



Midterm Evaluation of the Access to Justice, Security and Human Rights Programme

United Nations Development Programme
South Sudan

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This report includes voices of those who underwent human rights violations triggering a cascade of psychological, physical and interpersonal problems as victims or those involved in crime. As the rule of law systems gets stronger, some of the interviewees were fortunate to benefit from a positive right of accessing justice from the State. I am thankful for those who came forward to share their experiences, providing the information to further strengthen the governance, justice and security systems in South Sudan.

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Acronyms

A2JSHR	Access to Justice, Security and Human Rights
A2J	Access to Justice
ABP	area-based programme
CA	Constituent Assembly
CPBs	County Policing Boards
CSO	Civil society organization
CPA	Comprehensive Peace Agreement
CTRH	Commission for Truth, Reconciliation and Healing's
CMP	Constitutional making process
CPD	continuing professional development
CRA	Compensation and Reparations Authority
CJ	Chief Justice
CUS	Court Users Committees
CSHRO	Society Human Rights Organization South Sudan
DSA	Daily Subsistence Allowance
DAC	Development Assistance Committee
DIM	Direct Implementation
ERG	Evaluation Reference Group
JCC	Justice and confidence Centres
FIDA	Federation of Women Lawyers
GFP	Global fund project
GoSS	Government of South Sudan
GPAA	Greater Pibor administrative Area
GBV	Gender Based Violence
HR	Human rights
HRBA	Human Rights Based Approach
HCJ	High Court judge
HCSS	Hybrid Court for South Sudan
HRD	Human Rights Division (UNMISS and OHCHR)
IGSP	Inclusive Governance and Sustainable Peace
ICTJ	International Center for Transitional Justice
ICT	Information and communication technologies
IGAD	Intergovernmental Authority on Development
LRC	Law Review Commission
LGA	Local Government Act
MTE	Midterm Evaluation
MoJCA	Ministry of Justice and Constitutional Affairs
MGCSW	Ministry of Gender, Child and Social Welfare
NCAJ	National Council on the Administration of Justice

NCAC	National Constitution Amendment Committee
NPSSS	National Prisons Service of South Sudan
OHCHR	Office of the High Commissioner for Human Rights (OHCHR)
OECD	Organization for Economic Cooperation and Development
PACC	Peace and community cohesion
PAD	The Political Affairs Division (UNMISS)
PCRC	Police Community Relations Committee
PSS	Psychosocial support
RTGoNU	Revitalized Transitional Government of National Unity
ROLAS	Rule of Law Advisory Section (UNMISS)
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
R-JMEC	Reconstituted Joint Monitoring and Evaluation Commission
R-NDS	Revised National Development Strategy
RoL	Rule of law
RSRTF	South Sudan Reconciliation, Stabilization, and Resilience Trust Fund
SSHRC	South Sudan Human Rights Commission
SCPBs	State Community Policing Boards
SSNPS	South Sudan National Police Service
SGBV	Sexual Gender based violence
SEER	Sustainable Environment, Economic Empowerment, and Resilience
STAR	Stabilization and recovery
SSP	South Sudanese Pounds
SOP	Standard Operating Procedures
SSR	Security sector reform
SPU	Special Protection Unit
TCRSS	Transitional Constitution of the Republic of South Sudan of 2011
TJ	Transitional justice
TNLA	Transitional National Legislative Assembly
UNDP	United National Development Programme
UNPOL	UN Police
UNHCR	UN High Commissioner for Refugees UNESCO and UNICEF
UNMISS	United Nations Mission in South Sudan
UNCF	UN Cooperation Framework
UNV	UN Volunteer
VSG's	Victim Support Groups
VSLA's	Village Savings and Loans Association
YEP	Youth economic empowerment

Executive Summary

This evaluation seeks to assess the midterm performance of phase iii (2020 and 2025) of the Access to Justice, Security and Human rights (A2JSHR) programme (April 2020- December 2022) and its contribution to the overall justice and RoL in the country, using the OECD/DAC evaluation criteria. The programme aims to strengthen and promote A2J which is a bedrock of UNDP's work to achieve peace and stability by fostering the development of norms, social practices and institutions that ensure the independence of core governance institutions. SDG 16 outlines the key role that RoL plays in promoting peaceful, just and inclusive societies as an accelerator for the 2030 Agenda for Sustainable Development Goals. In South Sudan, the programme is responding to the aftermath of the crisis by empowering the national and local capacities to address impunity and respond to immediate justice and security needs.

The programme is built upon 5 output areas and is directly operating in 7 states i.e. Juba, Aweil, Bor, Torit, Yambio, Wau and Warrap (Kuajok). In other states the programme implements activities through CSOs who are also consulted on national projects.

The programme implementation is guided by principles of human rights and gender equality with particular interventions to support and enhance the capacity of the SPU and PCRC's within the SSNPS, Judges, prosecutors and customary law actors to enhance their service delivery. Human Rights is a pillar of the programme's policies and activities under outcome 5 through its support to the transitional justice process including drafting of laws, support to the establishment of the transitional Justice institutions, formation of victim support groups and country wide dissemination campaigns. The programme allocates a percentage of resources to address gender equality and women's empowerment across all projects. The programme reporting on this aspect is in line with the women, peace and security agenda.

Evaluation Findings

Relevance

UNDP's A2JSHR programme is found to be relevant, consistent and coherent. It is within the objectives, plans and strategies of the GoSS, community needs and adopts to the ongoing Constitutional, judicial and security sector reforms and transitional justice processes taking place in South Sudan.

The programme gives clear support to the RoL institutions in South Sudan to achieve its objectives aligning with Chapter 6 of the R-ARCCS and has facilitated the formation and operation of institutions relating to the constitutional making, transitional justice mechanisms, judicial reforms, security sector reforms, human rights promotion/protection, community policing and legal aid in line with the R-ARCCS and R-NDS.

Effectiveness

Overall, the project is on track to deliver the planned results. The RoLSHR programme has taken the lead role in supporting the GoSS to reinforce respect for human rights as a step towards developing inclusive and accountable security and justice systems, RoL, constitutional and transitional justice reforms through institutional support and citizen engagement.

In furtherance of the R-ARCCS the project provided technical support to review and enact the following laws: CMP law (2022), SPLA Act (2009), National Security Act (2014), Police Service Act (2009), Prisons Service Act (2011), Wildlife Service Act (2011), Penal Code Act, Code of Criminal Procedure Act, Evidence Act and the Interpretation of the Law Act. The project has successfully developed the South Sudan National Police Service Community Policing Policy (November 2021) and

the SOP's for Community Policing (2021) and SPU's (2021). The Family Law, the Legal Aid Bill, Gender Based Violence Bill (2019) and Legal Aid Policy are in draft form. The proposed laws under the transitional justice process are the Compensation and Reparation Authority Bill (2022) and the Commission for Truth, Reconciliation and Healing Bill (2022).

The project collaborated with the GoSS to establish the first ever GBV and Juvenile Justice court as a commitment to end impunity for gender-based crimes and hold perpetrators accountable. The PCRC's and customary actors are sufficiently informed on the reporting mechanisms for crimes and a good relationship has been built between the police and communities. The PCRC's and SPU's are aware of their mandates to respond and prevent cases of S/GBV.

Efficiency

The programme support documents are aligned with South Sudan's government priorities on reforms implemented through express partnership with the government ministries, departments and institutions. As part of the risk mitigation, UNDP directly implements (DIM) the programme by taking on the role of an implementing partner by assuming overall management responsibility and accountability for programme implementation.

The programme is fully de-centralized to the field level with RoL and Security Specialists based in Juba, Torit, Bor, Wau, Aweil and Yambio. It is crucial for UNDP to fill the current staff gaps for the programme to reduce current staff overload and burnout and position UNDP to meet its targets realistically.

The CSO's partnering with the programme are required to illustrate their ability to take the project forward through additional resources sought by them. CSO's project activities cannot be limited to UNDP funding. The programme through private sector partnerships such as the Stanbic Bank Foundation supports the prisons vocational training centers (VTCs) at the Juba, Wau and Malakal Central Prisons.

According to a programme staff, *"The police, prosecution, courts, correctional and the human rights projects complement each by serving the entire criminal justice chain. For instance, while the ECC addresses crime prevention and response, SPU focuses on GBV and Juvenile related cases which feeds into the judiciary and all the way into the prisons. Thereby funding should be equally distributed across the programs to ensure that the synergy is maintained and improved"*.

Since 2020, the programme had an average expenditure rate of 86.5 % of the available resources (Table 1). Despite the challenges emanating from COVID 19 pandemic, conflict and floods etc. that delayed or affected the implementation of activities, the programme achieved above 80% of UNDP delivery threshold.

Sustainability

The RoLSHR programme has taken inclusive and holistic approaches to provide ownership to the national and regional state institutions. The programme has further engaged CSO's and community representatives in the programme activities. The Programme Board is co-chaired by the undersecretary of the MoJCA with representatives from the Judiciary, SSNPS, NPSSS, SSHRC, LRC and the programme's key donors the Embassy of Netherlands and Japan. At the state level the ROL forums and State Community Policing Boards are chaired by the Head of Legal Administration and State Commissioner of Police respectively.

Government challenges

- Being a new country with 10 years of independence, South Sudan will benefit from a more robust capacity development and institutional reforms. Currently the Justice, security and prison officials are undergoing various professional trainings that includes support from the RoLSHR programme.
- Major factors precipitating the persistent delays in the implementation of the R-ARCSS, including the CMP, Transitional Justice and judicial reforms have been cited partly due to insufficient political will from the leadership of the political parties; lack of sufficient funding; delayed unification of forces; trust deficit among the parties to the agreement and capacity gaps. These factors affect the reform agenda across sectors, institutions and levels of government.
- The barriers to achieving the programme outcomes of the GBV, mobile courts and legal aid reforms include leadership to steer and sustain reforms and change, risk aversiveness to reforms, insufficient salary structures across the ROL sector and capacity to fully operationalize the activities supported by the Programme.

Areas to focus on the next stage

- In order for the GBV and mobile courts to achieve its broader objective of ensuring timely justice to all the parties by minimizing justice delays and ensuring smooth functioning of the courts, reforms must target all elements within the judicial system. In-depth commitment from the Judiciary and MoJCA is required to address structural challenges that the Judicial Reform Committee seeks to address.
- The findings from the CSO's who monitored the GBV courts on the procedural and operational challenges faced, provides stakeholders with sufficient ground to troubleshoot.
- Support to victim support groups (VSG's) through the CSO's could have further benefitted if the grant was extended beyond the 6 month period. The VSG's help identify victims of past abuses including victims of conflict related sexual violence. The groups are informed of the remedies available to them including preparing them to participate in the CTRH and CRA. Since healing can best be achieved over time, the CTRH once established will offer continued opportunity to build on the PSS and counselling started through the VSGs. However the need for continued PSS and counseling for these victims along with their livelihood and economic empowerment remains a dire need.

Recommendations

1. Given the current presence of UN Peacekeeping mission in South Sudan, the programme (A2JHR) should **consider adopting a UN integrated approach through the development of a joint strategy** to harmonize several programmatic actions across the mission and the UN country team (UNCT) instead of limiting to project based collaboration.
2. The programme (A2JSHR) should ensure **continuing professional development (CPD) for the administration of justice and security sector and human rights commission's officials**. CPD can be channeled through various learning institutions following training modules rather than one-off workshops. Continue the ongoing advocacy/dissemination modalities to facilitate the enforcement of laws and Policies and encourage access to the rule of law and human rights institutions.
3. Promote an integrated approach to address all phases of the criminal justice, prison reform and crime prevention chain as well as the complex needs of justice involved populations. Develop a **Common Strategic Framework for Mobile justice** in partnership with the A2J actors.
The support towards the mobile courts initiative by different partners in responding to the shortage of judges, should be strengthened with a long-term approach to ensure effective, accessible, sustainable and credible access to justice system in South Sudan.
4. The programme should step-up efforts towards strengthening the capacity of the judicial system, to sustainably reduce the case backlog and prison overcrowding through an

Alternative Justice Systems Framework Policy. This will encourage non-custodial sentencing as per the Tokyo Rules and development of a **Standard Prison Evaluation check list** to guide prison inspection and monitoring.

The National digital data base for inmate statistics should develop **prison statistical tables** classifying categories of persons imprisoned.

5. **Expansion of the Prisons Vocational Training Centre** to open more centres in other prisons across the country depending on the available resources. The Programme to provide prison administration with technical guidance on enhancing rehabilitation programmes, in coordination with the CSO's and the private sector.
6. The programme to advocate for enactment of the **"Declaration by the customary law actors"** establishing their jurisdiction and referral mechanisms and enhance capacity strengthening and support to the Customary law courts across the country.
7. **Address the operational setbacks of the GBV and Juvenile Courts** and consider its scheduled hearings across the country. Advocate for the enactment of the Gender Based Violence Bill (2019) into law.
8. As per the **Resolutions reached at the Conference on Transitional Justice**, finalize and enact the Commission for Truth Reconciliation and Healing (CTRH) and Compensation and Reparations Authority (CRA) Bills as a critical step in establishing the CTRH and the CRA. In operationalizing the law, the Ministry of Justice and Constitutional Affairs and the bodies to be established must promote the meaningful participation of women in transitional justice as per the Security Council Resolution 1325. Victim support to be enhanced through continued engagement with the CSO's and inter-unit collaboration within the UNDP programmes.
9. **Recruit additional staff to align with** the staffing table and ensure balance between the International and national professional officers based in Juba and the regions.
10. To **strengthen support from the Operations and Procurement Units**, the country office should consider recruiting additional staff to alleviate the overwhelming burden on the current team.
11. The management to accelerate the **evolution of project based field offices into UNDP field offices** to reinforce the programmatic synergies between UNDP projects in the regions by maintaining coordination and collaboration of activities.

1. Introduction

1.1 Purpose, objectives and scope of the evaluation

This report presents findings and recommendations from a Midterm Evaluation (MTE) of the Access to Justice, Security and Human Rights (A2JSHR) Programme (hereinafter referred to as ‘the programme’) implemented by UNDP South Sudan. The purpose of the evaluation was to (i) assess the midterm performance of the programme (April 2020- December 2022) and its contribution to the overall justice and rule of law (RoL) in the country; (ii) assess relevance, efficiency, effectiveness, coherence, sustainability and impact (where practical) of the programme using the OECD/DAC evaluation criteria.

The focus of the MTE was to (i) assess the programme’s contribution to supporting the implementation of the R-ARCSS and laying the foundation for the transformation of South Sudan towards peace and development and (ii) evaluate the midterm performance of the A2JSHR programme Phase iii.

Note- Although this MTE is evaluating the period from April 2020 to December 2022, for ease of reference, data and the financial statements referred to are from January 2020 to December 2022.

