

TERMS OF REFERENCE

Support Engendering the Permanent Constitution Making Process in South Sudan

1. Introduction

UN Women, grounded in the vision of equality enshrined in the Charter of the United Nations, works for the elimination of discrimination against women and girls; the empowerment of women; and the achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. Placing women's rights at the centre of all its efforts, UN Women leads and coordinates United Nations system efforts to ensure that commitments on gender equality are translated into action throughout the world. It provides strong and coherent leadership in support of Member States' priorities and efforts while building effective partnerships with civil society and other relevant actors.

In pursuit of the above, UN Women has received United Nations Peacebuilding fund to support a people-driven and gender responsive permanent constitution making process in South Sudan. The project advances a gender-responsive, people centered, participatory and inclusive Constitution Making Process, which is informed by locally contextualized Constitution knowledge and legitimate in the eyes of the South Sudanese people. The project will focus on three main areas, namely, i) establishing inclusive and functional constitutional making mechanisms for developing a permanent constitution peacefully; ii) supporting constitution-making mechanisms and key non state actors to implement a gender responsive, inclusive, people-driven and participatory processes for building consensus around the substance of the permanent constitution; and iii) empowering communities and the public with information to build awareness, understanding of and support for the constitution making process through strengthened media, CSOs and local outreaches. To assist the Government of South Sudan and non-state actors in managing the Constitution Making process, UN Women South Sudan to apply part of the fund to support advancing these priorities.

Context for required services/results.

Chapter VI of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) signed on 12th September 2018 mandates the Revitalized Transitional Government of Unity (R-TGoNU) to initiate and oversee a Permanent Constitution Making Process that will be based on eight principles, including gender equity, affirmative action, guaranteeing peace and stability, and committing the people of South Sudan to peaceful resolution of national issues through dialogue, tolerance, accommodation and respect of others opinions. In line with this, the R-TGoNU enacted the Constitution Making Process Act, 2022 and reconstituted the National Constitutional Review Commission (NCRC) to guide the process of the Permanent Constitution in South Sudan. The Constitution Making Process represents an opportunity for women to include their priorities in the Permanent Constitution.

2. Objective:

To support the Government of South Sudan, women's participation in the Constitution Making Process, UN Women, jointly with UNDP and UNESCO is implementing a project to support a people-driven and gender responsive permanent constitution making process in South Sudan. The project advances a gender-responsive, people-centered, participatory, and inclusive Constitution Making Process, which is informed by locally contextualized Constitution knowledge and legitimate in the eyes of the South Sudanese people. As such, UN Women would like to apply part of this fund to: **(I)** support strengthening capacities of the constitution making bodies to perform their mandated roles regarding constitution making; **(II)** support commissioning of position papers with women providing comparative analysis on constitutional issues of concern/contention from a gender perspective; and **(III)** Strengthen Women-led Coalition on Constitution Making Process.

3. Outcomes, outputs, and activities

COMPONENT I: Strengthening capacities of the constitution making bodies to perform their mandated roles regarding constitution making.

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

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

Output Indicator: No. and proportion of women members and staff of the R-NCRC, CDC, and NCC with an improved capacity (disaggregated by gender and type of support/training)

Target: 200.

Means of verification: Training reports, and pre and post training surveys.

Key Activities

- a) Conduct a rapid assessment of the capacity gap of the constitution making bodies and develop training materials on gender responsive, rights-based, and conflict sensitive Constitution Making Process (CMP) as well as gender-sensitive and gender-responsive drafting of constitutional text.

- b) Train members and staff of the R-NCRC and NCC on gender responsive, rights-based, and conflict sensitive Constitution Making Process (CMP).
- c) Train members of the CDC on gender- responsive and gender-sensitive drafting of the Constitutional Text.
- d) Train the R-NCRC, CDC, and NCC leaders (including women-leaders) engaging with the media on the CMP, including public speaking, press release writing, and presentation.
- e) Conduct perception surveys and pre and post training surveys as means to verify of the level of the capacity support.

COMPONENT II: Support commissioning of position papers with women providing comparative analysis on constitutional issues of concern/contention from a gender perspective.

Outcome Area: 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.

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

Output Indicator: No. of substantive position papers made to the R-NCRC (disaggregated by theme and issues of interest on gender and women issues.

Means of verification: Copies of the written position papers

Target: 4

Key Activities

- a) Identify with women, the key contentious constitutional issues of interest on gender and women issues.
- b) Develop, validate, and submit the positions papers to the R-NCRC.

COMPONENT III: Strengthen women-led coalitions on Constitution Making Process.

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

Output Indicator: No. of women and youth coalitions strengthened and sustained to advocate and lobby for women issues with collective voice.

Target: 5

Means of verification: Sustainability and advocacy strategy.

Key Activities.

- a) Strengthen and sustain women-led coalitions on Constitution Making Process to carryout civic education on constitutional issues, advocate, and lobby for women issues with collective voice.

5. Eligibility

- A women-led or women-focused organization that is registered with the Government of South Sudan and legally permitted to work in the country.
- A women-led or women-focused organization with expertise in governance, women political participation, or Constitution making in South Sudan.
- Extensive and previous experience in implementation projects to engender public processes or supporting women participation in decision making.
- At least five years demonstrated experience-implementing programmes on gender equality, conflict management or Constitution Making Process.
- Qualified core staff at management level in the above-described key result areas.
- Sound financial management and internal financial control system.

5. Considerations

- Focus on set of activities contributing to one or more of the results describes above.
- Focus on strengthening long-term capacity building meaningfulness and sustainability of the interventions.
- Focus on inclusivity – exploration of involving young women, women with disabilities, etc.
- Focus on result-based reporting and budgeting that shows how much is required to achieve each activity and indicating value for money.
- Not exceed 10% of the total budget as administrative overhead.
- The amount requested should be commensurate with the organization’s administrative and financial management capabilities.

6. Conditions

- The total amount of fund between USD 200,000 – 250,000 is available for implementation all the three Components. The amount requested in the proposal should be commensurate with the organization's administrative and financial management capabilities. UN Women reserves the right to increase or reduce the funding mentioned and the project end date will be end of November 2024.
- Organizations can submit proposals for one or all the components. Please note that for component II, a proposal can be submitted with a range of funds between USD 40,000-50,000. More than one award may be granted per organization for proposals covering all three components.
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7. Submission Requirements and Guidelines

- **Eligible Organizations may apply to implement all the three components or only component II mentioned in this ToR.**
- Interested NGOs and CSOs registered in South Sudan should send their request for the proposal format to (southsudan.procurement@unwomen.org). All proposals must be submitted on UN Women provided format and should be delivered in electronic format no later than **Sunday 28th April 2024** to the e-mail address: southsudan.procurement@unwomen.org