to CSOs, which will be coordinated in partnership with the R-NCRC and other stakeholders as appropriate to enable civil society, academic, and other community bodies to create awareness, organize workshops/dialogues to collect and synthesize their ideas and insights with specific recommendations on critical issues relating to the content of the constitution to put forward to the R-NCRC.

Specific grants will be provided by UN Women to women's groups and to support women's dialogues. The grants will be managed through a competitive process to qualified women led groups/organizations and CSOs as implementing partners. With UN Women leading this effort, the project will support initiatives to participatorily develop options/position papers on critical thematic issues related to gender equality and women's rights. To come up with consolidated priorities for women's engagement with the constitution making process, UN Women will support the development of a Women's Charter, that outlines South Sudanese women's priorities in key areas including health care, education, marriage-able age etc. The Project will convene and facilitate forums and platforms for women leaders to develop their own Women's Charter document, which can build upon previously consolidated texts including the UN Women supported "Women's 7-point agenda," developed in 2015 and outlining their priorities for the then signed 2015 peace agreement. Other commitments included the development and the launch of the 2015-2020 National Action Plan (NAP) on the UN Security Council Resolution 1325 on women peace and security aimed at addressing the challenges that women face in the aftermath of war and as conflict continues in the country beyond the Comprehensive Peace Agreement (CPA) of 2005. The ongoing review of the NAP on 1325 will form the basis for a roadmap for meaningful women's engagement on key issues in the constitution making process.

Enabling and empowering youth to engage in the constitution making and reach consensus with others on key issues makes them less easily recruited for self-defense groups or militia, and related violence that could threaten the process. Specific grants administered by UNDP through a competitive and transparent process with a clear criteria provided in the call for proposals to youth led or youth focused CSOs will also be provided to support youth groups and networks develop proposals - with special effort made to ensure that young women are engaged and empowered - to come together to dialogue on issues of most importance to their demographic, for example, youth political participation quota, a maximum age requirement the Youth Minister and specific youth funding in national budgets. UN Women will coordinate with UNDP to ensure inclusion of young women according to the principles of women empowerment and gender equality. This support to young people engagement, in line with the UN Security Council Resolution 2250 will channel their views and priorities into the current constitution-making process and get their buy-in and support for a constitutional text that will potentially govern their lives for decades ahead. Intergenerational dialogues will be facilitated as interactive participatory forums that bring together older (traditional, religious and community leaders and elders) and younger generations to overcome cultural and religious challenges and other barriers to the engagement of youth and create shared knowledge and meaning as well as a collective experience and mutual understanding between different generations and groups in the community on the constitution making.

Specific small grants will also be given to implementing partners civil society and community groups with specific capacities to reach out to internally displaced people (IDPs). Out of a population of 11
million people, almost 1.8 million are classified as IDPs. This group have been particularly marginalized from access to government decision-making and peacebuilding processes. At the same time, they have a particular stake in supporting a peaceful return to constitutional governance and ensuring strong constitutional rights protections. UNDP in partnership with UNHCR will seek useful access to the camps where IDPs are to work with local governments and non-government partners to carefully support displaced groups to understand and engage in the constitution-making process.

The project will also support women, youth, and displaced persons leaders to develop and enhance their lobbying and advocacy skills through trainings. The advocacy skills will enable these leaders to engage, lobby and rally support from the most influential leaders across political and social divides on gender-sensitive, youth focused and contentious constitutional issues. Male and female champions of change to advance gender equality, women and youth empowerment in the constitution making will be identified and supported to further increase the uptake on gender sensitive and youth focused ideas into the text of the permanent constitution. In parallel, support will be provided to the media to generate and consolidate their own views on the content of the constitution especially on safeguards aimed at protecting freedom of expression and press.

The project will ensure that all the position papers produced, and dialogues will address or discuss key issues on gender equality and women's rights and propose gender mainstreaming across all policy issues in the constitution. Additionally, the dialogues - at the community and for key population groups - will ensure equal representation of women and girls and men in the dialogues to increase female voices in the discussions and who can contribute recommendations that foster gender sensitive policy areas.

The project finalized the South Sudanese Women`s Charter whose development started in 2022 as part of an effort to consolidate priorities and concerns of women and girls in the permanent constitution making process. The Women's Charter underwent extensive consultations, reviews and was validated in September 2023. It draws attention to the most noticeable concerns and priorities of women and girls under twelve (12) thematic areas, including women"s political participation. marriage and family, property ownership and inheritance, health and reproductive rights, economic and social welfare rights, equality and freedom from discrimination, protection against Gender-Based Violence (GBV). Access to Justice, Environment, Natural Resources, and Climate Security. The Charter shall be used as an advocay tool for women's specific demands and priorities in the Permanent Constitution and to build consensus around the substance of the permanent constitution.

Alongside the Women`s Charter, the project worked with the Ministry of Youth and Sports, and the Ministry of Cender, Child, and Social Welfare to conceptualize and develop a South Sudanese Youth Charter as a tool for soliciting views and ambitions of the youth, including female youth, to be reflected in the permanent constitution. The Youth Charter will complement the Women`s Charter. To kickstart the process, a consultative workshop was held on 22 March 2023 in Juba, bringing together over 40 youth participants, with $38 \%$ female attendance, from across South Sudan to discuss the constitution making process and to identify relevant thematic constitutional areas of interest to the youth. Following the workshop, state consultations have commenced targeting youth countrywide to elicit their views to inform the drafting of the Youth Charter.

The project provided financial support to the Ad Hoc Judicial Reform Committee (JRC) to conduct public consultations including women"s views on judicial reform. The JRC shall commission recommendations that will be submitted to the constitution making mechanisms to ensure. inter alia.
establishment of an independent constitutional court and entrench an affirmative action for women`s representation in all structures and levels of the Judicial Courts.

Pending activities under this output include commissioning of more position papers with women providing comparative analysis on areas/issues of concern/ contention from a gender-perspective during the CMP, organizing 10 community dialogues on CMP for diverse groups including IDPs, supporting ten (10) sub national dialogues for youth, displaced groups and traditional leaders, and commissioning position papers on HRs, elections, land governance, federalism with key stakeholder groups. These activities are planned to be carryout between November 2023 and first quarter of the extension period.

Output 2.3: The Constitutional Drafting Committee drafts a gender responsive and human rights compliant constitutional text consistent with the R-ARCSS

Through this project, the participating UN organizations will support the Constitutional Drafting Committee (CDC) to discharge its technical, independent, and neutral role of drafting the constitutional text under the direction of the R-NCRC and the NCC. The Project will train the 15 experts' members of the CDC on constitution drafting to enable them to prepare a draft text that is understood by the people, usable by politicians and bureaucrats, able to be interpreted by the courts, and legitimate, credible, and accepted by South Sudanese. The training will include a session on gender equality and women's empowerment and impart knowledge on drafting gender sensitive texts/clauses. Additionally, the project will commission and produce gender sensitive and youth focused policy papers, options papers, and comparative law briefs, on topics identified by local stakeholders including women and youth, including on gender equality and women's rights. Notably, the substance of these technical papers will not only inform the consensus building measures but serve the technical drafting assistance for the CDC as appropriate. Specific support will also be given to providing the logistical and administrative assistance at each phase of the permanent constitution making process.

The activities under this output to enable the CDC to draft a gender responsive and human rights compliant constitutional text, are subject to the establishment of the CDC. The activities will be implemented during the extension period. The activities are: Training members of the CDC on their role and drafting skills, producing position papers to inform the drafting of the constitution text. supporting the logistical/operations of the CDC to draft and finalize the constitution text, and offering training to members of the CDC on gender-sensitivity and responsiveness in drafting.

Output 2.4: The National Constitutional Conference debates and adopts the final draft constitutional text to be submitted to the Constituent Assembly for final adoption

As part of strengthening the constitution making bodies, this output will focus on supporting the National Constitutional Conference (NCC) review and deliberate on the draft text from the R-NCRC prior to its adoption. This will be achieved by preparing representatives from among key groups from which delegates will be nominated to empower them to engage from an informed point. Specific attention will be paid to delegates from priority population categories that this project has prioritized such as women, youth, displaced populations, traditional leaders, faith based and civil society organizations and special needs groups, in addition to organizing caucus meetings for them on the margins of the NCC. All these workshops will ensure equal representation of female youth, displaced groups, traditional and faith-based delegates in the debates and they will receive knowledge to help them lobby for women's rights, gender equality and women's empowerment. Common and collective positions and strategies will be advanced by women delegates to the NCC to ensure that concrete
gender sensitive provisions are reflected in the final text of the Constitution. This will be supplemented by logistical and operational support to the preparatory subcommittee (PSC) and any technical assistance as needed to facilitate the deliberations and adoption of the draft text.