The MTE seeks to provide UNDP, the Kingdom of the Netherlands, Peace Building Fund (PBF), Japan, the South Sudan Reconciliation, Stabilization, and Resilience Trust Fund (South Sudan RSRTF), national stakeholders and partners with an impartial assessment of the results generated by the programme during the implementation period. The evaluation serves as an important accountability function, providing national stakeholders i.e. relevant ministries and institutions of the Government of the Republic of South Sudan (GoSS) and partners with an independent assessment of the programme results.

Evaluation objectives identified in the TOR are as follows:

1. Determine the relevance and strategic positioning of UNDP’s A2JSHR programme Phase iii to the justice, security, human rights and peacebuilding needs in South Sudan in general and in the six programme locations in particular.
2. Assess the extent to which the net benefits of the programme are likely to result in long term benefits and thus sustainable. Assess a) the progress made towards programme planned results and whether there were any unintended results and b) what can be captured in terms of lessons learned for ongoing and future UNDP rule of law initiatives in South Sudan in line with the Theory of Change of the programme.
3. Assess whether the programme management arrangements, approaches and strategies were well-conceived, applied for efficient and effective delivery of the programme results.
4. Analyze the extent to which the programme enhanced application of a rights-based approach, gender equality and women’s empowerment, social and environmental standards and participation of other socially vulnerable groups such as youth, children and persons with disability.

1.2 Evaluation methodology

Methodology and Approach: The evaluation is based on the Organization for Economic Co-operation and Development’s (OECD) Development Assistance Committee (DAC) evaluation criteria. It focusses on the project’s relevance and coherence, effectiveness, efficiency and sustainability and explores the crosscutting issues of gender equality, women’s empowerment and human rights.

The **Evaluation Reference Group (ERG)** established for this study approved the inception report outlining the proposed methodology and approach to conducting the MTE. The ERG comprises of senior officials of the UNDP and programme leadership, government partners and donors including representatives from project management boards, CSO's, Academia and other UN agencies. The ERG (i) performed an advisory role throughout the evaluation process; (ii) ensured UNEG evaluation standards are adhered to (iii) provided advice on the evaluation's relevance methodology and recommendations and (iv) input into the development of the management responses and key actions. The final draft of the report was presented to the ERG and validated.

Data Sources

The research methodology followed a human rights based approach with equal participation of both men and women. The evaluator was respectful and mindful of the fundamental rights of the participants in order to understand the project impact and contribution gained by them.

The scope of the evaluation included the projects coming under the 5 outputs of the project. The geographic areas visited during the data collection were Juba - Central Equatoria State; Yambio - Western Equatoria State; Bor - Jonglei State and Aweil - Northern Bahr el Ghazal. Virtual meetings were held for Waw (Western Bahr el Ghazal) and Torit (Eastern Equatoria State).

The Key evaluation questions were

1. **Relevance** - To what extent the programme results and approaches were, and continue to be consistent with national priorities, community needs?
2. **Effectiveness** - To what extent has the Programme been able to achieve the planned results, and which factors either contributed to or hindered the achievement of the results?
3. **Efficiency** - Did the Programme produce the results efficiently, and to what extent? Were there other ways to achieve them more efficiently?
4. **Sustainability** - To what extent the RoLSHR Programme interventions and results (including changes in local conditions) are likely to continue beyond Programme closure and what factors have or are likely to affect their sustainability?
5. **HRBA, Gender and Equity** - How well the Programme design, implementation and results incorporated the human right-based programming (HRBA), gender equality and equity principles and approaches?

Qualitative Method: Primary Data Collection

Key Informant Interviews (KII) - Following the Evaluator's semi-structured interview guidelines, 57 KII's were held with the UNDP project staff and management, relevant ministries and institutions of the government, programme donors, partnering UN agencies, civil society organizations (CSO's), local and national level platforms. The KIIs enabled the evaluator to collect first-hand information on the programme design, implementation, operational challenges, adoptions and sustainability opportunities. (Please see Annexed the Consultancy TOR: list of the persons interviewed and KII and FGD interview Guide)

Focus Group Discussions (FGD) - In total, 12 FGD's were held with 153 benefitting communities of the project, including beneficiaries from the Justice and confidence centres (JCC), RoL forums, police community relations committee (PCRC) members, victim support groups (VSG's) and customary law actors.

Secondary Data Collection - An extensive secondary source reviews through desk review continued throughout the evaluation. Overall approximately 30 internal and external documents were shared by the programme team and other stakeholders. Meticulous desk review helped in extracting the

relevant information available, which was then used as evidence (on its own) and where possible triangulated with the primary data.

Evaluation stakeholders' interests and uses of the evaluation

UNDP South Sudan

Role: UNDP South Sudan's role as the user and commissioning agency included preparation of evaluation ToR's; formation of the ERG; recruitment and management of the evaluation consultant; facilitation to data access and stakeholders; and review, compliance (to standards) and dissemination of the evaluation report.

Interest: The interests include: enable robust and objective evaluation; get a measure of the effectiveness of the Programme implementation, results learned and ideas on future programming.

Uses: share the evaluation findings to demonstrate commitment to accountability both lateral (with GoSS, CSO partners and other UN agencies) and vertical accountability (donors, communities); use lessons learned and recommendations to inform future programming/assistance in South Sudan.

Ministry of Justice and Constitutional Affairs (MoJCA)

Role: MoJCA remains the primary stakeholder/user of the evaluation, as the key implementer within the public sector. MoJCA's role is to work closely with UNDP South Sudan and enable access to relevant data and staff and provide evaluation oversight being part of the ERG.

Interest: The primary interest is to help plan and implement an objective and robust evaluation. With that, to understand how the assistance under the Programme enabled GoSS to institutionalize the RoLSHR services and how it could be taken further.

Uses: The uses include understanding what has worked and means of addressing any systematic gaps.

The Government of Netherlands

Role: The Government of Netherlands is the key donor of the programme and is represented in the ERG. The Government is to contribute to the evaluation by sharing their views and attending the ERG meetings.

Interest: The primary interest is to help/oversee plan and implement an objective and robust evaluation. To understand how the assistance under the Programme enabled GoSS to institutionalize and modernize the RoL, Security and Human rights services.

Uses: To report/inform on the programme's progress and impact as implemented by the GoSS and UNDP South Sudan Country office.

Civil Society Organizations

Role: Helped to implement various interventions of the programme at grass root level, raised awareness and sensitized communities, local influencers, and caregivers so the programme is effectively executed in order for the people to take full advantage of the services offered.

Interest: The CSO partners are interested in capacity-building of local people and improving service delivery around A2J, Security and HR.

Uses: The Evaluation may aid CSO's to inform their current and future programming surrounding constitutional making, justice and security sector reform, legal aid, transitional justice and human rights in South Sudan.

Compliance to UNEG Norms and Standards for Evaluation Credibility

The evaluator complied with the following UNEG norms and standards.

- **Independence** was established through behavioral independence and the ability to evaluate without undue influence by any party.
- Three key elements of **impartiality**: objectivity, professional integrity and absence of bias.
- **Credibility** was achieved by acting independently, impartially and transparently during the data collection and report writing process. The evaluator engaged with as many stakeholders

and beneficiaries as possible in order to ensure the credibility of the final evaluation report. All data was analyzed cautiously and carefully by validating and triangulating the data using a quantitative analysis.

- To enhance the **utility** of the evaluation, a kick-off meeting was held with the ERG to present the inception report including the methodology in order to ensure that the evaluator and the ERG were on the same page.
- Presentation to stakeholders and the ERG will further explore internal and external factors that influenced the programme implementation strategies, adopted process, targeted groups and results. For validation and quality purposes the final draft of the MTE report was shared with the ERG members followed by a formal presentation.
- The evaluator fully understood and was committed to ethical behaviour throughout the evaluation, while keeping in view the utility, necessity and objectives of the evaluation. There was no potential conflicts of interest and issues around integrity to be addressed.

1.3 South Sudan Country Context

Republic of South Sudan became the world's youngest nation and Africa's 54th country on July 9, 2011. The country is subdivided into 10 states with a payam as the second-lowest administrative division, followed by Boma comprising of individual villages. It is home to over 60 different major ethnic groups. The outbreaks of civil wars in December 2013 and July 2016 has undermined its development gains. A decade after independence, South Sudan remains impacted by fragility, economic stagnation and instability. Poverty is ubiquitous and is exacerbated by conflict, displacement and external shocks such as unprecedented flooding, economic impacts of the COVID-19 pandemic and rising fuel and food prices.

Decades of devastating war, inter-communal violence, natural disasters and humanitarian catastrophes in South Sudan left behind a traumatized society. Schools were destroyed, houses were burnt and people were killed, prevalence of mental disorders such as depression, anxiety disorders and post-traumatic stress disorder is high with those who have experienced recent traumatic events facing higher risks. Persons with disability faced hunger and were left behind during brutal attacks facing greater risks and death. Thousands of people are still displaced and living as IDP's. Cycle of violence, displacement and returning refugees marked the lives of generations of South Sudanese before and after independence. The fragility, economic stagnation and instability has exacerbated poverty with general lack of access to services, infrastructure and economic opportunity.

1.4 RoL/Access to Justice and Human Rights in South Sudan

The above violent conflicts have greatly impacted upon the RoL structures in South Sudan. South Sudanese pluralistic legal system is built upon both customary and traditional institutions which function alongside formal justice sector institutions. The **hierarchy of law** is specified in the 2011 Transitional Constitution of the Republic of South Sudan (TCRSS).

There have been strong calls for reforms in South Sudan since the 2005 Comprehensive Peace Agreement (CPA). The 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) emphasizes the **writing of a permanent Constitution** to lay a foundation for a united, peaceful and prosperous society based on justice, equality, respect for human rights and the RoL. The Bill of Rights chapter of the 2011 TCRSS guarantees every person a **right to resort to courts of law** to redress grievances against the government, individuals or organization (Article 20).

Part-VII of the TCRSS confirms the **Judiciary as an independent institution for the administration of justice** and details the structure of the Supreme Court, Courts of Appeal, High Courts, County Courts and local authorities across the country. The other actors involved in upholding the RoL include justice-sector stakeholders, Bar Association, Ministry of Justice and Constitutional Affairs (MoJCA),

Transitional National Legislative Assembly etc. The Security sector comprises of the South Sudan Police Service (SSPS), Police Special Protection Units (SPU), Police Community Relations Committees (PCRC) and the National Prisons Service of South Sudan (NPSSS).

The Constitution and the Local Government Act (LGA) of 2009 recognizes the **role of customary law and traditional institutions**, which function alongside the formal justice sector institutions. The customary law courts is recognized as a source of law through its hierarchy of Boma (“A” Courts), Payam (“B” Courts) and County (“C” or Paramount Chief’s) Courts. The courts have first instance and appellate jurisdiction as per the severity or thematic matter of the case. However, many customary law systems operate below this hierarchy at the family and clan level. In particular, family law matters including disputes between spouses and inheritance matters rarely reach the structures identified by the LGA. As a result, it is difficult to monitor and provide for protection of women and children’s rights as accorded by the TCRSS or international human rights laws, particularly where they run contrary to customary law.¹

In addition to the limited trained judges, magistrates and prosecutors who were in place during the post-CPA period, the justice sector suffers from an **acute shortage of judicial officers and prosecutors**. Moreover, the first major hire of new judges in 2013 came too close to the start of its civil war and has not significantly improved service delivery. The **justice sector further lacks infrastructure**, with the few facilities that exist concentrated in Juba and capitals of the key states.²

The **South Sudan National Police Service (SSNPS)** was built almost from scratch after the end of the civil war between northern and southern Sudan. The process started in 2005 and the police service gradually began assuming its responsibilities. The country had been under martial law for almost 30 years. The challenges to effectively fulfill SSNPS mandate, include the lack of trust by the people to be adequately protected by the police. This has entailed in resorting to alternative methods of protecting themselves or taking the law into their own hands. Prison officials require intense training on basic human rights and the rights of prisoners.

The programme facilitated a study titled **‘Justice Needs and Satisfaction Survey for South Sudan’³** (2022), through the *Hague Institute for Innovation of Law (HiIL)*. According this study, every year in South Sudan, there are around 1.75 million people who face one or more legal problems. Collectively they experience 3.95 million legal problems. 2.26 million are completely or partially resolved but 12.5% (or 274,000) legal problems are resolved unfairly. 1.14 million legal problems are ongoing. A further half a million (547,000) legal problems are abandoned whereby the affected people are not seeking further resolution. This means that annually the justice gap in South Sudan is around 2 million legal problems that do not find a fair resolution.⁴

The report further pointed out that *“People in South Sudan rarely use formal justice mechanisms and institutions to resolve their legal problems. Less than 3% of the serious issues are ever referred for resolution to a formal court. The police addresses around 13% and local public authorities 8% of the legal problems, respectively. Many crimes are not reported to the police. Very few legal problems ever reach a lawyer.... Most often, legal problems are submitted for resolution to traditional chiefs (30%), followed by elders (29%), family members (27%) and friends (16%). Very few legal problems are resolved by courts or lawyers.”*

¹ Study on the Harmonization of Customary laws and the National Legal system in South Sudan, UNDP. By Tierman Mennen, (March 2016)

² <https://reliefweb.int/report/south-sudan/rule-law-and-role-customary-courts-stabilizing-south-sudan>

³ Supra page 7

⁴ “Justice Needs and Satisfaction in South Sudan 2022 Legal problems in daily life” Page 6.

1.5 Brief Description of the A2JSHR Programme under Review

UNDP's A2JSHR strengthening program (2020 to 2025) aims to strengthen the RoL in South Sudan by providing technical, policy and capacity building support to the RoL actors to increase A2J and security and promote accountability for HR violations. It is an essential component of the country's peacebuilding and long-term development efforts following several years of conflict. The programme has functioned under three phases as follows:

1. Phase i - 2013- 2016
2. Phase ii - 2017-2020
3. Phase iii - 2020 and 2025

The programme board manages and approves the development of the next phase of the Programme through its board meeting. The programme expanded its operation from 6 states to 7 states i.e. Juba, Aweil, Bor, Torit, Yambio, Wau and Warrap (Kuajok). In some other states the programme implements activities through CSOs who are also consulted on national activities.

The key government agencies of the programme include Ministry of Justice and Constitutional Affairs (MoJCA), the Judiciary of South Sudan, Ministry of Interior, Ministry of Gender, Child and Social Welfare (MGCSW), the South Sudan National Police Service (SSNPS), National Prisons Service of South Sudan (NPSSS), Law Review Commission (LRC), South Sudan Human Rights Commission (SSHRC), collaborating UN Agencies, and CSO's and national partners. The programme seeks to ensure national ownership and sustainability of results.

The **five programme outputs** are:

1. Justice and security institutions coordinate and deliver services that are accountable, effective and equitable, including gender responsiveness
2. The most vulnerable people: particularly women, girls, Sexual and Gender-Based Violence (SGBV) survivors, Internally Displaced Persons (IDPs) and Returnees, among others have increased equal access to a fair and effective justice system
3. People-centred community security, especially in conflict-affected areas, prevents violence and promotes safety
4. National human rights systems promote awareness, respect and provide redress;
5. Transitional justice mechanisms effectively address the consequences of human rights violations and the root causes of conflict.

2. Relevance and Coherence

South Sudan is currently in an **extended post-conflict transition** after the tenure of the Revitalized Transitional Government of National Unity (RTGoNU) was extended by two years to end in February 2025⁵. The extension is embodied in the *Agreement of the Parties on a Roadmap to a Peaceful and Democratic end of the Transitional Period of the R-ARCSS*⁶ (The **Road Map**) whose key activities focus on the unification of forces and their redeployment; making of a permanent constitution; transitional justice, judicial reforms and the process towards holding a free, fair and credible elections.

- The RoLSHR programme provides technical, material and financial support towards the drafting and enforcement of a **new and permanent Constitution for South Sudan** in line with the R-ARCSS (2018).
- In furtherance of the implementation of the R-ARCSS and the roadmap agreement, the programme is supporting the **judicial reforms committee** to implement judicial reform activities.
- **Transitional Justice measures** are implemented in line with chapter 5 of the Peace agreement (2011) and Article 5 of the R-ARCSS (2018)⁷. With funding from the PBF and the Government of Netherlands the project coordinates with MoJCA, relevant stakeholders and partnering CSO's.

UNDP's A2JSHR programme is found to be relevant, consistent and coherent. It is within the objectives, plans and strategies of the GoSS; the community needs; and adopts to the ongoing constitutional, judicial and security sector reforms and transitional justice processes taking place in South Sudan.

As expressed by a senior member of the MoJCA, *"South Sudan's legal reforms across all sectors are managed with the support of the UNDP A2JSHR programme. In the area of Constitutional making, we worked with UNDP for almost a year to draft and finalize the CMP Act. The project is now supporting with public consultations, printing of laws, workshops, meetings and study tours. The programme is further implementing a crucial part of the agreement related to chapter 5. i.e. the establishment of the commission on truth and reconciliation. UNDP is the major and the only partner who is supporting the preparation and arrangement of the commission, public consultations and supporting the task force of the MOJ by equipping the office. Loudly, I am saying UNDP is the only UN agency who is really giving a clear support to the RoL institutions in South Sudan."*

To what extent was the programme in line with the national development priorities and policies, the country programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?

Overall the programme is in line with the following national development priorities and policies:

- South Sudan's Revised National Development Strategy (R-NDS) (2021- 2024) aims to consolidate peace & stabilize the economy. It expresses the national aspirations to transition **from dependence on humanitarian aid towards a development path** and seeks to strengthen RoL systems by promoting equal A2J for all.
- South Sudan's National Action Plan for Gender and the Standard Operating Procedures (SOP) on GBV seeks to operationalizes the 1325 agenda.
- The programme supports the achievement of UNDP's commitments in the Strategic Plan (2018-2021) and Country Programme Document (2019-2022). It addresses the evolving needs of South Sudan's justice and security sectors.

⁵<https://www.undp.org/south-sudan/blog/south-sudans-judicial-reform-committee-heralds-hope-justice-sector>

⁶ Agreement of the Parties on a Roadmap to a Peaceful and Democratic end of the Transitional Period of the R-ARCSS signed on 4th August 2022.

⁷ <https://docs.pca-cpa.org/2016/02/South-Sudan-Peace-Agreement-September-2018.pdf>

The programme design incorporated distinct elements supporting the GoSS on SGD's specifically under **SDG 16** (Peace, Justice and Strong Institutions), and is directly implementing Goal **16.3** - Promote the RoL at the national and international levels and ensure equal access to justice for all; along with **Goal 16.10** - Ensure public access to information and protect fundamental freedoms, in accordance with the national legislation and international agreements; Goal **16.A** - Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime and **Goal 16.B** – Promote and enforce non-discriminatory laws and policies for sustainable development.

The programme activities are in line with **SDG 5** (Gender Equality and empower women and girls) in particular Goals **5.1** -End all forms of discrimination against all women and girls everywhere; **5.2** - Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation and **5.3** - Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

To what extent does the programme contribute to the theory of change for the relevant country programme outcome?

The **theory of change** of the project strategy was based on influencing behaviour change through targeted capacity building and awareness raising of both rights-holders and duty-bearers as illustrated in the theory of change model.

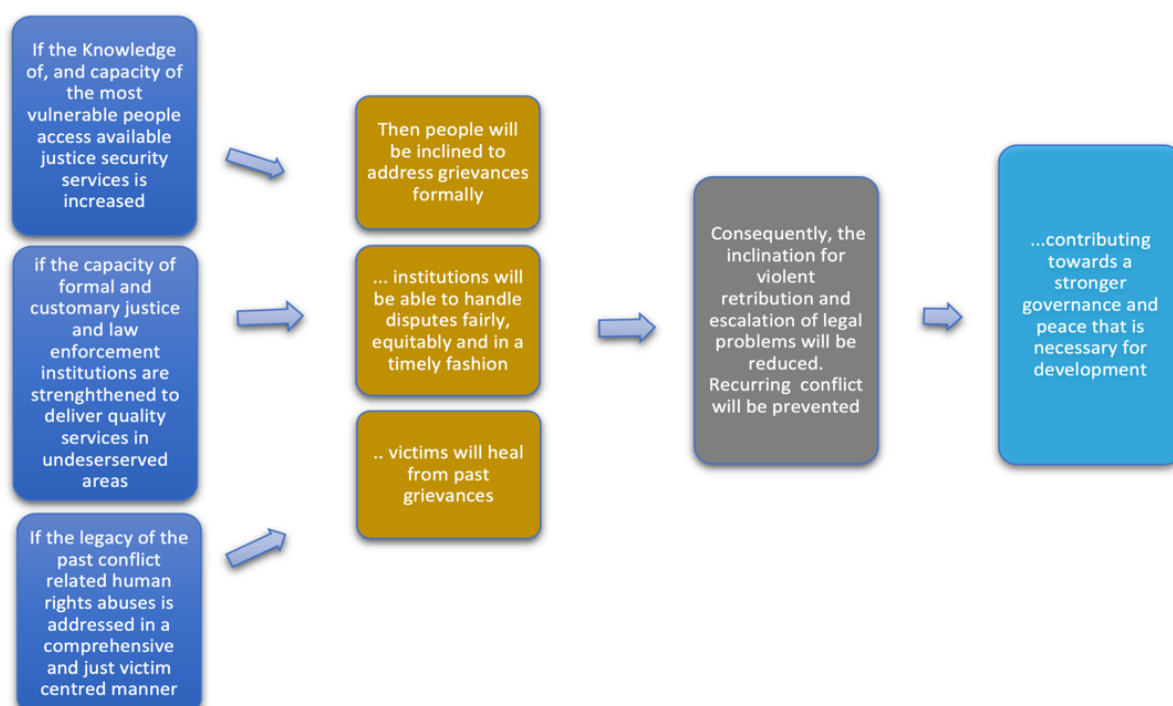


Figure 1 Prog Theory of Change

Based on the projects theory of change the programme strategy aims to enhance the knowledge and capacity of the beneficiaries accessing formal justice systems to address their grievances. This has been achieved through progress achieved as follows; i.e. 8,230 GBV cases reported to the formal justice system; 208 PCRC's established including women, youth and IDP led PCRC's; 15,640 beneficiaries including 8,573 women accessing legal aid (from 2020-2022); 59,494 (26,059

Female/27,722 Male) people reached on legal aid awareness in 2022 and 11,028 (including 7,158 women) benefitting from victim redress mechanisms, including on transitional justice.

The capacity of the formal and customary justice actors and the law enforcement officials were strengthened inter alia through the supply of vehicles, infrastructure, ICT equipment, stationary and provision of legal instruments. Technical capacity by way of trainings and continuous on the job mentoring have been provided by the programme staff together with UNMISS. Additionally the programme facilitated the High Court judges and other formal justice officials to collaborate and train the customary law actors on due process and referral mechanisms.

The overall support by the programme interventions has subscribed towards a stronger legal and governance system contributing towards peace and political advancement in South Sudan. Taking into consideration the upcoming advances on constitutional and transitional justice mechanisms and the election process due in 2024, the assumptions on the ToC is relevant.

To what extent were lessons learned from other relevant projects considered in the programme's design?

Phase iii of the programme, followed the final evaluation of phase ii that gave a needs assessment on the programme's implementation. Drafting of the Programme document followed a consultative process with the implementing partners across the country, discussions with donors and partnering UN agencies. It was reviewed by the Programme Board which included the SSHRC under Phase iii.

Upon the completion of the South Sudan National Development strategy in 2022, the programme was included in 4 out of the 10 sector working groups. Thereby the programme remains relevant in ensuring coordination, communication and collaboration across the justice, law and order sectors. During the implementation phase, the programme supported national justice actors i.e. MoJCA, SSHRC, Federation of Women Lawyers (FIDA), SSNPS and NPSSS to develop institutional specific strategic plans for the first time.

The new country programme (2023-2025) is a realisation of outcome 1 of the UN Cooperation Framework (UNCF 2019 to 2022) strengthening peace infrastructures and accountable governance. UNSDCF (2023-25) and Signature Solution 2: Strengthen effective, inclusive and accountable governance. The CPD 2023-2025 extends phase iii and aims to further support the government and the people of South Sudan to transition out of humanitarian assistance towards sustainable development with an emphasis on state building and peacebuilding.

To what extent does the programme contribute to gender equality, the empowerment of women and the human rights-based approach?

Human Rights Based Approach

The programme is **guided by international HR standards and principles**. HR is a pillar of the programme's policies and activities under outcome 5. It addresses several aspects of HRBA such as discrimination, equality, accountability and participation through rights based legal & institutional reforms, capacity building, court and prison monitoring, constitutional & legal reforms, supporting victims of HR violations through access to legal aid & PSS and HR dissemination across the country to stakeholders and communities.

The programme provides A2J and right to a fair and efficient justice and promotes the rights of women and girls, minors and those in custody. The activities are based on a **principle of non-discrimination and equality**. Women, survivors of SGBV, displaced communities and people living in conflict states

are targeted in strategies through PCRC's, SPU's, RoL forums and CSO's to ensure that justice and policing initiatives are rights based.

Rule of Law Clubs in schools promotes a culture of lawfulness in which RoL is respected and promulgated. The clubs promote the acquisition of knowledge, critical thinking and analysis on the meaning of RoL and how these concepts manifest themselves on a daily basis within their societal context. The evaluator met with a school club established at the St. Andrew's High School-Bor in Jonglei state and observed the active role of the learners to seek knowledge and commitment to address issues of gender equality, human rights, youth and armed conflict, SGBV and protecting girls from forced and underaged marriage. The programme provides technical support the school clubs by helping to organize and conduct their meetings and provides visibility material including t-shirts, banners, face caps and leaflets as promotional items. Due to the success of this programme in enhancing a positive attitude towards democracy, conflict prevention and peace building, more and more students are encouraged to participate in this important youth activity.

The programme further **builds the capacity** of the judiciary, legal administration, security officials and traditional leaders to fulfil their responsibilities to provide basic justice and security services for the citizens to exercise their rights.

After decades of war, South Sudan gained independence from Sudan in 2011, only to relapse into conflict in 2013. In 2015, parties signed the Agreement on the Resolution of Conflict in South Sudan and the revitalized pact in 2018 that provided for a transitional justice process. The programme's support to the transitional justice process includes drafting of laws, support to the establishment of the transitional Justice institutions, formation of victim support groups (VSG's) and country wide dissemination campaigns.

The establishment of the three complementary institutions under the Truth and Reconciliation i.e. the HCSS, CTRH and the CRA are grounded on the fundamental rights of the victims of HR violations, namely the right to an effective remedy, the right to know what occurred during conflict or repressive periods (the right to truth), the right to reparation and the right to protection from the recurrence of future violations.

Gender Equality

Implementation of the A2JSHR programme is guided by **principles of inclusion and approaches that are gender-responsive**. The programme allocates a percentage of resources to address gender equality and women's empowerment across all projects and the programme reporting on this aspect is in line with the women, peace and security agenda and SGD 5. Gender equality and human rights were included into the programme design with particular interventions to support the SPU and PCRC's within the SSNPS specifically to address issues of SGBV and HR violations.

The RoL institutions such as the prosecutors, courts, police and prisons with the support of the programme initiative ensures the realization of the right to a fair trial and due process to uplift the rights of women, children and the vulnerable disadvantaged group of citizens.

The law reforms such as the **proposed family law** addresses issues of marriage, divorce, and custody of children in their best interest with entrenched provisions to safeguard their rights and protection.

Support was provided to MoJCA, the LRC and MGCSW to **review laws and establish specialized units** such as the GBV and Juvenile courts, women and children units at the Prosecutors office, JCC's SPU's in police stations and women led PCRC's with specific procedures to allow marginalized people to exercise their rights.

The PBF supported project on **Gender Mainstreaming on Security Sector Reforms (24 months from 2020)**⁸ addressed gender sensitive training, mentorship for SPU's and support to security sector female officers to establish female networks and advocacy tools on accessing their rights. The project implemented by UN Women together with UNDP further supported and **encouraged women to join the security sector services**. It further supported the development and establishment of PCRCs to promote the inclusion of the security needs of women, men, girls and boys ensuring the meaningful participation of women in the community security decision making process. Gender sensitivity trainings were also conducted for tactical and operational prisons and police personnel to incorporate a gender sensitive and inclusive approach towards their work. The National Action Plan (NAP) for the Security Sector was developed in 2022 to guide the gender mainstreaming efforts for the 6 SSIs.

The preparatory work on joint training programme for the newly graduated Unified Forces and Security Sector Strategy has been developed by the programme together with UNMISS. It is to be implemented once the actual numbers of the graduates are confirmed. Through the technical working group, the PBF funded '*Gender mainstreaming in Security Sector Reform*' project has supported the establishment of **two more female security networks** for the Wildlife and Civil Defence Services. The networks are expected to form part of the consortium of the established ones to foster and advance for the growth of female officers in the service and the concerns of women and girls seeking security services.

The programme in partnership with the MGCSW supported a "***Study to Establish the level of gender representation in the Judiciary of South Sudan and Barriers to Gender Diversity at all Levels.***" The aim of the study is to establish the state of gender diversity in the judiciary at all levels, the enablers, and barriers to their equal representation, and to make recommendations for reform. In order to form part of the judicial restructuring process, the findings and recommendations from this study will be submitted by the MGCSW to the Ad Hoc Judicial Reform Committee (JRC). It is anticipated that the judicial reforms process will respect the requirement of 35% women representation within the composition of government structures as outlined in the revitalized agreement and the roadmap. Women must play a leadership role from the beginning to ensure that institutions are reconstituted in a gender sensitive manner.