Implementation of activities under out 2.4 to support the NCC to debate and adopt the final draft constitutional text have been constrained because the NCC is yet to be established. These activities will be implemented during the extension period of the project. The activities comprise of: convening 5 workshops to prepare youth, CSO, displaced groups, traditional and faith based delegates to NCC, facilitating the PSC to carry out its mandate, providing technical support to the NCC, supporting the logistical/operations of the NCC to organize debates on draft text, convening women delegates attending the NCC to support their preparation and strategize for the NCC, and supporting advocacy meetings for women delegates with other stakeholders at the NCC to support buy-in for the women's position.

Outcome 3: Communities/public have access to information to build awareness, understanding of and support for the constitution making process through strengthened media, CSOs and local outreaches.

Output 3.1: Civic education campaigns on all constitutional issues are implemented and aligned with conflict sensitive, gender and locally contextualized principles

This Project will support the R-NCRC which is responsible for conducting civic education and public consultations, to build bridges with communities and the public around the constitution-making process. Civic education, outreach and community consultation will be phased and implemented on all constitutional issues of relevance through a range of strategies and partners and use of appropriate means and methods. Steps will be taken to work with the R-NCRC and national partners, to develop and implement a gender sensitive and youth focused constitution-making public education and engagement strategy which will guide this work. The Strategy will be underpinned by a mapping of marginalized and hard-to-reach populations such as women, youth and the displaced to ensure that these groups are most effectively reached and engaged. The Strategy itself will be developed through a participatory process which will bring together relevant organizations whose buy-in to the Strategy will be essential. It will outline the different activities that will be implemented to educate the public on the constitution-making process and key constitutional content; and facilitate two-way engagement between the public and constitution-makers.

The Strategy will include specific approaches and activities that will ensure mainstreaming of gender throughout activities and messaging, as well as including topics on women's rights and gender equality, and specific actions dedicated to promoting their inclusion and active engagement. It will also include specific strategies and activities aimed at engaging young men and women and marginalized groups such as displaced groups and the rural poor, such as designing "safe spaces" where they can discuss issues of importance to them. Utilizing the project, competitive grants will be provided to CSOs and media houses, including community-based radio stations, to conduct advocacy, create platforms for debate and discussion, engage in awareness-raising as well as ensure access to information for the public in a timely and accurate manner about the Constitution making process.

The project has finalized the recruitment of an implementing partner to develop and support specific civic education materials and awareness campaigns for women and on women's issues on the CMP, to make these materials accessible, particularly to people in hard-to-reach areas to increase access to information to build awareness the CMP.

The project also developed awareness raising material, named, "gender consideration and role of internally displaced persons (IDPs) in the constitution making process." The materials were used to facilitate stakeholder consultations with IDPs and returnees on the constitution making and electoral processes across the country. Nearly 1.000 IDPs and returnees have been consulted of which $50 \%$ were women and $8 \%$ PWDs. Through the consultations, the IDPs were able to build awareness on the CMP and articulate their concerns and priorities in the CMP through a communique. Their priorities are contained in the communique that will be submitted to the R-NCRC to ensure inclusion of IDPs in the entire constitution making process. Some of their priorities include a call to the RTGONU to quickly address insecurity to ensure safe public consultations, guarantee freedom of expression and opinion, inclusion of displaced groups and PWDS in every stage and mechanisms of the CMP and guaranteeing 50/50 gender divide in the permanent constitution.

Outstanding activities under this output are support to the NCRC to develop a constitution making public education and engagement strategy and supporting R-NCRC led civic education campaigns at national and community level. These activities were planned, however were unable to be achieved due delay in the reconstitution of the R-NRCR. Given that the reconstitution of the R-NRCR is near realization, the extension period will offer the opportunity to achieve this output.

Output 3.2 Media organizations deliver well informed, accurate and gender sensitive information on the constitution making process

As a critical partner in the implementation of the constitution-making public education and engagement, the media have existing infrastructure that can be quickly and efficiently harnessed for the benefit of this Project. In this regard, UNESCO will lead on the work to engage the media in support of constitution-making education and engagement, with technical inputs on constitutional substance provided by UNDP, UN Women and UN strategic partners. Specialized trainings will be provided for editors and journalists on conflict and gender sensitive reporting, editing, combating hate speech and fact checking to ensure professional reporting and peaceful messaging linked to the constitution-making process, with the aim to minimize misinformation during the process. UNESCO will also provide technical assistance, mentorship and training for community radio stations and journalists to produce and package constitutional education and engagement programmes. Safety training courses for journalists will also be conducted in view of the shrinking civic space. Local media will be supported to facilitate production of content in local languages to encourage ownership and understanding of the constitution making process by marginalized communities, women, and youth groups to ensure information reaches them in a uniform way.

Equal representation of men and women media professionals during the trainings will be ensured and training modules and topics will address gender equality. Female journalists will be prioritized during the project period with special modules developed to tackle safety of female journalists. Gender desks will also be established at media houses to continue with ensuring safety of female journalists. Emphasis will be placed on ensuring women voices are covered throughout the project duration. Media content will also be produced in a way which is sensitive to gender inequalities and portrays women and men fairly in the constitution making.

This work will also tie back in with activities being implemented under the other outputs, to support the national constitution-making bodies themselves to make better use of the media for their own benefit. At a very minimum, UNDP will facilitate relationships between the R-NCRC, NCC and the media, to enable accurate information to be shared quickly and efficiently and to empower these national bodies to speak more directly with the public through media platforms. The media can also be harnessed to support the dissemination of various consultation reports produced by national
constitution-making bodies, individual provisions and/or more substantive draft constitutional text on which public feedback is requested.

The ability for women, youth, displaced populations, and other marginalized groups to engage with the media is crucial in enabling their participation and leadership in the constitution making process. UNDP and UN Women will work with UNESCO to build the capacity of the leaders from these key population groups to address existing gaps in their engagement with the media. Tailored trainings and mentorship on how they should present themselves to the media, prepare for media interviews, write, and deliver press statements will be delivered to enhance their confidence in media engagements. Trainings will include modules on gender sensitivity by leaders as they interact with the media.

As part of the progress achieved, the project supported partnership with the Union of Journalists of South Sudan (UJOSS) and developed the capacities of over 200 journalists from twenty-five media houses across the country in 10 states (namely: Central Equatorial State, Eastern Equatorial State. Western Equatorial State, Northern Barh EI Ghazal State, Western Bah El Ghazal State, Unity State, Upper Nile State. Lakes State, Warrap State and Jonglei State). The capacity building conducted equipped journalists with skills and knoweldge on ethical reporting, fact checking, gender responsive reporting, conflict sensitive reporting and reporting on the constitutional making process. As a result of these engagements, the journalists have advanced to discuss and cover stories about the constitution making process at their various media houses. The capacity development of the journalists was planned to be achieved by end of the project by December 2023, however, due to the full utilization of the budget line planned for the training and mentorship of journalists on conflict sensitive, gender reporting ethics and accurate reporting from the first tranche, supporting capacity building of more journalists in other remote locations of the Country has not been possible. The progress made, offers an opportunity to do capacity building for more journalists during the PBF phase 2 to ensure that all parts of the country are reached with capacity building opportunities.

The project has continued to strengthen the capacities of Union of Journalists of South Sudan (UJOSS) to expand its presence in eight states namely: Eastern Equatorial State, Western Equatorial State, Northern Barh El Ghazal State, Western Bah El Ghazal State, Unity State, Upper Nile State, Warrap State and Jonglei State. This has improved media monitoring and continued advocacy for a conducive media enviromment and salety of journalists during the constitution making process. Other locations that require the presence of UJOSS include Lakes State, Pibor, Abyei, and Ruweng. This would be achieved during the extension period.