In addition to the above, the following research studies were supported by the programme in collaboration with partner agencies to inform the judicial reform process on gender related data.

- *Policy Brief* of emerging issues from the Rule of Law forums.
- Joint (UNDP and UN Women) *Gender Security Needs Assessment and Gender Analysis of the security sector in the ten states of South Sudan and the administrative areas* (2022).
- "*GBV prevalence study*" in partnership with UNFPA.
- "*HIV and Sexual and Gender based Violence, Legal Environment Assessment*" (2022) (in partnership with UNAIDS).
- *Survey report on the Effectiveness, Impact and Sustainability of the Police Community Relations Committees in South Sudan (UNDP & GoSS).*

⁸ <https://mptf.undp.org/project/00120688>

3. Effectiveness

This evaluation under the ensuing section on Effectiveness, **measures the programme effects** in the target population by **assessing the progress in the outcomes and indicators** to achieve the ultimate goals of the direct products of the programme activities through qualitative measurements. The following section of the evaluation focussed on the process, impact and outcome of the programme activities; under what circumstances were the outcomes achieved; challenges attributed from the programme and how they were addressed.

Overall, the **project was on track to deliver the planned results**. The specific results under each planned output documented below illustrates key milestones achieved. Programme's contribution to achieving its planned results (outcomes and outputs) were achieved within South Sudan's evolving nature of the political, institutional, economic, and social risks, covid-19 and environmental hazards through floods.

Peace, stability, human rights and effective governance, based on the RoL are prerequisites to achieving sustainable development **Goal 16**. During the implementing period, some regions in South Sudan enjoyed peace, security and prosperity, while others fell into seemingly endless cycles of conflict and violence for example Warrap, Upper Nile and Jonglei. The programme support to the criminal justice process attempted to significantly reduce forms of violence, by working with governments and communities to end conflict and insecurity.

A testimony in Bor illustrates the trust placed by a community member in the formal justice system irrespective of his hopeless situations. *"In 2017, my six children and wife were abducted and taken to Congo. I have identified one of the perpetrators who was indicted before the High Court and currently serving his sentence of imprisonment. Even though my current post is redeployed to another duty station, I will not be leaving Bor, as I need some time to find my wife and children. Over the years the abductions in Jonglei State have increased into large numbers. We have been overwhelmed with grief with these abductions. We have teamed up with the SPU's, PCRC's and the Chiefs to improve reporting of all the real and perceived criminal activities."*

3.1 Programme Output 1: Justice and security institutions are strengthened with essential capacities to deliver accountable, effective, and equitable services delivery, including gender responsiveness

1.1 Supporting action taken to ensure an inclusive process to Develop a Permanent Constitution

The programme's technical inputs on the structure and content resulted in the successful achievement of a **rights based, gender sensitive Constitution Making Process (CMP) Act 2022**. The programme supports the formation of **inclusive constitutional making bodies** and processes to comply with a workshop convened by the RJMEC held in May 2021, where resolutions were reached by all parties and relevant stakeholders who participated. The programme will support **the National Constitutional Review Commission** during the drafting process including institutional and procedural frameworks that will lay the foundation to conduct elections and other governance processes required before the end of the transitional period.

In January 2023, cabinet **approved a memorandum** presented by MoJCA on the roadmap for the CMP. This memorandum was developed with the support of the programme.

In order to reach a key population group that has often been excluded in the peacebuilding process, the project is supporting the Ministries of Culture, Youth and Sports and the MGCSW to develop a

Youth Charter to ensure that the voices of the 74% of youth under the age of 35 years are reflected in the CMP.

The project succeeded in implementing actions which can contribute to making the proposed **CMP to be a people-driven and owned process to ensure its legitimacy**. As a positive lesson learnt, the programme facilitated a successful workshop that resulted in the drafting of a **CSO engagement strategy** which formally set out their role in the CMP. This Strategy seeks to provide the framework for an inclusive CMP process ensuring equal treatment and opportunities for both men and women through public consultations facilitated by the CSO's. The workshop recommended embarking on civic readiness for the public including disadvantaged groups at the grassroots on the process to enable them to participate, both before and after the constitution is prepared and adopted.

To further strengthen the public opinions and civic awareness, the programme conducted a **nationwide questionnaire** through the CSO's. The questionnaire was translated into local languages to consult with key stakeholders and the general public in Central Equatoria, Jonglei, Greater Pibor Administrative Area, Eastern Equatoria, Western Equatoria, Lakes, Upper Nile and Northern Bahr Ghazel. The project ensured quality assurance of the content for the CMP messages, dialogues and general discussions on the draft constitutional bill.

The Evaluator met with two CSO's sourced by the programme to conduct public dialogues and dissemination of CMP jingles over the media in English, Arabic and local dialects. The Evaluator found that the CSO's have the required experience and a good communication team to design the campaign materials.

1.2 Supportive actions taken in support of justice sector reforms

In a historic move, the GoSS on 28 July 2022 inaugurated the Ad Hoc **Judicial Reform Committee (JRC)** tasked with **review of relevant laws, advise on judicial reforms and restructure of the Judiciary** to enhance its effectiveness. The 12-member committee is led by Lord Justice James Ogoola and Lady Justice Joyce Aluoch two eminent jurists from Kenya and Uganda with vast experience critical to its implementation.

The programme made considerable progress in supporting the JRC to start its work which should inform measures towards ensuring accessible justice to the people of South Sudan, through the support from the Kingdom of the Netherlands, in collaboration with the European Union, Max Planck International and IGAD. As a result a **Secretariat for the JRC** was established to spearhead and guide the judicial reform process and recommend an independent Judiciary and functional judicial processes. The programme provided the secretariat with research materials, technical support and an online platform for active public participation in the JRC.

The Hague Institute for Innovation of Law's (HiIL) **Justice Needs and Satisfaction Survey for South Sudan** (2022) identified the underlying causes of the justice gap of almost 2 Million unresolved cases and other legal needs of the people of SS. This assessment, which has been shared with the JRC, paves the way for evidence based reforms to address both individual and institutional needs.

The programme's support towards the judicial reforms including the review of the **Judiciary Act** and the **Judiciary Commission Service Act 2008** will impact the appointment, dismissal and removal of Judges by an independent commission. The judges interviewed for this evaluation echoed that judicial reform should take place through a consultative, independent and inclusive process. The observations, practical problems and challenges faced by the judges across the country must be included in the overall strategic plan.

As expressed by a High Court Judge (HCJ), *“If they don’t make the necessary changes, the judiciary will never change. At present, the entire country including the supreme court consists of not more than 120 Judges for the 75 counties across 10 states. By law, each state should have 3 HCJ’s and a number of county court, 1st and 2nd grade judges. In Northern Bahr El Ghazal there are 5 counties requiring 3 HCJ’s, 5 first grade and 5 second grade Judges. However, the whole state has only 2 HC Judges. There has not been any judicial recruitment since the 79 judges were appointed in 2009. A quarter of those judges resigned and went back into private practice immediately thereafter. The Supreme court should have 13 judges excluding the CJ and the deputy. The proposed constitutional court should have additional Judges of the Supreme Court. The 3 regions of Greater Upper Nile, Greater Bahr El Ghazal and Greater Equatoria should have 15 Court of Appeal judges with 5 judges per region. However, the entire country has only 7 judges of the Court of Appeal. The East African Court should have two members of the South Sudan Judiciary. Currently we have only 1 South Sudanese HCJ in Arusha. There are no Court of Appeal or Supreme Court Judges from South Sudan in Arusha”.*

Another Judge states, *“Judiciary system is weak due to poor human resources and judicial structure. Monthly salaries are not paid on time. The Judges lack accommodation and there is poor coordination between the capital state Juba and the regions. Issues of judges are dealt with on an individual basis rather than as an institution. There is a need for the national government to convene regional meetings to address the issues of the judges reporting to court.”*

1.3. Supportive actions taken in support of security sector reforms

The programme’s support to community policing is in line with Article 155 of the TCRSS (2011), Articles 5 and 15 of the Southern Sudan Police Services Act 2009 and Article 14 of the Southern Sudan Police Service Code of Conduct 2010. Support to the community Policing is a collaboration between the RoLSHR project and UNPOL.

UNDP with funding from the Government of Netherlands and in partnership with UNMISS supported the development of the following Policies during the reporting period.

1. **South Sudan National Police Service Community Policing Policy** (November 2021) updating the 2013 Policy to respond to the growth of community policing and accommodate the dynamic nature of the communities and emerging crime trends.
2. **Standard Operating Procedures (SOP’s) for Community Policing** (2021) guides Police officers on the community policing philosophy to partner with citizens to solve crime problems and other issues of public disorder. It further enhances public trust and confidence in the NPS.

In 2022 the **Community Policing Directorate** was established. The programme supported to renovate the premises, and supplied furniture and ICT equipment to set up the conference room for meetings and trainings. The directorate streamlines community policing activities including PCRCs and addresses crime prevention through outreaches, community dialogues etc. It further coordinates with community policing mechanisms established by other agencies such as Saferworld, CSO’s and IOM which concentrates on border security management through harmonisation of their structure and trainings in line with the Community Policing Policy and SOP.

1.4 Rule of Law Forums held

The programme partially achieved this output with 118 RoL forums held during the reporting period. The monthly RoL forums is a flagship of the RoLSHR programme, held in Yambio, Wau, Bor, Torit, Kapoeta, Juba and Aweil. The **forum serves as a platform to discuss RoL issues, to improve cooperation and communication across the justice chain.** The stakeholders who participate in the forum comprise inter alia of the judiciary, MoI, MoJCA, MoH, prisons and police service, SPU, SSHRC, SSNPS, NPSSS, UNHCR, I/NGO’s, CSO’s, Church of South Sudan, UNMISS, media, academics, think tanks, national security and military intelligence to coordinate and resolve justice gaps and issues. The

forum is chaired by the Public Prosecutor or the Ministry of Local Administration. In Wau, the forum is chaired/co-chaired and alternated by the various Justice Institutions i.e. Judiciary, Legal Administration, Police or Prisons. The evaluator noted that the effectiveness of the forum is personality driven depending on their commitment and collaboration.

The evaluator attended a forum meeting in Yambio and held a FGD with the forum members in Bor. It was observed how the forum successfully addressed barriers that prevented cases from moving towards or from the point of its entry in the offices of the prosecutor, police, courts and prisons. For example in Yambio, the forum addressed the challenges faced by the Ministry of Health on providing age assessment certificates to assist school students or victims of SGBV. To further address the needs, the programme undertook to facilitate a one-hour radio talk show to disseminate on the importance and formalities of birth registration and the importance of obtaining national ID's.

In other instances, the forum addressed concerns of long pretrial detention, prison congestion, and unlawful release of prisoners or interference by traditional actors in serious criminal cases. The forum further takes important decisions to identify solutions such as organizing intra-state mobile courts to adjudicate serious criminal cases such as murder and rape within the formal justice chain.

According to the Director General, Ministry of Local Government who chaired the meeting in Yambio, *"While we recognize that UN funding shifts, through the RoL forums we identify sustainable ways to address issues and challenges within our systems. The more we delay justice, we will deny justice, thereby we discuss together with the key players on means of reaching those requiring A2J within the criminal justice chain"*.

1.5. Laws reviewed in line with the R-ARCSS and international human rights standards.

The project successfully supported the National Constitution Amendment Committee (NCAC) established under Chapter 1 (Article 13) of the R-ARCSS to review the **SPLA Act (2009)**, **National Security Act (2014)**, **Police Service Act (2009)**, **Prisons Service Act (2011)**, **Wildlife Service Act (2011)** in order to conform with the provisions of the Peace Agreement.

Another milestone achieved was the technical support provided by the programme to the LRC, MOJCA and the MGCSW to enact the i.e. **Penal Code Act**, **Code of Criminal Procedure Act**, **Evidence Act**, and the **Interpretation of the Law Act**. National consultations are being held relating to the drafting and finalization of the **Family Law and the Legal Aid Bill** which are in line with international human rights standards.

These laws aim to bring changes within the legal system to improve justice and efficiency and help support the judicial reforms envisioned in the R-ARCSS. However, the plethora of challenges faced by South Sudan's judicial system includes **language barriers** caused by a multitude of local dialects. Enforcement of the laws is challenged due to lack of resources and capacity among justice sector institutions from police to prosecutors and courts.

The project is currently supporting the printing of 50,000 copies of the CMP Act and 2,000 copies each of the security laws and the Political Parties Act 2022. These laws will be disseminated through MOJCA as well as UNDP field officers and CSO's to ensure that the integral part of the population have access and knowledge of the laws and processes.

1.6. Cases tracked through case management system

As per the Transitional Constitution (Sec. 136(1)) and the **Ministry of Legal Affairs and Constitutional Development Organization Act** (Sec 8(1)) the **Directorate of Public Prosecution (DPP)/legal administration** under the MoJCA is the highest prosecuting authority responsible for supervising the

conduct of criminal cases and investigations. The programme made strides in supporting the offices of the **prosecutor to compile data of the cases** reported to the police and prosecutors and the number of cases filed at the courts and those in detention and bail etc. The **case management system** seeks to understand the gaps that needs to be addressed through the justice chain.

In order to facilitate case management, the programme supplied desk top computers and a printer to the legal administration/DPP in Juba and the States. However, in some regions they could not function due to the turnover of staff earlier trained and lack of electricity. During the visit of the evaluator to Yambio, it was observed how the programme further supported through provision of solar equipment to power the computers and digitalize the data. ROL Project staff in Yambio proposed a new '**working group on Justice chain and case management**' with the participation of the Police, Legal administration/DPP and the legal aid partner CSHRO in order to obtain and compile the required data.

1.7. Rule of law actors with improved functional and technical skills

The programme achieved its objectives by training 1,751 Police, Prison, Paralegal and PCRC officials across the country during the reporting period. The programme **conducts routine trainings** across the 7 states and occasionally involves the remaining 4 states and 3 administrative areas on selected thematic areas. **Workshops and on the job support** targets paralegals, police investigators, prison officers, judges, public attorneys, customary chiefs, social workers from the MGCSW and GBV community volunteers.

The trainings focus on key issues such as ethics and professionalism, conduct of fair investigations & prosecutions, human rights, inmates' management and the role of paralegals in prisons. Other topics include laws, rights of victims of torture (including SGBV as torture), SGBV referral pathways available within the locations, mandate and responsibilities of various agencies such as PCRC's, SPU's, JCC's to ensure better coordination, democratic policing, gender mainstreaming, strategic penal/correctional reforms and offender management in prison and police detention facilities etc.

Indicator 1.8. Justice workforce protected from job-related C-19 risks to infection.