Through the project, ten community radio stations were supported to diversify information, promote balanced reporting, and use fact checking on reporting constitutional issues. The targeted radio stations aired programmes on the constitution making process, and an estimated 1 million people have been reached through the radio programmes that were produced and aired in various local languages such as Arabic, Dinka and Balanda. The radio stations hosted leaders from the community, youth, women, church leaders, People with disabilities. IDPs and the local government to participate in the radio programmes on the constitution making programmes. More radio stations require support to widely raise awareness and build on the constitution making process.

Under the project, atleast 100 youth, faith-based leaders, traditional leaders and CSOs were trained on advocacy skills and how to support and engage with the media in the context of the CMP. As a result of the trainings conducted for the duty bearers, there has been increased commitment to support journalists and media houses to cover constitutional issues and allow access to information for journalists in the 10 states. The project still needs to reach the various duty bearer groups in Abeyi, Ruweng and Pibor Administrative areas.

The project also supported 102 youth (42) and women (60) Listeners' club members in 6 States (Jonglei, Eastern Equatorial, Western Bahr El Ghazal, Lakes State. Central Equatorial and Western Equatorial) and their skills sharpened on information gathering, participation and listenership towards radio programmes on the constitution making process as well as discuss critical community issues in relation to nation building. These groups were equipped with skills on media engagement, participation, listenership, and feedback. However, reaching more women and youth listners clubs is still required for those locations that were not reached in year one to ensure continued participation of grassroot communities in the constitution making process.

Output 3.3: CSOs are strengthened to carry out civic education and promote public participation in national and state level constitution making debates

Special effort will be made to support CSOs and community groups who can reach especially at-risk or excluded populations. Through a grant process, partners will be selected based on both their outreach capacities and their technical ability to deliver education activities together with the dialogues outlined under Output 2. It is still anticipated that training will need to be provided by the Project to CSO grant recipients to ensure that they properly understand the constitution-making process and key content and have the skills to facilitate youth and gender responsive civic education, public dialogues in ways that promote consensus during the dialogues and mitigate conflict especially on contentious issues. Training will also be provided to strengthen civil society advocacy skills, including to support them more generally to advocate for a gender responsive, inclusive, and open constitution review process whilst holding leaders accountable for their decisions.

The project has finalized the recruitment of an implementing partner to support formation and strengthening of CSOs, women led coalitions and agency based on thematic areas to advocate and lobby for women collective voice and participation. Such coalitions shall be formed in five locations at national and subnational levels.

## Use Annex C to list all outcomes, outputs, and indicators.

## d) Project targeting

The Project will target the key bodies involved in the constitution making process such as the Task Force of MOJCA, the R-NCRC, CDC and NCC - their decision makers and staff - by building their capacity and providing technical and financial assistance to support their work. Through an inclusive national consultative process with key actors including local government and civil society constituencies, such as the media, women's and youth organizations and representatives, the project will reach and target disadvantaged key populations. 1000 women, 1500 male and female youth, 100 male and female persons living with disabilities, 1000 male and female displaced populations and host communities from across the country and who are more likely to be excluded from the constitution making process and with whom UN agencies are already working with will be primary beneficiaries of consultations, dialogues and outreaches on the constitution making. Conversely, an additional 5,000 people from their families and work areas, as well as $5,000,000$ others who will indirectly benefit from civic education campaigns through the state, community, print and electronic media. The project will expand their voice and agency ensuring that they also feel part of the Constitution which is being developed and that their contribution is recognized at the highest political levels.

The project interventions target communities most affected by the conflict at county and payam level from the 10 states and 3 administrative areas of South Sudan such as Jonglei, Lakes, Upper Nile, Western, Central and Eastern Equatoria states and 3 administrative areas like the Greater Pibor Administrative Area. Other strategic locations for interdependency amongst ethnic groups and where there will be an influx of returning populations will also be considered. In all the rural areas selected for the project, particular attention will be made to support community led activities that help people who want to contribute to feel part of the process and achieve their wishes through sensitization, group activities, and removal of barriers to inclusion for people who are socially excluded such as youths, women, persons living with disabilities, displaced groups, and ethno-political minorities.
III. Project management and coordination
a) Recipient organizations and implementing partners.

| Agency | Total budget in previous calendar year | Key sources of budget (which donors etc.) | Location of in-country offices | No. of existing staff, of which in project zones | Highlight any existing expert staff of relevance to project |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Convening Organization: UNDP has long standing experience in leading constitutional support within UNCTs globally, understands the South Sudan context and has the capacity to convene partners in this area. <br> Implementing partners: | $80,000,000$ <br> Government <br> Ministries, <br> Human <br> Rights <br> Commission, <br> Law Reform Commission. Peace Commission, CSOs. COTAL | CORE <br> Thematic Windows, Donors: PBF, Netherlands, Sweden, Japan, Africa Development Bank | Aweil, Bentiu, Bor, Juba, Malakal, Torit, Wau and Yambio | 11 | Chief <br> Technical <br> Advisor, Rule of Law |
| Recipient Organization: UNW Implementing partners: | 9,000,000 | CORE <br> budgets; <br> Donors <br> including <br> Peacebuilding <br> Fund; <br> Sweden, <br> Canada, | Juba |  | Program <br> Specialist, <br> Women, <br> Peace and <br> Security. <br> Gender and <br> Constitution <br> Making |


|  |  | Netherlands, Japan |  |  | Expert Consultant |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Recipient Organization: UNESCO | $8,322,308$ <br> Association <br> for Media <br> Development <br> in South <br> Sudan, <br> Community <br> Media <br> Network <br> South Sudan, <br> Union of <br> Journalists of <br> South Sudan, <br> Female <br> Journalists <br> Network, <br> National <br> Editors. <br> Forum and <br> The Radio <br> Community | Trust funds, Regular budget | Juba | 22 | CI Specialist |
| Implementing partners: |  |  |  |  |  |

## b) Project management and coordination

The project will be implemented under the general guidance and leadership of the Deputy Special Representative of the Secretary General, Resident Coordinator and Humanitarian Coordinator (DSRSG/RC/HC) for South Sudan. The Representatives of each participating UN organization will oversee implementation of the project and are responsible for overall accountability of fund allocation, achievement of results and review of implementation progress including budget revisions. The Project will set up a technical working group (TWG) consisting of focal points of UNDP (lead), UN Women, UNESCO, UNMISS and the RCO. The day-to-day management, technical and coordination function will be the responsibility of the technical working group whose members were involved in the development of the project document.

The Project implementation team will be comprised of the following international and national staff under the leadership of the UNDP Chief Technical Advisor and Programme Manager of Access to Justice Security and Human Rights (not funded by the PBF) with support from the RCO:

- Constitution Specialist, UNDP (funded by PBF) who will provide and coordinate technical support and implement the project among respective government and state-level agencies, civil society and communities;
- National Gender and Constitution Making Project Specialist, UN Women (funded by PBF)
- National Communication and Information Specialist, UNESCO (funded by PBF)

As the lead agency, UNDP will have overall responsibility for ensuring timely submission of the project progress reports to the RCO, for quality control and onward transmission to the Peacebuilding Support Office (PBSO). The recipient agencies and the RCO will have regular joint coordination meetings with key project interlocuters including MOJCA, R-NCRC and implementing partners. Strategic partners to this project e.g., UNMISS, UNHCR and UNICEF will be invited to attend those meetings. The recipient agencies will in turn also attend and participate in the UN Constitution Making Coordination meeting convened by UNMISS.

Updates from coordination meetings will be provided to the national level PBF Steering Committee which is to be established under the new eligibility framework 2021-2025 and responsible for overseeing project implementation at strategic level.
c) Risk management

| Project specific risk | Risk level (low, <br> medium, high) | Mitigation strategy (including Do <br> No Harm considerations) |
| :--- | :--- | :--- |
| Changing political <br> environment particularly <br> disagreement amongst <br> RTGONU parties that could <br> result in delayed enactment of <br> the CMP Bill and <br> establishment of the CMP <br> mechanisms | Medium to High | Regular contextual analysis in <br> programme locations. Lobby the <br> MOJCA and the TNLA to <br> expeditiously enact the law and <br> establish the bodies. Hold caucus and <br> lobbying meetings with groups likely <br> to support and oppose the bill and <br> representatives of the TNLA to enlist <br> their support to address issues <br> without causing delays. Advocate <br> through RJMEC, donors and SRSG <br> good offices for governments commit <br> resources for thc CMP mechanisms. <br> Adapt project to focus on civic <br> readiness of the people and <br> communities. Establish relations with |
| local authorities and state/non-state |  |  |
| actors to sustain programme |  |  |
| implementation beyond any political |  |  |
| changes. |  |  |
|  |  | Through the project, the UN |
| supported the CSOs’ gender review |  |  |
| of the CMP Bill, advocate for speedy |  |  |
| enactment of the Bill, and prepared |  |  |
| members of the Transitional National |  |  |
| legislative Assembly (NTLA) to |  |  |
| debate and enact the gender-sensitive |  |  |
| CMP Act. 2022. |  |  |

$\left.\begin{array}{|l|l|l|}\hline & & \begin{array}{l}\text { group/stakeholders, including the T- } \\ \text { TGoNU and political parties to build } \\ \text { minimum consensus. As of October } \\ \text { 2023, all the nominating groups have } \\ \text { submitled list of their representatives } \\ \text { to the office of the President for } \\ \text { appointment to reconstitute the R- } \\ \text { NCRC. }\end{array} \\ \begin{array}{ll}\text { The project will continue to advocate } \\ \text { through RJMRC, donors and SRSG } \\ \text { good offices for governments to } \\ \text { appointment the representatives to } \\ \text { reconstitute the NCRC and establish } \\ \text { other mechanisms in compliance with } \\ \text { the CMP Act, especially on the } \\ \text { minimum 35\% women quota and for } \\ \text { the government to commit resources } \\ \text { for the operations of the CMP } \\ \text { mechanisms. }\end{array} \\ \hline \begin{array}{l}\text { Escalation of violence, which } \\ \text { could impede negotiations } \\ \text { and/or civic education and } \\ \text { engagement efforts. }\end{array} & \text { Medium to High } & \begin{array}{l}\text { Engage RJMEC, IGAD and UNMISS } \\ \text { to mitigate this possibility through } \\ \text { their ongoing peacebuilding efforts. } \\ \text { Explore alternative education and } \\ \text { engagement options which utilize } \\ \text { technology, CSOs and the media to } \\ \text { do outreach areas that are not safe. }\end{array} \\ \hline \text { The project explored alternative }\end{array}\right\}$
$\left.\begin{array}{|l|l|l|}\hline & & \begin{array}{l}\text { lontinue to utilize them to conduct } \\ \text { outreach on the CMP at subnational } \\ \text { levels. }\end{array} \\ \hline \begin{array}{l}\text { Capacity of national } \\ \text { institutions responsible for } \\ \text { driving the constitution- } \\ \text { making process are weak, not } \\ \text { conflict sensitive and they } \\ \text { display resistance to reform- } \\ \text { oriented approaches which } \\ \text { limit how effectively they can } \\ \text { discharge their mandates. }\end{array} & \text { Medium } & \begin{array}{l}\text { Provision of technical advisory } \\ \text { support and peer mentoring that } \\ \text { incentivize collaborative working } \\ \text { relationships and skills exchange. } \\ \text { Capacity building and other forms of } \\ \text { institutional support. }\end{array} \\ \hline \begin{array}{l}\text { No substantial steps have been taken } \\ \text { regarding capacity building and other } \\ \text { forms of institutional support. These } \\ \text { supports are pending the } \\ \text { reconstitution of the NCRC and } \\ \text { establishment of the other CMP } \\ \text { bodies. However, a senior Gender } \\ \text { Advisor has been identified, who will } \\ \text { be on-boarded to provide technical } \\ \text { support to NCRC once reconstituted. }\end{array} \\ \hline \begin{array}{l}\text { Spoilers may spread } \\ \text { misinformation which } \\ \text { undermines public trust in the } \\ \text { process. }\end{array} & \begin{array}{l}\text { Address misinformation by } \\ \text { implementing direct education } \\ \text { activities, as well as working with the } \\ \text { media to minimize their own } \\ \text { misinformation and promote more } \\ \text { accurate reporting on constitution- } \\ \text { making issues. Steps were taken } \\ \text { during the project to empower } \\ \text { journalists, community radios and } \\ \text { community groups to report accurate } \\ \text { information on the constitution } \\ \text { making process, programmes aired on } \\ \text { radios were of great importance with } \\ \text { curbing misinformation on the } \\ \text { process as well as the media was } \\ \text { being used to provide updates on the } \\ \text { Constitution making process. }\end{array} \\ \hline \begin{array}{l}\text { Shrinking civic space, freedom } \\ \text { of expression; affects objective } \\ \text { reporting and inhibits access to } \\ \text { information and civic } \\ \text { engagement in the CMP }\end{array} & \text { Medium } & \begin{array}{l}\text { Lobby and advocate for respect for } \\ \text { freedom of expression and opening of } \\ \text { civic space. (Actions to advocate and }\end{array} \\ \text { lobby for Freedom of texpression } \\ \text { were undertaken. Trainings and } \\ \text { meetings with State Officials, like } \\ \text { Governors, Ministers of Information } \\ \text { Police and SsPDF representatives } \\ \text { were conducted to really support of } \\ \text { duty bearers to promote freedom of } \\ \text { expression, access to information and }\end{array}\right\}$

|  |  | safety of journalists during the CMP, <br> Build the resilience and support base <br> for civil society. Ensure information <br> on the CMP is accessible through a <br> combination of virtual and physical <br> tools/means, for citizens and human <br> rights activists working at all levels, <br> especially within grassroots <br> constituencies. |
| :--- | :--- | :--- |
| Funding of activitics to <br> completion: <br> delay/withdrawal/withholding <br> of funds which will undermine <br> the success of the constitution <br> making process |  | Regular communication with donors, <br> strengthen partnerships. <br> Quarterly reports (narrative and <br> financial) have been provided to the <br> Donor (PBF) as a mean of regular <br> communication. |
| Cow |  |  |
| Cocial and economic <br> sond its <br> repercussions which will <br> continue to slow down and set <br> back the constitution-making <br> process activities. | Medium | The No Cost Extension of the project <br> will ensure the success the <br> Constitution Making Process in South <br> Sudan, given that this project is <br> currently the only funding source of <br> the CMP. |

## d) Monitoring and evaluation

In January 2023, a baseline study for the project was completed, setting out the relevant information for the project result framework. The Baseline Study assessed pre-implementation activities of Phase 1 - on the enactment of the law on the process, carrying out civic education and public consultations, drafting the constitutional text based on public submissions and publishing the first report on the constitution text. It also assessed pre-implementation activities of Phase 2 - on convening of the National Constitutional Conference by the preparatory sub-committee to debate and adopt the final draft constitutional text prepared by the Constitution Drafting Committee. The study assessed the role of non-governmental and community organizations in supporting a peaceful and transparent constitution-making process that builds consensus among stakeholders on substantive constitutional issues.

Some of the key findings of the study showed that at baseline, both rights holders and duty bearers are unhappy and untrusting of the Constitution Making Process (CMP). Majority of the vulnerable groups including women, youth, internally displaced persons, refugees, persons with disabilities especially at the state-level and the rural poor have not been enabled and have no agency to contribute effectively to the process of constitution making. At the time of the baseline study, the constitution making bodies had not yet been established, except for the enactment of the Constitution Making Process Act 2022. However, it was apparent from key respondents that there was growing awareness about the national effort towards permanent constitution making for South Sudan. Consultation with the media and CSOs responsible for awareness building had just started educating citizens about permanent constitution making for South Sudan.

The joint Project Result Framework, which has been updated based on the baseline study will continue to guide the monitoring and evaluation (M\&E) of the project. M\&E is as integral part of project execution. The TWG with support of M\&E Specialists of participating UN entities will monitor issues related to the performance of the constitutional making bodies, levels of public participation in the process especially of groups who are often excluded such as women, youth and displaced populations, gender responsiveness of key processes, institutional composition and content of the constitutional text, the reach of civic education on constitutional issues and the process. The RCO will provide support with overall progress monitoring of the project.