The programme achieved the intended results under this output until the second quarter of 2022. A total of 1,014 (183 F) RoL actors were reached with package of **assorted materials for COVID-19 infection prevention** coupled with **educative information** to reduce and prevent transmission while delivering the RoL services in various locations. With the reduction of the infection rates during the 3rd and 4th quarter of the programme the protocols restricting physical interaction and movement also decreased. As such, the programme adopted COVID-19 prevention approaches that were mainstreamed in routine activities including continuous sensitization on the importance of sustained preventive hygienic behaviors through key messages.

1.9. Persons in prison and police detention benefitting from early release.

13,050 persons in pretrial detention benefitted from early release during the reporting period due to the programme's support to the legal aid and RoL forum interventions including through prison monitoring visits.

3.2 Project Output 2: The most vulnerable people; particularly women, girls, SGBV survivors, IDPs and returnees have increased equal access to a fair and effective justice system

2.1. Vulnerable persons who benefitted from legal aid

Legal aid grants of the project is in line with the *Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa (2004)* within the broad definition of *legal advice, assistance, representation, education, and mechanisms for alternative dispute resolution* and Legal information to the general public on reporting crimes.

The **Advocates Act of 2013**, requires MoJCA to appoint an advocate to provide **pro-bono legal aid services to defend an accused**. By upgrading the legal aid unit, MoJCA seeks to address the overcrowding in detention facilities and provision of legal aid for civil claims.

RoLSHR programme is supporting MoJCA and the LRC to review **the Legal Aid Bill** drafted in 2019 which will be presented to the cabinet for approval. A **Legal Aid Policy** will be drafted to coordinate delivery of accountable, effective, and equitable services to indigent persons in the justice system and identify sustainable budgeting options. MOJCA'S new strategic plans further refers to **scaling up of the legal aid unit into a bigger department**.

Through CSO's, the programme established **Justice and confidence centres (JCC's)** across the 8 states and provided six-month small grants to address PSS and legal needs of vulnerable women, girls, IDP's returnees and some refugees. The CSO's worked through counsellors, lawyers and para legal. 8,769 persons received legal aid during the period of 2020-2022 through the JCC's. The CSO's further trained traditional chiefs on issues such as jurisdiction and legal frameworks relating to rape and SGBV crimes; differences between civil and criminal cases and referral pathways through the police and hospitals etc.

Radio programs were conducted to raise awareness on the role and formation of the JCC's and encourage citizens to seek its services. The CSO's identified cases which could be concluded within the time frame of implementation and focused on pending cases of rape etc. Cases received after the project phase were referred to other agencies or continued through other grants received by the CSO's.

During the FGD with beneficiaries of Legal Aid, the following case studies were described.

- A 19-year old survivor described an incident of rape that took place three years ago, committed by an unidentified person in uniform while she was collecting firewood. Her parents forcefully terminated her pregnancy at 4 months. Her severe depression and grief of losing her unborn child is exacerbated by the loss of her relationship with her mother, subsequent death of her father and her new life living with her uncle. A community based para legal referred her case before the customary courts which is still pending. She **requested for professional counseling** and the possibility of **registering with a vocational training institute** to obtain skills and subsequent livelihood opportunities.
- A 24-year-old mother of 2 children, pregnant with a third child appeared before a JCC. The husband abandoned the client and entered into a Polygamous relationship. The customary court's judgment granted full custody of the children aged 2 and 5 years to her husband. She was ordered to evacuate their marital home without support for her unborn child. According to the legal aid lawyer the **customary court's decision is against of the Children's Act** which mandates the responsibility of an underage child to the mother. Proceedings were filed in the formal court seeking monthly maintenance. Following 4 days of representations by the legal aid lawyers, the order of divorce was granted with joint custody and maintenance of 30,000 SSP monthly support from the husband until she gives birth. The costs for education and health of the children will be borne by the father. His failure to appear in courts in respond to the summon will result on his arrest.

As expressed by her lawyer, *"Customary law courts only listen to what the man wants whereby the co-wife takes over the children. In 2022, 99 cases were filed before the formal courts in this region against the judgments from the customary law courts due to non-compliance with key principles of law. In another county, out of the 125 divorce cases heard, 55 of them related to divorce cases from the customary law courts. In many of these cases, custody of minor children have been handed to the*

father against the ‘best interest of the child’ principles set out in the Children’s Act and the statutory law provisions complying with human rights standards.”

- During a FGD with a group of legal aid beneficiaries, the **deep seated economic challenges and financial stress** were pointed out as going beyond the cases litigated upon. Survivors of gross domestic violence are left with caring for several children who have dropped out of school. The evaluator came across several incidents of suicide or its attempt by young girls and boys and victims of S/GBV. One woman locked herself for 10 days wanting to die due to economic hardship. Young boys in love commit suicide due to their inability to find cows to propose marriage to their girlfriends.
- In another case the **mother of a victim obstructed justice** prior to sentence of rape by a formal criminal case by withdrawing the case. The accused in this case was a 40 year old Sudanese man and the victim a 11 year old girl. The prosecution evidence included medical testimony establishing penetration. The charge before Court was sexual intercourse on the pretext of a false promise of marriage.

2.2. Access to GBV and Juvenile courts

About 65% of women in South Sudan experience some form of SGBV such as child marriage and rape in their lifetime. Some of these are fueled by the legacy of conflict which the country is still grappling with. The country continues to face problems of access to justice for the victims with high numbers of backlogged cases as a result of limitations in judicial, legal aid and prosecutorial institutions, leading to lengthy periods of pre-trial detention, delayed justice and a culture of impunity⁹.

The programme **launched the GBV and Juvenile court** fitted with state-of-the-art video conferencing equipment to ensure privacy and security of victims by reducing contact with perpetrators. The court premises built by the programme includes a separate reception, judge’s chambers, case management offices, a court police facility and ICT equipment to enhance case management. A newly constructed waiting room for the victims and witnesses was opened in March 2023.

The programme provides the following support to strengthen the operation of the courts:

- Proposed court users committee for the GBV court will include justice actors and court users. The TOR for this Committee is yet to be drafted by the Judges who participated in a **study tour exposure to Kenya**. Members in the study team comprised of two Court of Appeal judges, two judges from the GBV and Juvenile courts, a police officer and a court clerk. The team attended court sessions in Kenya and held discussions on the **court users committee, whereby the security and judiciary actors coordinate to ensure the protection of SGBV survivors**.
- A three-day training was conducted for the GBV and juvenile court staff to discuss GBV related issues within the administration of justice sector, due process and HRBA. A separate training was held for court administration and support staff.
- Two vehicles were provided to enable transportation of court staff and prison inmates. Operational costs for its maintenance and fleet management are to be borne by the judiciary.
- **Shadow Court Monitoring** by four human rights CSO’s and two media houses aims to promote accountability and advocate for gender-responsive, right-based and transparent trial proceedings for GBV survivors. The programme provides low value grants to 6 CSO’s to monitor the court proceedings. **Quarterly meetings** give the space for the judges to receive feedback from the court monitors. The programme facilitated a meeting between the GBV court judges and the court monitors for feedback and discussion. At this meeting, the GBV Court Judges stressed the need for continuous engagement with the leadership of the Judiciary to find solutions to address procedural and administrative issues identified during

⁹ <https://www.undp.org/south-sudan/stories/govt-un-donors-elevate-awareness-and-response-gender-based-violence-south-sudan#:~:text=In%20South%20Sudan%2C%20about%2065,country%20is%20still%20grappling%20with.>

monitoring. Key areas agreed, included continuous coordination with the UN and other agencies to address GBV and juvenile issues; advocate for the appointment of female judges and prosecutors; mentoring and capacity building of judges, SPU, social workers and court staff to ensure that cases are addressed in a rights-based and survivor-centered manner. Other highlights were the need for survivors to access professional counselling services, development of sentencing guidelines, SGBV laws and the establishment of a GBV Court users committee.

- **Two Media houses** that conducted court monitoring also held weekly radio talk-shows to increase citizen debates and conversations on human rights developments and awareness on the GBV and juvenile courts in Juba. It further mobilizes community-level FGD's and raise campaigns on S/GBV issues. According to one of the CSO's, *"not many people perceived the specialized court as something of significance. However, **following the community consultations, they have confidence to report GBV and juvenile cases.** The success of certain cases shows the growth of the public confidence in the formal justice system."*

In South Sudan **Equality between men and women and before the law** are guaranteed in Articles 14 and 16 of the Transitional Constitution (2011); **Rights of Women** are recognized under Section 110 Local Government Act (2009). Section 247 of the Penal Code **prohibits Rape and Sexual Violence**. Persons under the age of 18 years are presumed not to be capable of giving consent to sex; Section 274 criminalizes kidnapping or abducting a woman to compel her marriage etc; Section 256 relates to detaining a person for purpose of engaging in unlawful sexual conduct. **Protection of Children From Early Marriage** is addressed in Article 17(4) of the Transitional Constitution and Section 23(1) Child Act (2008).

The **Gender Based Violence Bill (2019)** consolidates the laws to address GBV including domestic violence, intimate partner violence, sexual violence and offences, assault, harassment, harmful customary practices and child protection; to provide for the protection of victims of GBV. The law constitutes a GBV Committee; establishes a GBV Fund, GBV courts and a One Stop Centre known as the Family Protection Centre.

2.4. Percentage of Reduction in Case Backlogs (Mobile Courts).

The disruptions caused by the effects of South Sudan's long-standing armed conflict have almost paralyzed the judicial system in the country. **Accessing the formal justice system** in areas other than the capital cities of South Sudan's ten States is **one of the biggest challenges faced by litigants**. Each of the three areas that make up Greater Lakes (Eastern Lakes, Western Lakes and Gok) has only one High Court judge and no magistrate. Western Equatoria state has 1 High Court judge (HCJ) and two prosecutors. In a creative manner to overcome this challenge, the Judiciary and MoJCA with support from the programme established **mobile courts to conduct trials in remote areas that cannot be easily accessed due to operational and infrastructural challenges**.

The mobile courts are operated by MoJCA with support from the RoLSHR programme. Based on the needs assessed during pre-deployment assessment missions, the mobile courts comprises of the judge and supporting staff (court clerks, court controllers, translators), prosecutors, defence lawyers, and police investigators). Where ever possible, the mobile courts utilize locally available staff.

The hearings take place over a month to handle cases of murder, rape, robbery and theft which are under the jurisdiction of the high court. Depending on the needs, mobile courts either try High Court cases where county court judges are locally available or both High Court and County Court cases in the absence of locally available Judges. The object is to **clear the backlog of cases of those in detention including SGBV cases** and hear new batches of cases put on hold due to shortage of High Court judges and Prosecutors.

Pre-assessment prior to its deployment is conducted by the Judiciary and MoJCA together with UNDP and UNMISS to assess the number of pre-trial detainees and state of investigations in criminal cases, security and accommodation for the team and collaboration from the local Government to receive the mobile court. Mobile court staff liaises with all partners on the ground including the local government officials, justice & security sector personnel, CSO's and UN agencies.

Some of the **unintended challenges** faced include difficulties in reaching complainants to attend the hearings during the one-month period of scheduled sittings. In some instances the phone numbers given by them cannot be reached or they have relocated to other areas due to conflict and floods. To address a **lesson learnt on the enforcement of the mobile court judgments**, the programme has enhanced the participation of the regional administration of justice authorities to follow up. Their participation is obtained during the pre-trial, trial and post hearing process. In cases where the High Court judges can move within a state to handle cases, the project supports **intra-state mobile courts**.

As expressed by an Hon. Judge, *"the Mobile Courts have addressed the case backlog, reduced prison congestion and brought justice to communities who had waited for over two years to have their cases adjudicated by a judge. However, this is relevant in the locations where they are deployed. The continued reporting of cases into the criminal justice system where judges do not exist, means that mobile courts must be deployed again, perhaps a year or two later. During that time, the backlog increases, and the cycle continues. Thereby the deployment of High Court Judges within the states is a permanent solution that must be addressed by the Judiciary."*

2.5 Number of traditional leaders trained on human rights and gender equality developed.

The customary courts in South Sudan are placed under the local government bureaucracy which is currently providing little support. Some courts depend on their leadership to play a fundamental role in reporting. According to a PCRC member, *"in our payam there is a lady sheik who is very active and she rushes to the police for all cases affecting children. The Sheik has a mandate to report to the police or the city council."*

The RoLSHR programme provides for **Monthly Customary Law Working Groups** and **Customary Law working sessions**. The programme conducts regular workshops for the paramount chiefs facilitated by the legal aid CSO's. The customary law working groups are not yet held on a regular basis.

In Malek Alai village in Northern Bahr el Ghazal, the evaluator held a FGD with 12 customary law court judges which included 1 female leader. Their feedback of the training received by the project is that they had a clear understanding of their role to solve the disputes in the community. They also learnt how to handle cases relating to children and GBV cases. According to them, *"when cases of forced marriage are brought to our courts we prevent the marriage. Cases of child disobedience is handled by registering children back in school. The customary actors had a good understanding of their limitations to handle Rape of children."*

Chiefs sometimes find it **difficult to enforce their decisions** due to threats of physical violence from representative groups of the affected party. Due to lack of police presence and proliferation of arms in the rural areas, some customary justice actors rely on the SPLA to provide them with security to enforce their decisions. According to a Chief, an accused who was detained in a chief's house escaped at night.

One of the best practices is where the Hon. **High Court Judge in Aweil holds monthly talks with the customary court actors**. According to a paramount chief, *"we have a meeting with the judge and agreed that in cases where a woman needs a divorce, the case must be referred by the judge to the*

*chief. Copies of the laws were distributed to us. Since then things have changed where we learn how to categorize the cases between the sultans and the formal court judges. **We inform our colleagues to be willing to attend afternoon classes to learn and write.***

During the meetings with the prison authorities in Bor it was evident that a considerable portion of the male and female prison population comprised of those sentenced by the “C court” for adultery and breach of promise of marriage, which are cases of civil litigation under the customary law. According to one chief in Aweil, “*If the judge is near, he signs the form of detention as requested by the C-courts and the prison accepts it*”. In some other areas the conviction for adultery is 7 cows by the man and fine to be paid by the women, failure of which they are sent to prison. This matter could be further addressed by the customary law forums and working sessions.

3.3 Project Output 3: Community security especially in conflict-affected areas is people centered, prevents violence and promotes safety

3.1 SPU’s established and operationalized to respond to SGBV and child marriage

The programme achieved the establishment and operationalization of 6 SPU offices (1 in 2020, 2 in 2021 and 3 in 2022) across the states including renovations and building of new SPU’s (See annex 1). In order **to strengthen the quality of services**, UNDP’s RoL and Security/Law Enforcement project officers in Aweil, Bor, Juba, Torit, Wau and Yambio **provides continuous mentorship** and coaching to the police officers on preventing and responding to GBV cases, application of survivor centered approaches during investigations, case management and available referral pathways for reporting GBV related offences. The staff capacity of the officers increased during the implementing period with the addition of over 244 officers trained and mentored to join the SPU’s.