Indicators provided in the results framework have been carefully selected taking into consideration participatory and evidence-based results monitoring and adequate disaggregation of data including by gender. A combination of quantitative and qualitative indicators will provide evidence against the theory of change that underpins this project. The outcome level indicators have been aligned with the UNCF (2019-2021) and the PBF Strategic Results Framework. Output level indicators measure the performance of the project through the regular monitoring of implementation of the annual work plan. As required, $5.62 \%$ of the total project budget is allocated for joint monitoring amounting to US $\$ 80,000$ and US $\$ 120,000$ for the final evaluation. The final evaluation will be conducted by a competent evaluation consultant selected through a competitive process to ensure the quality and usefulness of the project outcome.

## e) Project exit strategy/sustainability

This project aims to ensure sustainability of its interventions and seek to scale up the activities into the third phase of the constitution making process which involves the debate and final adoption of the permanent constitution by the Constituent Assembly and subsequent civic education. The project will be implemented in close collaboration with the government particularly the MOJCA Task Force, RNCRC and NCC, who will have additional matching funds provided from the national consolidated fund and international donors giving them a greater stake in the success and sustainability of the process. The adoption of the permanent constitution will bring an end to activities in the process of drafting it which will not need further support. CSOs, the media, community structures and networks of women and youth groups will be strengthened as part of the project. As such, the project will foster local ownership at the national, state and community level, increase sustainability of the results long after the project ends and lay a foundation for open and democratic participation in governance and building a culture of constitutionalism in the future.

On the request of the R-TGoNU, the current NCRC (un reconstituted NCRC) with the support of the UN has presented to the Council of Ministers, a budget for the CMP activities to be funded by the

Government. The CMP, being a Government-led process will attract funding from the Government. Moreso, the UN common system. under the leadership of UNMISS is discussing the plan for resource mobilization to create a basket fund to support the programmes and activities of the constitution making in South Sudan. Thus, it is hoped that beyond the requested no cost extension period, there will other interventions to support the work on the constitution making process in South Sudan.

Also, to ensure sustainability, national organizations/CSOs, have been empowered to implement and advocate for an inclusive gendered constitution making process. For instance, through the project. the Union of Journalists of South Sudan (UJOSS) has gone ahead to strengthen its presence and network in eight states namely: Eastern Equatorial State. Western Equatorial State, Northern Barh El Cihazal State, Western Bah El Ghazal State, Unity State, Upper Nile State, Warrap State and Jonglei State. This has boosted media monitoring and continued advocacy for a conducieve media enviroment and the safety of journalists during the constitution making process and implementation of the peace agreement across the country.

## IV. Project budget

Each participating UN organization will receive and administer their own resources. All three agencies will cost share the General Operating and other Direct Costs.

Cost efficiency and effectiveness: The project team will maximize efficiency and effectiveness of the support for intended beneficiaries and on delivering value for money for PBF resources. As such, the project will ensure value for money through tracking performance against a range of value for money indicators that span both the length of the results chain (from inputs, activity, output, outcome, impact) and the complete project timeframe.

Using evidence-based decision making: The project will use evidence to make its capacity-building approach responsive to the country context. To this end, the project will support efforts to produce analysis through assessments and rely on the information from other processes such as Conflict and Development Analysis, SCORE and assessments carried out by other partners to optimize planning processes of and improve results.

Collaboration with other UN agencies: UNDP, UN Women and UNESCO will maximize their UN system wide partnerships to achieve impact by working with UNICEF, UNHCR, WFP and UNMISS on cost-sharing arrangements to use their operational and security assets and avoid establishing parallel field implementation channels. This will significantly reduce the capital expenditure required to establish implementation avenues in communities and highly insecure environments.

Fill out two tables in the Excel budget Annex D.
In the first Excel budget table in Annex D, please include the percentage towards Gender Equality and Women's Empowerment (GEWE) for every activity. Also provide a clear justification for every GEWE allocation (e.g., training will have a session on gender equality, specific efforts will be made to ensure equal representation of women etc.).
Annex A.1: Checklist of project implementation readiness

| Question | Yes No | Comment |
| :---: | :---: | :---: |
| Planning |  |  |
| 1. Have all implementing partners been identified? If not, what steps remain and proposed timeline | X |  |
| 2. Have TORs for key project staff been finalized and ready to advertise? Please attach to the submission | X | Will be developed in August |
| 3. Have project sites been identified? If not, what will be the process and timeline | X |  |
| 4. Have local communities and government offices been consulted/ sensitized on the existence of the project? Please state when this was done or when it will be done. | X | Consultations took place between January and July 2021 |
| 5. Has any preliminary analysis/ identification of lessons learned/ existing activities been done? If not, what analysis remains to be done to enable implementation and proposed timeline? |  |  |
| 6. Have beneficiary criteria been identified? If not, what will be the process and timeline. | X |  |
| 7. Have any agreements been made with the relevant Government counterparts relating to project implementati sites, approaches, Government contribution? | X |  |
| 8. Have clear arrangements been made on project implementing approach between project recipient organizations? | X |  |
| 9. What other preparatory activities need to be undertaken before actual project implementation can begin and how long will this take? | N/A |  |
| Gender |  |  |
| 10. Did UN gender expertise inform the design of the project (e.g., has a gender adviser/expert/focal point or UN Women colleague provided input)? | X |  |
| 11. Did consultations with women and/or youth organizations inform the design of the project? | X |  |
| 12. Are the indicators and targets in the results framework disaggregated by sex and age? | X |  |
| 13. Does the budget annex include allocations towards GEWE for all activities and clear justifications for GEWE allocations? | X |  |

Annex A.2: Checklist for project value for money

| Question | Yes | No | Project Comment |
| :--- | :--- | :--- | :--- |
| 1.Does the project have a budget narrative justification, which provides additional project specific <br> information on any major budget choices or higher than usual staffing, operational or travel costs, to <br> explain how the project ensures value for money? <br> 2.Are unit costs (e.g., for travel, consultancies, procurement of materials etc.) comparable with those <br> used in similar interventions (either in similar country contexts, within regions, or in past interventions <br> in the same country context)? If not, this needs to be explained in the budget narrative section. <br> 3. Is the proposed budget proportionate to the expected project outcomes and to the scope of the <br> project (e.g., number, size and remoteness of geographic zones and number of proposed direct and <br> indirect beneficiaries)? Provide any comments. | X |  |  |

## Annex B.1: Project Administrative arrangements for UN Recipient Organizations

The UNDP MPTF Office serves as the Administrative Agent (AA) of the PBF and is responsible for the receipt of donor contributions, the transfer of funds to Recipient UN Organizations, the consolidation of narrative and financial reports and the submission of these to the PBSO and the PBF donors. As the Administrative Agent of the PBF, MPTF Office transfers funds to RUNOS based on the signed Memorandum of Understanding between each RUNO and the MPTF Office.

## AA Functions

On behalf of the Recipient Organizations, and in accordance with the UNDG-approved "Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN funds" (2008), the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;
- Consolidate the financial statements (Annual and Final), based on submissions provided to the AA by RUNOS and provide the PBF annual consolidated progress reports to the donors and the PBSO;
- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is completed by the RUNO. A project will be considered as operationally closed upon submission of a joint final narrative report. In order for the MPTF Office to financially closed a project, each RUNO must refund unspent balance of over 250 USD, indirect cost (GMS) should not exceed $7 \%$ and submission of a certified final financial statement by the recipient organizations' headquarters);
- Disburse funds to any RUNO for any cost extension that the PBSO may decide in accordance with the PBF rules \& regulations.


## Accountability, transparency and reporting of the Recipient United Nations Organizations

Recipient United Nations Organizations will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each RUNO in accordance with its own regulations, rules, directives and procedures.

Each RUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the PBF account. This separate ledger account shall be administered by each RUNO in accordance with its own regulations, rules, directives and procedures, including those relating to interest. The separate ledger account shall be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives and procedures applicable to the RUNO.

Each RUNO will provide the Administrative Agent and the PBSO (for narrative reports only) with:

| Type of report | Due when | Submitted by |
| :--- | :--- | :--- |
| Semi-annual project <br> progress report | 15 June | Convening Agency on behalf of all <br> implementing organizations and in |


|  |  | consultation with/ quality assurance by <br> PBF Secretariats, where they exist |
| :--- | :--- | :--- |
| Annual project progress <br> report | 15 November | Convening Agency on behalf of all <br> implementing organizations and in <br> consultation with/quality assurance by <br> PBF Secretariats, where they exist |
| End of project report <br> covering entire project <br> duration | Within three months from <br> the operational project <br> closure (it can be <br> submitted instead of an <br> annual report if timing <br> coincides) | Convening Agency on behalf of all <br> implementing organizations and in <br> consultation with/quality assurance by <br> PBF Secretariats, where they exist |
| Annual strategic <br> peacebuilding and PBF <br> progress report (for <br> PRF allocations only), <br> which may contain a <br> request for additional <br> PBF allocation if the <br> context requires it | December | PBF Secretariat on behalf of the PBF <br> Steering Committee, where it exists or |

Financial reporting and timeline

| Timeline | Event |
| :--- | :--- |
| 30 April | Annual reporting-Report Q4 expenses (Jan. to Dec. of previous year) |
| Certified final financial report to be provided by 30 June of the calendar year after project <br> closure |  |

UNEX also opens for voluntary financial reporting for UN recipient organizations the following dates

| $\mathbf{3 1}$ July | Voluntary Q2 expenses (January to June) |
| :--- | :--- |
| $\mathbf{3 1}$ October | Voluntary Q3 expenses (January to September) |

Unspent Balance exceeding USD 250, at the closure of the project would have to been refunded and a notification sent to the MPTF Office, no later than six months ( 30 June) of the year following the completion of the activities.

## Ownership of Equipment, Supplies and Other Property

Ownership of equipment, supplies and other property financed from the PBF shall vest in the RUNO undertaking the activities. Matters relating to the transfer of ownership by the RUNO shall be determined in accordance with its own applicable policies and procedures.

## Public Disclosure

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (www.un.org/peacebuilding/fund) and the Administrative Agent's website (www.mptf.undp.org).

## Annex B.2: Project Administrative arrangements for Non-UN Recipient Organizations

## Accountability, transparency and reporting of the Recipient Non-United Nations Organization:

The Recipient Non-United Nations Organization will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each recipient in accordance with its own regulations, rules, directives, and procedures.

The Recipient Non-United Nations Organization will have full responsibility for ensuring that the Activity is implemented in accordance with the signed Project Document;

In the event of a financial review, audit or evaluation recommended by PBSO, the cost of such activity should be included in the project budget;

Ensure professional management of the Activity, including performance monitoring and reporting activities in accordance with PBSO guidelines.

Ensure compliance with the Financing Agreement and relevant applicable clauses in the Fund MOU.

## Reporting:

Each Receipt will provide the Administrative Agent and the PBSO (for narrative reports only) with:

| Type of report | Due when | Submitted by |
| :--- | :--- | :--- |
| Bi-annual project <br> progress report | 15 June | Convening Agency on behalf of all <br> implementing organizations and in <br> consultation with/ quality assurance by <br> PBF Secretariats, where they exist |
| Annual project progress <br> report | 15 November | Convening Agency on behalf of all <br> implementing organizations and in <br> consultation with/quality assurance by <br> PBF Secretariats, where they exist |
| End of project report <br> covering entire project <br> duration | Within three months from <br> the operational project <br> closure (it can be <br> submitted instead of an <br> annual report if timing <br> coincides) | Convening Agency on behalf of all <br> implementing organizations and in <br> consultation with/quality assurance by <br> PBF Secretariats, where they exist |
| Annual <br> peacebuilding and PBF <br> progress report (for PRF <br> allocations only), which <br> may contain a request <br> for additional PBF <br> allocation if the context <br> requires it | December | PBF Secretariat on behalf of the PBF <br> Steering Committee, where it exists or <br> Head of UN Country Team where it <br> does not. |

Financial reports and timeline

| Timeline | Event |
| :--- | :--- |
| 28 February | Annual reporting - Report Q4 expenses (Jan. to Dec. of previous year) |
| 30 April | Report Q1 expenses (January to March) |
| 31 July | Report Q2 expenses (January to June) |
| 31 October | Report Q3 expenses (January to September) |
| Certified final financial report to be provided at the quarter following the project financial <br> closure |  |

Unspent Balance exceeding USD 250 at the closure of the project would have to been refunded and a notification sent to the Administrative Agent, no later than three months (31 March) of the year following the completion of the activities.

## Ownership of Equipment, Supplies and Other Property

Matters relating to the transfer of ownership by the Recipient Non-UN Recipient Organization will be determined in accordance with applicable policies and procedures defined by the PBSO.

## Public Disclosure

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (www.un.org/peacebuilding/fund) and the Administrative Agent website (www.mptf.undp.org).

## Final Project Audit for non-UN recipient organization projects

An independent project audit will be requested by the end of the project. The audit report needs to be attached to the final narrative project report. The cost of such activity must be included in the project budget.

## Special Provisions regarding Financing of Terrorism

Consistent with UN Security Council Resolutions relating to terrorism, including UN Security Council Resolution 1373 (2001) and 1267 (1999) and related resolutions, the Participants are firmly committed to the international fight against terrorism, and in particular, against the financing of terrorism. Similarly, all Recipient Organizations recognize their obligation to comply with any applicable sanctions imposed by the UN Security Council. Each of the Recipient Organizations will use all reasonable efforts to ensure that the funds transferred to it in accordance with this agreement are not used to provide support or assistance to individuals or entities associated with terrorism as designated by any UN Security Council sanctions regime. If, during the term of this agreement, a Recipient Organization determines that there are credible allegations that funds transferred to it in accordance with this agreement have been used to provide support or assistance to individuals or entities associated with terrorism as designated by any UN Security Council sanctions regime it will as soon as it becomes aware of it inform the head of PBSO, the Administrative Agent and the donor(s) and, in consultation with the donors as appropriate, determine an appropriate response.

## Non-UN recipient organization (NUNO) eligibility:

In order to be declared eligible to receive PBF funds directly, NUNOs must be assessed as technically, financially and legally sound by the PBF and its agent, the Multi Partner Trust Fund Office (MPTFO). Prior to submitting a finalized project document, it is the responsibility of each NUNO to liaise with PBSO and MPTFO and provide all the necessary documents (see below) to demonstrate that all the criteria have been fulfilled and to be declared as eligible for direct PBF funds.

The NUNO must provide (in a timely fashion, ensuring PBSO and MPTFO have sufficient time to review the package) the documentation demonstrating that the NUNO:
> Has previously received funding from the UN, the PBF, or any of the contributors to the PBF, in the country of project implementation.
> Has a current valid registration as a non-profit, tax exempt organization with a social based mission in both the country where headquarter is located and in country of project implementation for the duration of the proposed grant. (NOTE: If registration is done on an annual basis in the country, the organization must have the current registration and obtain renewals for the duration of the project, in order to receive subsequent funding tranches).

- Produces an annual report that includes the proposed country for the grant.
) Commissions audited financial statements, available for the last two years, including the auditor opinion letter. The financial statements should include the legal organization that will sign the agreement (and oversee the country of implementation, if applicable) as well as the activities of the country of implementation. (NOTE: If these are not available for the country of proposed project implementation, the CSO will also need to provide the latest two audit reports for a program or project-based audit in country.) The letter from the auditor should also state whether the auditor firm is part of the nationally qualified audit firms.
- Demonstrates an annual budget in the country of proposed project implementation for the previous two calendar years, which is at least twice the annualized budget sought from PBF for the project. ${ }^{15}$
- Demonstrates at least 3 years of experience in the country where grant is sought.
- Provides a clear explanation of the CSO's legal structure, including the specific entity which will enter into the legal agreement with the MPTF-O for the PBF grant.