The unintended outcomes identified by the stakeholders included challenges related to dilapidated status of some of the existing SPU offices including the lack of basic amenities such as water and electricity, weak staff capacity, lack of female officers among others. To address this, the SSNPS has committed to improve on the functionality of the SPU offices through **additional deployment of female staff** e.g. in Juba 10 female SPU officers were deployed following mentorship provided by the UNDP staff.

In Western Equatoria State (WES) the SPU is operational in 4 (Yambio, Maridi, Mundri West and Ezo) out of the 10 counties. In 2021, UNDP, UNMISS and CSO’s provided a 3-day training for 30 SPU officials in WES. To improve the detention facilities of children, lactating and pregnant mothers in Yambio, in August 2022 the programme provided 20 mattresses, mosquito nets, blankets, toiletries, wheel chairs, stationary and cleaning amenities. To prevent the contamination of covid-19 the programme supported with buckets and sanitizers.

The day before the interview with the evaluator, the SPU in Yambio received 3 cases involving a case of physical assault by a husband and two cases of rape of 13 and 14 year olds. The accused were the survivor’s uncle in one case and a 17 year old neighbours child in the other. The SPU faces transport challenges to visit the scenes of crime and currently uses the motor bike of the one-stop-centre provided for the social worker and the police.

The **prevalence of violence and child abductions** is one of the greater menaces including in Jonglei and **greater Pibor area**. The SPU’s provide safe overnight accommodation to the children and the officers conduct radio talk shows and disseminate public information on child disappearances. On one occasion 53 children were brought into the police custody under the care of the SPU in Yambio and 46 children were given overnight accommodation in Bor. In December 2021, the RoLSHR programme

supported the SPU in Bor with the construction of a high security wall and latrine and renovation of the unit in Yambio.

One of the challenges identified in Yambio was the **lack of facilities for the female SPU officers to work the night shift** leaving behind the female and child detainees in the custody of the male police officers. In Aweil the SPU officials operate on 3 shifts of 8 hours each and if there are women and girls in the cell, one of the female police officers does the night shift.

SPU in Yambio **collaborates with AMREF and ICAP** to ensure protection of survivors and **referral to the hospital's one stop centres** for medical help and PEP kits to reduce pregnancy and infection. For victims in the hospital, immediate response is provided by the police personnel. The social workers from the MGCSW support the women and children with counseling, the release of the forensic report (form 8) and accompanies the survivors during the investigation.

3.2 Police Community Relations Committee (PCRC)

Police Community Relations Committee (PCRC) at the county level and **State Community Policing Boards (SCPBs)** at the State level have been in operation since 2008. It is one of the biggest initiatives under the police to develop democratic policing strategies and principles and to train the police to interact with the public, build trust and confidence and to ensure that police officers formerly from military background are de-militarised to be civilian oriented.

At the National level the programme provides training and strategic direction to support the development of policies, SOP's and annual action plans for the **Community Policing Directorate** to harmonise the community policing work across the country. The programme provided support to renovate and establish a PCRC Directorate in 2022 and supplied furniture, computers and equipment for the conference rooms to facilitate meetings and trainings.

The programme supports the **National and regional coordination meetings** to ensure better coordination across the country and agree on the reporting structures etc.

1. **State Community Policing Boards (SCPBs)** sits thrice a year in Juba chaired by the Governor, with the deputy governor, police commissioner, community policing coordinator of the state and all the security units in attendance. Discussions include community security of the state, progress and the challenges identified by all the PCRC's and proposed recommendations. The SCPB supports with strategic direction, SOP's and policy development, annual action plans and coordination with the PCRC directorate to harmonise the community policing work across the country.
2. **Regional County Policing Boards (CPBs)** holds monthly meetings involving stakeholders of the community policing sector, RoL courts, Commissioner of Police and organized forces, prisons, fire service, immigration, SPU, Gender adviser and MOI's legal advisers etc. Action is taken to improve local level security and establishment of new PCRCs in payams and counties with crime hotspots in consultation with community members, traditional authorities and the police. The CPBs's further develop action plans that guide joint local level action by community members and RoL actors towards improving safety and security.
3. **PCRC Monthly meetings held in the county and payams** address information and solutions to the security problems within the community. Local police are an ex-officio members of the PCRC. In Malek Alel village, **Northern Bahr el Ghazal** the PCRC addressed the issue of youth gang groups stopping women at night by mobilizing mobile night patrolling. Women are increasingly becoming more involved in efforts to increase community security by voicing their concerns as victims during these outreaches. The programme staff together with UNPOL provides support to coordinate the work of the PCRC and attends some of their monthly meetings. Monthly Reports from the regional and community level PCRC meetings are combined into a national report and submitted to the Community Policing Directorate, a copy

of which is shared with the RoLSHR programme. There is a need for continuous engagement by the project together with UNMISS to support the coordination of PCRC's regular meetings.

The implementation of some of the planned activities from the meetings remains challenging. **Community insecurity issues are too many and complex** for example the rise in crime during the dry season including organized cattle rustling and abductions. Due to issues of accessibility, some of the meetings have very few representatives especially during the May-November 5-month rainy seasons. In Jonglei state, due to inaccessibility caused by floods the meetings are limited to the county headquarters in Bor whereas the more serious security challenges are in the bomas.

The evaluator met with the PCRCs in Juba, Yambio, Aweil and Bor. The programme together with UNPOL conducts **training of the PCRC members**. Lack of funding is a key driver against continuous engagement. The communities cannot come onboard without refreshments. Transport is an issue for them to reach the communities. **Absence of safe shelters with blankets and dignity kits** is a hindrance to SGBV survivors. Some communities raised funds to provide incentives by printing the community name in T-shirts to enhance the members distinction within the community. Another community paid incentives to the PCRCs to protect the community and become efficient in crime reporting. In Torit, the Police Commissioner committed to issue temporary IDs to enable PCRC members to present themselves to the security forces during patrols and avoid the incidents of mistaken identity.

The **project provided Security kits, raincoats, megaphone speakers, gum boots and torchlights**. In Yambio they were not provided with bicycles but received reflector jackets, raincoats, torches and gum boots. Bicycles and motorbikes were provided for use during patrols in Jonglei and Eastern Equatoria and Wau.

Some of the PCRC's initiatives have resulted in a **reduction of the GBV cases being handled by the C courts**. The PCRC in Nzara payam in Yambio chaired by the chief together with the women and youth leaders conducted awareness on the adverse effects of alcoholism, smoking opium and abuse of tramadol use in their beer that has resulted in a **rise of youth crime** within their community. Police officers alike consume alcohol after 2pm. One of the matters to be addressed is that some PCRC members arrest and detain perpetrators in the customary law court prison. By law, all prisons in South Sudan are required to be maintained and operated by the NPSSS in accordance with the Prisons Act. The RoLSHR programme must continue to support the NPSSS to tackle the operation of customary law prisons and cases of detaining civilians without a warrant of detention issued by a competent court.

In many payams such as in Nzara, the communities go before the traditional chiefs to solve issues. Within the context of South Sudan no report of rape case can be obtained from the community without the involvement of the chief. Therefore the chief's involvement in the PCRC ensures trust by the people and also supports the survivors of rape to report the cases to the relevant authority.

Following a spate of child abductions, the programme together with UNPOL trains the PCRCs in Eastern Equatoria and Jonglei states on protecting children and reporting any suspicious activities by strangers within their communities promptly to local authorities. Through community dissemination and media campaigns, the residential areas are informed to keep their children safe from harm and abductions and inform the police in a timely manner for them to intervene and prevent any escalation. Even as authorities pursue investigations on the recent kidnappings, PCRC members have revived night patrols aimed at tightening up security in neighbourhoods. *"Our strategy will need the collaboration of community leaders and members of the PCRC to ensure prompt response to threats and crimes. Combined action between the UNDP and UNMISS security projects are needed to deter crimes and return our communities to safety,"* stated an UNPOL community policing officer.

3.3. Vocational Skills training in prison

In order to rehabilitate and reform the offenders and avoid recidivism, the RoLSHR programme has established **vocational training centres (VTC's) in the prisons in Juba, Wau and Malakal**. The Juba centre was established in 2016 and Wau VTC was operationalised in 2021 with 8 classrooms and an administrative block. Training materials supplied by the programme includes tools, equipment and machinery. Stationary is provided to the centre since 2018. Currently the construction of the fence and classroom training blocks are taking place in Malakal with the support from UNDP.

To demonstrate its commitment to women's empowerment and gender equality in accordance with SDG 5, VTC's have trained 197 women during the reporting period. These technical and vocational trainings provides an opportunity for them to source an income to support their families during and after imprisonment.

The centre offers courses in building construction, tailoring and garment cutting, carpentry and joinery, electrical installation, auto mechanics, agriculture, hair dressing, beauty therapy, welding and metal publication. The Juba centre has 4 additional courses since 2018 on food processing, bakery, computer and ICT and plumbing. Since their establishment in 2016 up to now a total of 1,943 (305F) trainees have benefitted from the VTCs in Juba, Wau and Malakal, with 1,643 being inmates and 300 prisons personnel. Amongst the inmates approximately 60% of those released were youth with no history of reoffending.

The impact of the VTC is evident by the large number of **inmate youths graduating with a certificate** from the Ministry of Education, Ministry of Youth, Ministry of Interior and UNDP. Priority is given to those with a sentence of less than 5 years and juveniles with short term sentences. Up to 2022 the 235 graduates in Wau included 81 juveniles. **Juvenile reformatory centres** are also constructed by the programme. These young people held in the reformatory centers had no access to formal education and engaged in crime during their period of idleness. According to the Director of the Juba VTC *"95% of the trained youth have engaged in skilled work upon their release. The training has helped them so much and some are working with UNHCR, UNMISS and others have become ambassadors in their community to fight youth crime. **None of those released has reported re-offending**. If that support can be given to other states it will be useful. Opportunity to train the youth is very rare in the country,"*

The prison staff personnel are trained to sustain the VTC, taking over from the private instructors paid for by UNDP. The programme pays the monthly salaries for the VTC supervisors and Instructors in Juba, Wau and Malakal. Vehicles were provided for staff transport and inmates training. Malakal VTC became operational in 2021 December with additional classrooms. With support of the programme, the prison service should establish continuity of the VTC through its staff and evolve it into a **fully sustaining initiative**.

3.6. Emergency Call Centers (ECC)

The project's support to the SSNPS 24-hour Emergency Call Center (ECCs) in Juba, operated as a pilot in July 2014 in response to the 2013/2014 war in South Sudan. The ECC in Wau was established in 2019. The team receives training through the specialized Joint Integrated Police training supported by SSNPS, UNDP and UNPOL. Emergency response trainings are also provided by the A2JSHR programme. ECC responds to calls from throughout Juba for emergency assistance. The functioning of the 24-hours a day 7-days a week toll-free number enables citizens to contact police across all mobile communication networks to enable the police to respond rapidly to their concerns.

The **ECC Nos 112 and 113 in Juba and Wau** responds to emergency calls and clarifications. Its Performance is tracked on the number of calls received and responded by the response unit and

support to victims of crime, arrest of suspects the number of road accidents recorded etc. The A2JSHR programme provides **technical support and equipment** including phones, servers, maintenance of building, communication gadgets, vehicles and motor cycles to the ECC in Juba and Wau.

Since 2022 the Wau ECC facility was facing technical difficulties and the calls are being routed to Juba. The project renovated the system and handed a web server which awaits configuration by a service provider to be spearheaded by the Ministry of Interior.

In order to address the challenges of electricity needed to power the ECC system, the programme in 2019 installed solar panels, heavy duty 10 KV invertors and batteries. The programme upgraded the server system in December 2020 with new equipment installed by an international technical consultant. The programme provides 100% support towards the maintenance of the advance technological systems including training of national technical experts to operate the system. In 2021 UNDP assisted with infrastructural renovations to the compound. The programme has further provided with ICT equipment , desk phones and servers.

According to the Director, the centre has 10 staff members answering calls and receives approximately 50-100 serious calls per day. Calls are categorised as emergency and non-emergency. Majority of the calls are prank calls or mistaken for the call-100 customer care number for MTN to the ECC's call-112. The one minute delay to reach the ECC due to covid-19 awareness messages is a long wait for an emergency call.

The challenges reported by the ECC staff includes lack of expert computer operators to digitalise the reports and complaints. The E1 system only provides for incoming calls and does not provide for call-back-options whereby the operators use their private phones to call-back and follow up on the emergency reported. The programme has provided a mini bus for staff pick-ups and 8 motor bikes to enhance the responsiveness of the police to the locations of reported incidents.

As part of the referral mechanisms, ECC's mobile unit deployed patrols to help deter and respond to criminal activities. The perpetrators who are arrested are handed over to the police divisions. The centre further works with the PCRC for minor cases and refers medical emergencies to nearby hospitals. Calls on traffic accidents are acted upon by the responders. According to a UNDP report, 90% of all calls were responded to within 20 minutes. The ECC further monitors the incidents reported through its case files to understand if the case has reached the courts. Establishment of the ECC and the apprehension of criminals has changed in terms of responding to SGBV cases and crimes against foreigners.

3.4 Project Output 4: The national human rights systems promote awareness, respect and provide redress

The programme supported the National Human Rights Commission (**SSNHRC**), **MoJCA** and **FIDA** South Sudan to develop its **strategic plans** illustrating their institutional mandates and coordination with partners in delivering fair and efficient justice to promote HR of the citizens.

South Sudan submitted its human rights record to international scrutiny as part of its third UPR cycle after a consultative process in 10 state locations. The country is set to take stock of how well it is protecting the human rights of all people. The 40th Session of the UPR Working Group in January 2022, engaged other counties on the steps it will take to improve the enjoyment of human rights.

The programme supported the GoSS through an inter-ministerial committee to submit two UPR reports in 2021. In 2022 the programme tracked the implementation of agreed recommendations of the UN Human Rights Council from the previous UPR reports.

During a meeting with the SSHRC officials in Yambio, the need for continuous capacity and skills training was emphasized. Some of the areas identified by the evaluator included report writing, legal awareness, national and international human rights standards, reporting and monitoring modalities. The officials are required to spread human rights literacy among various sectors of the society and promote awareness of the safeguards available for the protection of their rights.

3.5 Project Output 5: Transitional justice mechanisms effectively address the legacies of human rights violations and root causes of conflict

5.1. Number of people reached during outreaches and media campaigns on Transitional Justice

UNDP supported the technical committee to conduct **national wide consultations** in collaboration with other stakeholders and the civil society. The experience of 4543 women, men girls and boys were obtained from 17 locations across the country through free, inclusive and open dialogues. Their views will be used to draft the **Compensation and Reparation Authority law and the Commission for Truth, Reconciliation and Healing law**.

Further public consultations will be held with South Sudanese refugees at the refugee camps in Uganda, Ethiopia, Kenya and Khartoum to obtain views and inform them on the TJ process. This mission will be in collaboration with UNMISS, UNHCR South Sudan and the four UNHCR country offices.

5.2. Supportive actions taken to establish and operations, CTHR, HC, CRA.

Commission for Truth, Reconciliation and Healing's (CTRH) Technical Committee received **expert training** from UNDP and International Center for Transitional Justice (ICTJ).¹⁰ The curriculum focused on transitional justice concepts and consultation methodologies on conducting national and community consultations to design the CTRH legislation.

The government's capacity to **establish the 3 mechanisms** (i) Commission of truth healing and reconciliation (ii) Compensation and Reparations Authority and the (iii) Hybrid court was supported through **high level government delegations to the Gambia and South Africa** to meet its former Truth commission members. The **Gambian mission** was impactful on learning on the set up of the commissions, public consultation mechanisms, public hearings and the challenges on reparation, compensation and enforcement of findings. The **South African mission** related to the TJ Unit on post facto and investigating and recommending cases for compensation and reparation. In Cape Town, the mission met with the civil society and parliamentarians on the drafting of the TJ Act and legislative process on compensation. The issues remaining for South Sudan are on the modalities of funding and if the compensation fund should be individually or collectively processed.

In order to foster a participatory approach towards the finalization and enacting of the **two draft Bills** as required by the R-ARCSS, MoJCA will be hosting a three-day Conference on Transitional Justice in South Sudan for one hundred delegates drawn from among local stakeholders and international experts who are working on transitional justice in South Sudan and abroad and representatives from Victim Support Groups. The draft Bills will form a major part of the deliberations in this workshop, and

¹⁰ 28 SEPTEMBER 2021, JUBA

therefore were presented to various stakeholders to review, deliberate and build consensus on key substantive issues.

Journalists and Media houses were trained by UNDP, ICTJ and the RJMEC to conduct public dissemination sessions carrying reconciliation quotes and ending SGBV. The modalities included community dialogues, radio talk shows, road shows, billboards, cultural dramas on market days, sports events, panel discussions, livelihood training etc targeting women and men, church leaders, government officials, traditional leaders, youth leaders, victims of human rights and SGBV and IDP's. Some CSO's initiated state wide football tournaments and competitions and engaged bishops, traditional authorities and community leaders and other authorities to speak about the CTRH.

5.3. Victim support groups established.

The programme established **47 Victim Support Groups (VSG's)** in 20 counties across the 10 states. The object was for the CSO's **to prepare the victims for the transitional justice mechanisms and reparation process** with messages on the peace agreement and the formation of the CTRH, preparation of victims to voluntarily participate to tell their story before the CTRH once its established.

The evaluator met with two CSO partners of the programme working on transitional justice (TJ) in Northern Bahr el Ghazal and Western Equatoria State. A FGD was held with representatives from a VSG in Acrobody village in Yambio.

The **victims interviewed have experienced gross HR violations** including **conflict related sexual violence with rape as a weapon of choice**, some of them contracting HIV/AIDS. According to a mother, her bruised body and soul with a child born out of rape is not a reminder of good memories but of the trauma and agony she continues to undergo. A polygamous man in Aweil was tied down to witness the rape of his three wives in his presence. The resultant traumas elucidate a complete destruction of the social fabric. These atrocities cannot be settled in a local court.

According to the CSO's who established the VSO's, the effect and impact of the activities relating to PSS cannot be realized within a short time. **PSS for victims of conflict related sexual violence is a continuous healing process** requiring at least 8-12 months of personal support to feel the effect and change formation.

The fate and whereabouts of scores of **victims of enforced disappearances** and those still missing from years of civil war is tremendous. Within the patriarchal society, levirate marriages and procreation brings in social conflicts between the two wives. Some clans in Northern Bahr el Ghaza forcefully marries girls in the name of a diseased person to maintain the family root. This brings in conflict whereby the children refuse to accept their social-biological-father with allegiance to their diseased legal father. Mothers are going through deep psychological scars due to unresolved cases of disappearance of their sons and husbands who might be killed or detained. A tragic moment in the war is the hope of waiting for their one son who has disappeared and the trauma of their inability give birth to another son.

Many South Sudanese suffering from trauma and psychological distress are relying on limited workshops and public forums supported by I/NGO's and church organizations. As the country moves towards stability, it is essential for the CTRH to address the impacts of violence, a legacy of unhealed trauma and its accompanying symptomatic behaviors, narratives and attitudes as a prerequisite to attaining sustainable peace. According to a community leader, ***"without PSS support, victims will not be prepared to engage. PSS enables victims to reduce the trauma in their minds and integrate and change their mindset."***

In Yambio, children and young adults are living as IDP's with untreated mental trauma, exacerbated by poverty and unstable living conditions, minimal clinical psychiatric resources, and the absence of mental health care. Some victims find it challenging to forgive and let go of the anger with strong feelings of vengeance.

One survivor questioned: *"What does a Transitional justice mean for us? Can we be safe if we speak up on what happened in Tambura? Will our family members get killed? It is our neighbours who committed these crimes"* Tambura was most hit by the conflict. Between June and September 2021, at least 440 civilians were killed, 18 injured, and 74 abducted during clashes between warring groups. In addition, some 80,000 were forced to flee their homes to escape fighting.¹¹

A legal expert questioned, *"when it comes to TJ most of the perpetrators will go to jail. The safety of victims and witnesses is important as they will be telling stories, testifying and giving evidence to prove serious crimes on a balance of probability. There will be a lot of interference. **A perpetrator wearing a uniform can come to court with a gun.** For Transitional Justice to prevail in the country, the entire justice system must be reformed including a commission on bribery and corruption. The absence of **victim and witness protection guidelines** is a challenge for the survivors to testify against government security officials"*.

According to the IDP's interviewed in Acrobody village, going back to Tambura would be difficult. They received land from the host community which is 5-10kms away from the settlement and planted grains, maize, sesame, sorghum, sweet potatoes, kasawa, rice, pineapple and banana. They face challenges of safe transport, flooding and crop diseases. Another IDP articulated, *"**Livelihood is a key means of recovering from our trauma.** Trauma healing is ineffective, if poverty brings back memories of the breadwinners we have lost. 70% of the women are single mothers with a high rate of underage marriages as a way of alleviating their desperate economic situations."*

In view of the above testimonies there is potential for enhanced coordination between UNDP's RoLSHR, stabilization and recovery (STAR), peace and community cohesion (PACC) and youth economic empowerment (YEPP) programmes. This will enable victims to obtain access to justice, trauma-counseling and healing through rebuilding livelihoods in micro and small businesses, Village Savings and Loans Associations (VSLA) and participation in the vocational training institutes supported by the above programmes. As expressed by a survivor, *"My husband and brother were killed in my presence, and I remained with the children. How would I feel to send my 8 children to school?"*

¹¹ <https://reliefweb.int/report/south-sudan/attacks-civilians-tambura-county-june-september-2021>

4. Efficiency

4.1 Efficiency in generating expected results

The programme support documents are aligned with South Sudan's government priorities on reforms implemented through express partnership with the Government Ministries, Departments and Institutions. As part of the risk mitigation, UNDP directly implements (DIM) the programme by taking on the role of Implementing Partner. In the DIM modality, UNDP has the technical and administrative capacity to assume the responsibility for mobilizing and applying effectively the required inputs in order to reach the expected outputs. UNDP further assumes overall management responsibility and accountability for programme implementation, and accordingly, must follow all policies and procedures established for its own operations.

The programme contributes to the realization of priorities of the GoSS with priority given to support national institutions through a **people centered and human rights based approach**. The programme takes precautions in **addressing corruption and fragility** through the direct implementation. Before a CSO can be engaged as an Implementing Partner, the programme through the Harmonized Approach to Cash Transfer (HACT) assesses their technical, managerial, administrative and financial capacities and determine the level of risk in transferring cash to them and how the programme can effectively and efficiently manage this risk.

The A2J and security institutions in South Sudan are operating in a context where much of their resources and infrastructure were destroyed during 2016 crisis and the previous wars. Thereby the **phase III of the programme has been supply intensive** in order to provide the required resources such as vehicles, ICT equipment and infrastructural support to re-establish and operationalize the services where they do not exist.

4.2 Economical use of financial and human resources

The programme is managed daily by the Chief Technical Adviser supported by project officers managing the portfolios on constitution making, transitional justice, Rule of law, security/law enforcement, and M&E. Three general service (GS) staff provides administrative and operational support along with drivers attached to the Juba and field officers.

In order to implement phase iii of the programme within the available resources, two P4 positions for Project manager and Policy and Technical Advisor were merged into a P5 Fixed term. A P3 Programme Specialist post is awaiting funding. The Program Finance Specialist's (P3-FT) supports 4 projects as part of the joint approach on programme implementation and management of operational staff costs. The project has technical staff on IPSA contracts attached to the Juba and State offices. In order to promote the UNDP managed UN volunteers (UNV) programme, the programme recruited several UNV's to support key projects at the national and field levels.

The programme is **fully de-centralized to the field level**. While Yambio has two international staff members covering the RoL and Security Specialists; in Torit, Bor, Wau, and Aweil the posts of (i) Security (Police and Prisons) and (ii) RoL are combined into one international staff with a legal or law enforcement background. Although every field location is due to have 1 international and 1 national staff, the role of the national staff was filled in some occasions by a National consultant hired for a period of 6-8 months. For example in Wau the programme is implemented by a lawyer, and in 2022 a short term consultant was hired for 6 months to support implementation of the security/law enforcement component. It is crucial for UNDP to fill the current staff gaps for the programme to reduce current staff overload and burnout but also position UNDP to meet targets realistically.

The project meetings are conducted on weekly basis and individual projects deliverables are updated as per the country dash board. Annual retreats are held to plan for the subsequent year's workplan.

The programme closely **liaise with UNMISS and other UN agencies on cost-sharing arrangements** to utilize their operational and security assets and **to avoid parallel field operations**. Regular coordination meetings are held with the UN partner agencies to update on the progress of the projects.

Programme M&E

The RoLSHR programme and the GoSS uses data provided by the CSO's, prisons, ECC, Courts, Police, public prosecutors, traditional justice sector and the A2J forums etc. to monitor the effects of government policies, to support its policymaking decisions and improve the quality of service and programme delivery.

The programme faced barriers to data collection due to poor capacity of the CSO's, lack of digital infrastructure, and other resources such as reliable internet and electricity connectivity to either access or utilize innovative technology.

The human capacity to employing the technologies should be buttressed by training and expertise including digital skills to operate the technology as well as analytical capacities to unpack, organize, and understand the data that's been collected.

With accurate and specific data, the programme can better target policy and track human rights challenges including case monitoring, prison congestion, those in prolonged detention, victim support and the electoral process by identifying the sources of problems within the sectors.

It can further help to better understand the barriers to access justice, human rights and security sector services. By tracking the indicators and evaluating programs, data informs current initiatives and future programming and ensures that the programme's are implemented as efficiently and effectively as possible to achieve the desired outcomes.

As the world strives to meet the SDGs by 2030, many stakeholders are working to improve the quality of data for development. Multilateral efforts led by the UN include the UN Statistical Commission, UNdata, the Global Partnership for Sustainable Development Data, the SDGs Data Lab, the Global Working Group on Big Data for Official Statistics, and the World Data Forum.

4.3 Partnerships with UN agencies

The RoLSHR programme coordinates on joint programmes with a number of UN partners including UN Women, OHCHR, UNHCR (HRD), UNESCO and UNICEF to achieve the program's objectives. Within UNMISS, the programme further engages with the Political Affairs Division (PAD), Rule of Law Advisory Section (ROLAS), Security Sector Reform (SSR), UN Police (UNPOL), Civil Affairs Department, Child Protection Unit, Human Rights Division and the Women Protection Advisor. The collaboration with UNMISS is strong in terms of joint programming on training, capacity building, policy frameworks and logistical support.

Coordination platforms and joint UN strategies have been developed to advance coordinated assistance. Coordination meetings are often co-chaired by UNMISS and UNDP e.g. constitution making, transitional justice, security sector and RoL.

Three joint programmes have been agreed on in terms of the UNSDCF. These will be coordinated on a day-to-day basis by humanitarian, peace and development nexus task teams.

- I. Under Strategic Priority ii, 'Sustainable Economic Growth & Diversification'
- II. Food Security and Agriculture; Climate Action & Flooding.
- III. The cross-cutting activity is the IDP Transitioning (Durable Solutions).

Additional improved coordination in the recent past has inter alia led to the following:

- Producing knowledge products for example relating to the socio-economic impact of COVID-19 on the RoL and HR sectors.
- Joint support to key activities relating to the consultative process on the formation of CTRH, judicial reforms and PCRC's etc.
- UNCF Joint Governance and RoL programme submitted to the RCO as one of 10 flagship joint programmes.
- UNMISS inputs into the Justice Gap assessment etc.

The following projects use a **harmonised approach to avoid duplication** through collaborating as follows:

- The *RSRTF Jonglei/GPAA area-based programme (ABP)* is a \$12.5 million programme implemented by four consortia involving 16 actors from the UNCT and UNMISS, INGOs and NNGOs (January 2021 to December 2022). This programme aimed to reduce multi-layered violence and increase peaceful coexistence by supporting communities, particularly women and youth, to identify and sustainably address drivers of conflict.
- UNDP, UNICEF and OHCHR project '*Breaking the Cycle of Violence to rehabilitate justice and accountability mechanisms for the transformation of survivors and perpetrators of violent conflict into change agents for peace.*'
- OHCHR, UNDP and UNHCR joint programme "*Building Peace through Promoting Inclusive and Participatory Transitional Justice Processes and Mechanisms in South Sudan*" funded through Peace Building fund.
- PBF supported project *Support to a people-driven and gender responsive permanent constitution making process in South Sudan* jointly implemented by UNDP, UN Women and UNESCO¹².
- Joint implementation and coordination between UNDP, UNFPA, UNICEF and UN Women through the project *Protecting Women and Girls in South Sudan: Addressing GBV project as a Catalyst for Peace.*
- The PBF funded project on *Gender Mainstreaming in Security Sector Reform*¹³ (March 2020-March 2023) is implemented by UN WOMEN as the lead agency together with UNDP. The project focused on women's inclusion in security, women's participation in the security sector as actors and the inclusion of women's security needs.

The joint project for UNDP/UNMISS funded by the UN Office for Disarmament Affairs (UNODA) and the SALIENT Initiative that produced a baseline perception survey titled "*Catalysing South Sudan's voluntary civilian disarmament strategy*" was conducted jointly by the SSNPS/ UNDP and UNMISS. This survey results helped build upon the national small arms assessment of 2015 and concretize efforts towards operationalizing the Voluntary Civilian Disarmament Strategy (2020).