[^7]Annex C: Project Results Framework

| DIS | Outputs | Indicators | Means of Verification/ frequency of collection | Indicator milestones |
| :---: | :---: | :---: | :---: | :---: |
| Outcome 1: The R-TGoNU establishes inclusive and functional constitutional making mechanisms for developing a permanent constitution peacefully <br> (Any SDG Target that this Outcome contributes to) |  | Outcome Indicator 1a: Proportion of women and youth on R-NCRC and CDC who feel satisfied with the capacity support and advisory services they received. (\%) <br> Baseline: 0 <br> Target: 70\% for women ${ }^{\text {¹ }}$ <br> Target: 70\% for youth | Ministerial Order <br> Reports <br> A perception survey | 0 (R-NCRC not formed yet). Indicator is still relevant. |
| (Any Universal Periodic Review of Human Rights (UPR) recommendation that this Outcome helps to implement and if so, year of UPR): Government of South Sudan and Transitional Government of National Unity to rapidly and fully implement the Agreement on the Resolution of Conflict in South Sudan |  | Outcome Indicator 1b: Proportion of the seats held by women and youth in the R-NCRC and NCC (\%) <br> Baseline: 0 <br> Target: $35 \%$ and $10 \%$ respectively | Ministerial Order Reports Project reports | 0 (R-NCRC not formed yet). Indicator is still relevant. |
|  |  | Outcome Indicator 1c: Number of instances in which recommendations for the constitutional process made by CSOs and non-state actors are taken up by R-NCRC <br> Baseline: 0 <br> Target: 5 | Ministerial Reports Project reports | 0 (R-NCRC not formed yet). Indicator is still relevant. |
|  | Output 1.1: A law and rules/procedures guiding the constitution making process is developed, enacted and disseminated <br> Provide technical and comparative analysis on laws guiding the CMP Advocate for the adoption of a gender sensitive and gender responsive law Translate, print and disseminate copies of the law | Output Indicator 1.1.1: Law on constitution making is drafted and enacted <br> Baseline: No law in place <br> Target: Bill is drafted and enacted into law | Law <br> Reports Progress reports Media reports | Done |
|  |  | Output Indicator 1.1.2: No. of copies of law printed and disseminated. <br> Baseline: 0 <br> Target: 2,500 | Project reports | 50,000 copies Printed and distributed |

${ }^{16} 70 \%$ of the women and youth participants interv iewed will report to have been satisfied with the constitutional making mechanisms.

|  | Output 1.2: The MOJCA and Ministerial Task Force on Chapter VI R-ARCSS coordinates and facilitates the establishment of constitution making mechanisms <br> Facilitate and support coordination activities of the Taskforce <br> - Provide technical advice and facilitate appointments to the R-NCRC, CSC and NCC | Output Indicator 1.2.2: No. of supportive actions taken to establish R-NCRC, CDC and NCC <br> Baseline: 0 <br> Target: 5 | Activity Reports Minutes of Meetings |  | 6 supportive actions underiaken that has resulted in a HighLevel Task Force that meets monthly to review progress towards reconstituting the members of the R-NCRC. convey key messages and take decisions necessary to urge the stakeholders and the political parties to finalize their list of nominees to the membership of the RNCRC. <br> The political parties and stakeholders already submitted the list of nominees awaiting for final decision by the president to appoint the R-NCRC members. <br> Expected appointment of the R NCRC members by the president / Executive of the RTGoNU Planning and coordination meetings held on constitution making. Hold advocacy meetings with MOJCA and other stakeholders. Provide technical advice based on good practice. |
| :---: | :---: | :---: | :---: | :---: | :---: |


|  | Output 1.3: The capacities of constitution making mechanisms to perform their mandated roles regarding constitution-making are strengthened <br> Carry out a rapid assessment of the R-NCRC to identify capacity building support areas <br> - Deploy a capacity building expert to develop and implement a plan for the RNCRC <br> - Provide equipment, furniture and tools for the R-NCRC and CDC <br> Train members and staff of R-NCRC, CDC, NCC and Gender Committee and Women's Parliament caucus on gender responsive, rights based and conflict sensitive CMP <br> Deploy a Human Rights and Senior Gender Advisors to support of the constitution making mechanisms | Output Indicator 1.3.1 No. and proportion of members and staff of the R-NCRC, CDC and NCC with an improved capacity (disaggregated by gender and type of support/training) <br> Baseline: 0 <br> Target: 750 ${ }^{17}$ | Training reports Pre and Pos training surveys | Reconstitution of the constitution making mechanism bodies has not yet taken place. Part of the need for the NCE is to support the establishment of the mechanisms. |
| :---: | :---: | :---: | :---: | :---: |
|  |  | Output Indicator 1.3.2: No. of functional and technical work areas of the R-NCRC, CDC and NCC benefitting from advisory support <br> Baseline:0 <br> Target: $4^{\text {4日 }}$ | Terms of references for the consultants | Advisory support to the three mechanisms has not taken place because they have not been established yet. Action to be taken after the establishment of the mechanisms. Part of the need for the NCE is to support the establishment of the mechanisms. |
|  |  | Output Indicator 1.3.3 No. of learning visits outside the country for members and staff of the constitutional making mechanisms, disaggregated by gender representation <br> Baseline:0 <br> Target: 2 | Concept notes Post learning visits reports | The mechanisms for learning visits have not taken place because the CMP bodies have not been established yet. Part of the need for the NCE is to support the establishment of the mechanısms. |
| Outcome 2: Constitution-making mechanisms and key non state actors implement gender-responsive, inclusive, people-driven and participatory processes for building consensus around the substance of the permanent constitution <br> (Any SDG Target that this Outcome contributes to) |  | Outcome Indicator 2a: Proportion of women, youth and displaced groups including IDPs and refugees receiving constitution information that participate in dialogues/discussions/activities <br> Baseline: 0 <br> Target: 20\% ${ }^{19}$ | Dialogue/discussion meeting reports <br> Non- state actors' reports | 800 IDPs and Returnees. Although the discussion on the substance of the Constitution has not started, the IDPs and returnees received information on the CMP and participated in 8 outreaches/dialogues to build their awareness and understanding of and |

[^8]| (Any Universal Periodic Review of Human Rights (UPR) recommendation that this Outcome helps to implement and if so, year of UPR): Government of South Sudan and Transitional Government of National Unity to rapidly and fully implement the Agreement on the Resolution of Conflict in South Sudan |  |  |  | support for the CMP. based on the findings and recommendations of the project baseline survey. 2023. |
| :---: | :---: | :---: | :---: | :---: |
|  |  | Outcome Indicator 2 b : Proportion of women held seats among non-state actors' representatives to constitution making bodies <br> Baseline: 0 <br> Target: 35\% | Non-state actors progress reports <br> Project monitoring reports | Reconstitution of the constitution making mechanism bodies has not yet taken place. Part of the need for the NCE is to support the establishment of the mechanisms. |
|  | Output 2.1: The R-NCRC is supported to undertake inclusive and gender responsive public consultations with nonstate actors and receive public submissions <br> Support R-NCRC organized public consultations at national and state level Support women specific consultation with the RNCRC at national and sub national levels Provide technical support to draft and produce the RNCRC synthesized public consultations report | Output Indicator 2.1.1: An inclusive and gender responsive civic education and public engagement strategy is developed and adopted. <br> Baseline: 0 <br> Target: No. of gender responsive provisions included in the strategy (disaggregated by focus, scope) | Strategy Document | The R-NCRC has not been reconstituted to approve a strategy |
|  |  | Output Indicator 2.1.2: No of people who participate in the consultations disaggregated by gender and age <br> Baseline: 0 <br> Target: 2,000 | Activity reports | The consultations that the project will support are to be carried out by the RNCRC which has not been reconstituted |
|  |  | Output Indicator 2.1.3: No. of gender responsive and youth focused public consultations, advocacy and lobbying meetings held and platforms supported for non-state actors to make inputs to the constitution making processes. <br> (disaggregated by gender and groups of actors) <br> Baseline: 0 <br> Target: 20 | Consultation and Advocacy Reports | The consultations that the project will support will be conducted by the R-NCRC which has not been reconstituted. |
|  |  | Output Indicator 2.1.4: A synthesized public consultation report is drafted <br> Baseline: 0 <br> Target:1 | Report | The consultations will be carried out after the RNCRC is reconstituted. |
|  | Output 2.2 Dialogues, mediated negotiations and broad-based consensus building on the content | Oufput Indicator 2.2.1: No. of supportive actions towards consensus building on contentious and sensitive issues discussed | Dialogue Reports Workshop Reports | 5 <br> Contentious issues identified in the |


| of the permanent constitution are facilitated with key stakeholders <br> Commission position papers for stakeholders including women, e.g., judicial independence, human rights, elections, land governance, federalism <br> Support national dialogues for youth, displaced groups and traditional Support community dialogues on the CMP and key issues for diverse population groups Develop and publicize the South Sudan Women's Charter Support the development of Submissions on Youth focused issues Train women, youth and displaced persons leaders to develop and enhance their lobbying and advocacy skills | Baseline: 0 Target: 10 |  | Women's Charter and by the academia. Convene advocacy and caucus meetings for key stakeholders. Publish articles or options papers on contentious issues. Cultivate and document key commitments and steps towards consensus. Comparative knowledge exchanges and technical advice |
| :---: | :---: | :---: | :---: |
|  | Output Indicator 2.2.2: No. of people who participate in dialogues and consensus building activities, disaggregated by gender, age and groups of persons (youth, profession, disabilifies) <br> Baseline: 0 <br> Target: 1000 ${ }^{20}$ | Dialogue attendance list of stakeholders | 300 ( 240 women, 60 males and 50 PWDs) <br> More dialogues and consensus building is expected on independence of the judiciary, federalism and human rights during the second half of 2023 |
|  | Output Indicator 2.2.3: No. of substantive written position papers made to the R-NCRC (disaggregated by theme, issues of interest including on gender and women issues) <br> Baseline: 0 <br> Target: 4 | Copies of the written position papers | Three position papers are in the process of being developed by national partners which are: the University of Juba's Law School, a a a women lawyers lead CSO (FIDA, Human Rights Commission. The position papers are expected to be validated and published during the first quarter of 2024. |
| Output 2.3: The Constitution Drafting Committee (CDC) drafts a gender responsive and human rights compliant constitutional text and design consistent with the R ARCSS | Output indicator 2.3.1: No. of gender responsivefinclusive clauses included in the draft constitutional text <br> Baseline: 0 <br> Target: 5 | Constitutional Text | 0 : The permanent constitution has not been drafted |


|  |  |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- |

${ }^{21}$ Target 4 will be for buy in for women groups. youth groups. men groups and the members of NCC


|  | NCC to support buy-in for the women's position. |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Outcome 3: Communities/public have increased access to information to build awareness, understanding of and support for the constitution making process through strengthened media, CSOs and local outreaches. |  | Outcome Indicator 3a: Proportion of the populations participating in the overall constitution making processes (disaggregated by gender, age and underrepresented groups). <br> Baseline: $3 \% 340,122$ ( $192,852 \mathrm{M} / 147,270 \mathrm{~F}$ ) Target: 50\% ${ }^{22}$ | List of participants aggregated by gender and age | $\begin{aligned} & 3 \% 340,122(192.852 \\ & \text { M/147. 270 F) } \end{aligned}$ |
| (Any SDG Target that this Outcome contributes to) <br> (Any Universal Periodic Review of Human Rights (UPR) recommendation that this Outcome helps to implement and if so, year of UPR): Government of South Sudan and Transitional Government of National Unity to rapidly and fully implement the Agreement on the Resolution of Conflict in South Sudan |  | Outcome Indicator 3b: Percentage of people reached with civic education messages who feel sufficiently informed about the constitution making processes <br> Baseline: $3 \% 340,122$ ( $192,852 \mathrm{M} / 147,270 \mathrm{~F}$ ) <br> Target: 50\% | CSOs reports on Civic education | $\begin{aligned} & 3 \% 340,122(192.852 \\ & \mathrm{M} / 147.270 \mathrm{~F}) \end{aligned}$ |
|  | Output 3.1: Civic education campaigns on all constitutional issues are implemented and aligned with conflict sensitive, gender and locally contextualized principles <br> Support the NCRC to develop a constitution making public education and engagement strategy <br> - Develop and support specific civic education materials and awareness campaigns including specifically for women <br> - Support the R-NCRC led civic education campaigns at national and community level | Output Indicator 3.1.1: No. of people, including women and members of underrepresented groups, e.g., ethnic and persons with disabilities reached on constitutional issues (disaggregated by gender) <br> Baseline: $3(340,122(192,852 \mathrm{M} / 147,270 \mathrm{~F})$ Target: $5,010,000(51 \%$ female $)$ | List of participants disaggregated by gender. Print and Electronic Reports Call in TV \& Radio Reports | $\begin{aligned} & 3 \% 340,122(192,852 \\ & \mathrm{M} / 147,270 \mathrm{~F}) \end{aligned}$ |
|  |  | Output Indicator 3.1.2: No. of people, including women and youth in leadership of civic education campaigns. <br> Baseline: 0 <br> Target: (To be determined following the number of CSOs, media and outreaches that will receive project support) | List of women and members of underrepresented groups | 6 |
|  |  | Output Indicator 1.1.3: No. of gender and youth specific civic education materials and awareness campaigns developed and disseminated. <br> Baseline: 0 <br> Target: $4^{23}$ | Project reports Media reports | 10 Sets of pre-authorized key messages i.e., a set for each CSO/Media organization |


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[^0]:    ' Maximum project duration for IRF projects is 18 months. for PRF projects - 36 months.
    ${ }^{2}$ The oflicial project start date will be the date of the lirst project budget transfer by MPTFO to the recipient organization(s), as per the MPTFO (iateway page.
    ${ }^{3}$ Check this box only if the project was approved under PBFF"s special call for proposals. the (jender Promotion Initiative
    ${ }^{4}$ Check this box only if the project was approved under PBF`s special call for proposals, the Youth Promotion Initiative

[^1]:    ${ }^{5}$ Score 3 for projects that have gender equality as a principal objective and allocate at least $80 \%$ of the total project budget to Gender Equality and Women's Empowerment (GI:WE)
    Score 2 for projects that have gender equality as a significant objective and allocate between 30 and $79 \%$ of the total project budget to cliwe:
    Score 1 for projects that contribute in some way to gender equality, but not significantly (less than $30^{\circ} \%$ of the total budget for (BEWF)
    "Please consult the PBF Guidance Note on Gender Marker Calculations and Gender-responsive Peacebuilding

[^2]:    ${ }^{7}$ Risk marker $0=$ low risk to achicving outcomes
    Risk marker $1=$ medium risk to achieving outcomes
    Risk marker 2 = high risk to achieving outcomes
    ${ }^{8}$ PBF Focus Areas are:
    (1.1) SSR, (12) Rule of Law, (1 3) DI)R, (1 4) Political Dialogue;,
    (3.1) Employment; (3.2) İquitable access to social services
    (4.1) Strengthening of essential national state capacity: (4.2) extension of state authority/local administration; (4.3) (iovernance of peacebuilding resources (including PBF Secretariats)

[^3]:    ${ }^{9}$ RJMEC Report on the status of implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan, for the period $1^{\text {st }}$ April to $30^{\text {th }}$ June 2023, Report No: $019 / 23$, p. 9 .
    ${ }^{10}$ Revitalized Transitional Gocernment of National Unity ( $\mathrm{R}-\mathrm{TG}(\mathrm{GNL}$ ) presentation to Revitalized Joint Monitoring and Evaluation Commission (RJEMEC) Plenary of $5^{\text {th }}$ October. 2025.

[^4]:    ${ }^{11}$ Please include a separate signature block for each direct recipient organization under this project.

[^5]:    ${ }^{12}$ As of February 2021. out of 17 ministers appointed to the state Cabinet, only four are women. Out of 10 county commissioners, only two are women. All five state advisers are men. Although seven women were appointed commissioners on independent commissions, all five chairpersons of the commissions are men.

[^6]:    ${ }^{13}$ Including national gender and youth strategies and commitments. such as a National Action Plan on 1325. a National Youth Policy etc.
    'https://peacemaker.un.org/sites/peacemaker.un.org/files/SG\%20Guidance\%20Note\%200n\%20Constitutional\%20Assist ance_2.pdf

[^7]:    ${ }^{15}$ Annualized PBF project budget is obtained by dividing the PBF project budget by the number of project duration months and multiplying by 12 .

[^8]:    ${ }^{17} 750$ is $70 \%$ of the total number of staff and members of the 3 constitution making bodies outlined in the draft Constitution Making Process Bill, 2021
    ${ }^{18}$ Target 4 means the number of thematic areas that will be addressed including through the recruitment of consultants who will provide advisory support to the R-NCRC, CDC and NCC
    ${ }^{19} 20 \%$ of each targeted group will be reached for dialogues and consultations.