Despite the existence of these joint projects, there are still other areas of overlapping mandates between UNDP and other UN agencies requiring a more strategic approach in light of the upcoming UNMISS drawn down and withdrawal as per the Security Council Resolution (SCR 1594 of 2021 and the **Smooth Transition Strategy (STS) of the UN peacekeeping missions.**

¹² <https://mptf.undp.org/project/00129660>

¹³ <https://mptf.undp.org/project/00120688>

4.4 Civil Society Organisations

The CSO partners implementing victim support groups will benefit from the involvement of local community structures comprising of the commissioner, local chief, area chiefs, youth and female representatives.

A **TOT on PSS to the local women leaders** in collaboration with the MGCSW will further make the project sustainable. The CSO's should illustrate their ability to take the project forward through additional resources sought by them. The project cannot be limited to UNDP funding.

The CSO's in their project and financial proposal should identify logistical, transportation and security issues to access victims and project sites. If these matters comes up during the implementation stage the programme staff could discuss on the increase of the grant subject to funding. The **CSO's are also required to mobilize funds and means of ensuring that the activities are conducted efficiently**. The programme prioritizes CSO's based in the state capital in order to make the best use of funds.

4.5 Private Sector engagement

In deepening its support to the National Prisons Service of South Sudan, the programme partnered with Stanbic Bank through the **Stanbic Bank Foundation to support the prisons vocational training centers** (VTCs) at the Juba, Wau and Malakal Central Prisons. The initial phase of the new partnership saw the donation of 20 desktop computers to the VTCs by Stanbic Bank. The bank, through its foundation, has committed to further supporting the Prisons VTC programme through its partnership with UNDP. The new initiative between UNDP and Stanbic, which is anchored on the existing partnership between UNDP and the Kingdom of the Netherlands, is leveraged on the 2030 Agenda, which calls for new partnerships in the advancement of SDGs

4.6 Financial Expenditure statement

	2022		2021		2020	
Donor	Budget in USD	Cumulative Expenditures	Budget in USD	Cumulative Expenditures	Budget in USD	Cumulative Expenditures
Netherlands	4,436,390	3,908,378	1,296,839	1,072,017	3,116,713.60	2,877,747.16
PBF	1,705,861	1,343,773	1,541,194	1,426,281	1,900,000.01	1,466,896.59
UNDP	2,761,993	2,761,465	3,225,626	3,182,569	2,750,566.00	2,745,456.69
JAPAN	228,369	196,731	709,916	215,201	576,439.16	502,123.94
MPTF-South Sudan RSRTF	1,320,688	1,211,992				
MPTF-South Sudan			912,136	373,073		
MPTF- UN Action			4,000	(5,029)		
Global Programme					6,497.62	3,170.29
Global Programme for COVID-19					150,000.00	132,434.46
UN Action against sexual violence					212,806.87	96,526.02
UNDP Funding Window			190,893	180,250		
UK Funding	32,069	31,248				
European Union	918,195	624,354				
Norway	12,930	12,928	12,051	12,051		
FCDO	135,140	130,517	252,353	169,396		
Other Sources	53,984	45,699				
TOTAL	11,605,618	10,267,085	8,145,008	6,625,809	8,713,023.26	7,824,355.15
	88.5% Expenditure		81.3% -Expenditure		89.8% Expenditure	

Table 1. Project delivery by donor

Since 2020, the programme had an average expenditure rate of 86.5 % of the available resources (Table 1). However, despite the challenges emanating from the COVID 19 pandemic, conflict and floods etc. that delayed or affected the implement of activities, the programme achieved above 80% of the UNDP delivery threshold.

5. Sustainability

To what extent will the programme initiatives continue in the future and to what extent are the local authorities and beneficiaries involved and own the programme interventions?

The RoLSHR programme has taken inclusive and holistic approaches to provide **ownership to the national and regional state institutions**. The programme has further **engaged CSO's** and community representatives to implement activities inter alia in hard to reach areas. The **Project Board** is co-chaired by the undersecretary of the MoJCA with representatives from the Judiciary, SSNPS, NPSSS, SSHRC, LRC and the programme's key donors the Embassy of Netherlands and Japan.

In spite of the development of the constitution and enactment of clear sets of legislative reforms the programme assures that the departure from the social change is progressive. Moderate changes vis-à-vis customary laws gives sufficient time for the institutional and legal reforms to take time to stabilise. On the other hand, strengthened RoL, Security and Human rights institutions focused on legal aid, court administration and case management will benefit South Sudan's general population.

To what extent will financial and economic resources be available to sustain the benefits achieved by the programme? How is the link between humanitarian, development and peace being integrated within the programme?

As South Sudan embraces state building, the country remains fragile with limited resources and political instability. The Ministry of finance is addressing **reforms of the public finance management** with the support of the World Bank, UNDP and other Regional African bodies. Once South Sudan takes charge of its abundant resources that will trickle down to service delivery through public finance reforms, there will be sufficient resources to strengthen institutional reforms, law enforcement and enable sustainability.

Currently the GoSS's contribution to enable sustainability is premature. However, there is good will from the government to increase ownership and lead in the justice and security sector reforms. The **current challenges** remains inadequate resources for operations, capacity and facilities for the government to sustain the projects in the medium and long term.

Poor salaries, delayed payments and lack of incentives for the public servants including judges, prosecutors, police and prisons officials damages employee morale and commitment to work. This in turn compromises the independent continuity of the projects. It has also affected the programmes implementation and quality. For example, the PCRC representatives expects financial and other motivations for their services. This interferes with their ability to focus on voluntary service.

Throughout the field missions the evaluator observed expectations of financial facilitation, transport and food allowances, fueling of government vehicles and costs for maintenance of supplies and buildings. With regard to the maintenance of infrastructural buildings the programme's funding is limited to continue their support beyond the initial snagging period. Thus clear commitment is required from the receiving rule of law institutions to maintain the projects, supplies and buildings.

Are there any social or political risks that may jeopardize sustainability of programme outputs and the programme's contributions to country programme outputs and outcomes?

South Sudan is under a transition period and in a fragile state between conflict and peace. Widespread allegations of corruption puts a strain on the government's relations with both the population and donors. On Transparency International's Corruption Perceptions Index for 2019, South Sudan is ranked 179th out of 180 countries evaluated.

Additionally the impact of the ongoing conflict in Sudan rattling down to South Sudan is a concern. Ninety percent of South Sudan's economy is based on oil, which is exported through Sudan. The conflict in Khartoum could seriously interfere with oil shipments and cause economic collapse in South Sudan and fuel conflict and violence. A new humanitarian crisis in the making could also place a strain on existing resources. South Sudan, which seceded from Sudan in 2011, exports its oil output of 170,000 barrels per day via a pipeline through its northern neighbour.

According to the GoSS, fighting in Sudan has already hampered logistics and transport links between the oilfields and Port Sudan. About 800,000 South Sudanese refugees also live in Sudan. Any mass return of South Sudanese and an influx of new Sudanese refugees could put further strains on efforts to supply vital aid and development assistance including addressing SGBV concerns of returnees and refugees. This influx will be in addition to more than 2 million IDP's in South Sudan who have fled their homes because of civil strife.

South Sudan's first local and national elections since independence in 2011 has been pushed **to be held in December 2024**. Even though this is not the first time the elections are postponed, there is strong pressure from multiple sources for the elections to be held this time around. According Friedrich-Ebert-Stiftung, "South Sudanese interviewed in a representative national survey expressed their strong interest to "hold [the elections] sooner rather than later. More than half of the respondents (58%) are of the opinion that elections should be held "next year." About a quarter of the respondents (24%) believe that the elections should be held "within the next 3-5 years." Only 3% of the respondents rejected outright the idea of elections by answering "never". Even in areas where the majority of the citizens worry that elections could bring division and violence, most of them want elections to take place."¹⁴

With regard to the stresses brought about by climate change, the unprecedented floods have submerged large swathes of the country and displaced hundreds of thousands of people during the reporting period. According to International Crisis Group, in 2021 alone, over half a million people were **displaced internally**¹⁵. Two-thirds of the country experienced flooding in 2022, and over 900,000 people were affected (UNHCR 2022).¹⁶ Making matters worse, the flooding has helped drive conflict far into the south, in the country's Equatoria region where newly and previously displaced herders, as well as those who migrated with them were reported to be fighting with long-time resident farmers over land. Dozens have died in fighting thereby unless conflict drivers are addressed, tensions could well increase.

These factors could prevent the advancement of the country programmes outputs and outcomes, and possibly reverse some of the gains made over the past years.

To what extent are lessons learned being documented by the programme team on a continual basis and shared with appropriate parties who could learn from the programme?

The RoLSHR programme produces extensive quarterly and annual reports that are published both in print form and electronic versions. The Annual report provides a snap shoot of the results achieved over the year as per the programme results matrix. The programme further consults with the partners through the Project Board and other coordination mechanisms. **All activities are implemented in**

¹⁴ "How Not to Hold Elections in South Sudan- A discussion paper" by Nic Cheeseman, Luka Biong, and Edmund Yakani, April 2023 by Friedrich-Ebert-Stiftung. <https://library.fes.de/pdf-files/bueros/suedsudan/20294.pdf>

¹⁵ **Floods, Displacement and Violence in South Sudan**

<https://southsudan.crisisgroup.org/#:~:text=In%20South%20Sudan%2C%20unprecedented%20floods,likely%20will%20affect%20even%20more.>

¹⁶ Acting in Advance of Flooding: Early action in South Sudan, **A FEINSTEIN INTERNATIONAL CENTER BRIEF, Evan Easton-Calabria. May 2023**

partnership with the GoSS with clear feedback on the lessons learnt and the way forward. The monitoring and reporting from CSOs who receive low value grants provide vast amounts of rich information and potential for learning. The programme should increase its absorptive capacity to apply the knowledge gained from evidence and analysis to improve its objectives and enhance accountability for the resources used to achieve them.

To what extent has capacity building and/strengthening been integrated in the implementation of the programme in terms of design and approaches?

Currently the programme **provides capacity building through technical advice, on the job training, mentorship and integration of key concepts in training schools** e.g. the CSRV in the police training manual, construction and renovation of buildings, as well as the provision of material and research support. Skills development of officials are supported by the programme staff together with UNMISS and UNPOL.

Although the demand for foreign exposure is high, international study trips and trainings limited to a few participants is not an adequate means for judicial transformation in itself. The possibility of turn-over of staff is high due to officials getting transferred or quitting due to low salaries and benefits. Therefore study visit should be **complemented by in-country capacity building**. The more sustainable approach will be to expand the integration of the trainings within an institutional syllabus and **establish formal Judicial and Prison training institutes**. For example the programme supported the **Rajaf police training school** with integrated topics such as conflict related sexual violence into their curriculum.

Sustainability will be further enhanced through effective partnerships with the local communities and CSOs to stimulate the demand for effective justice delivery at the community level. The **CSO's has a wider reach to access locations beyond the programme personnel**. **Capacity building of CSO staff** inter alia through mentorship and engagement with the programme as translators, case workers and other formal and informal trainings will ensure their communication of effective and correct messages to the communities and respect for human rights and due diligence process in the application of law.

To what extent do UNDP interventions have well-designed and well-planned exit strategies?

The planned approach of handing over the programme management after completion to the GoSS could be through the following sustainable mechanisms at three levels.

1. **Enabling environment-** The project engaged and supported frontline actors from the Judiciary, CMP, Security sector reforms, human rights and prisons in developing, implementing and executing policies and legislation. Capacity development was prioritized at national and sub-national levels to entrench the gains realized from project interventions.
2. **Institutional level** - the project worked with existing state and non-state institutions and did not create parallel structures. This was premised on the assumption of sufficient political will for implementing the R-ARCSS as well as budget allocations to the sector.
3. **Individual level** - by empowering rights holders to participate in RoL processes and strengthening coordination capacity of duty bearers to entrench a sector wide approach.

As expressed by a project staff, *"The Prisons vocational training centres (VTC's) initially focused on supporting the inmates to enhance their rehabilitation and reformation process. As a key aspect of penal management, the VTC addressed recidivism and ensured that the released inmates did not find their way back to prisons but were able to meaningfully contribute towards the society. Their skills were in turn transferred to their families and communities contributing towards their economic gain. The VTC further trains selected prison officials on basic vocational training skills. The project will thereafter conduct a TOT to ensure that they are able to operate and sustain the VTC at the end of the project's lifetime."*

6. Environmental Considerations

The programme supports sustainable development and is in line with the *“Revised Social and Environmental Standards (SES)”* (2021). The selection of contractors for construction works and/or rehabilitation of A2J/RoL institutions include an **environmental sensitivity analysis** that is carried out in accordance with UNDP policy to identify the potential impacts of the constructions and recommendations for minimizing them. During construction, the solid waste (debris) generated is recycled and defective materials are rejected at the time of delivery, thus avoiding later disposal. Protection of structures from deterioration through repairs, renovation and rehabilitation to avoid generation of waste. Re-usable shuttering materials are preferred and use, although they are more costly. Materials are protected from deterioration to avoid generation of waste. Building designs use locally available materials that do not destroy the environment. Its encouraged to use concrete blocks instead of burnt clay bricks and steel material instead of timber; this helps in preserving trees that provide beauty and purify the air. Trees are also preserved to the extent possible to mitigate land degradation and an allocation is made in the budget to enable the contractor to plant trees. Considerations can be undertaking on Environmental and Social Impact Assessments on infrastructure development, going beyond the procurement based environmental sensitivity analysis.

7. Lessons Learnt

Government goodwill and commitment is essential for achieving the programme objectives. The programme’s activities directly relate to MoJCA’s initiatives to establish institutions and operationalize mechanisms relating to judicial and security sector reforms, CMP and transitional justice.

Flexibility in activity execution will enable a programme to respond to more emerging needs: The ability to repurpose a portion of the program’s annual budget to adjust activities swiftly and flexibly to adapt to the rapidly changed conditions during the COVID-19 onset enabled the programme to remain relevant by supporting the justice sector in preparing and adopting to the Covid-19 pandemic while remaining within the broad remit of the programme outcomes.

Focus on building momentum for sustainable impact in priority areas. The support to the GBV Court and the establishment of the CTRH has unlocked UNDP’s ability to deliver incremental success in a challenging context. It has demonstrated value, built credibility and instilled confidence in UNDP as a partner of choice for national counterparts and donors.

Mobilization at the grassroots level through the RoL Forums, outreaches, and community policing platforms affect dynamic development and shifts power relations. Raising awareness and creating spaces for grassroots organisations and individuals to discuss challenges and ideas in public forums empowers communities with knowledge, strategies, and platforms for change.

The weight of violence and injustice is unevenly distributed: Women, children, displaced populations and the very poorest are disproportionately affected by violence and injustice. Because of this, programmatic efforts that center on institution building alone limit what can be achieved for vulnerable populations. Livelihood interventions is a key means of recovering from trauma.

Programmatic efforts must be trauma informed: The impact of conflict-related trauma on communities, particularly survivors of conflict-related sexual violence and GBV and their families, is devastating. A justice response alone cannot adequately help such survivors to fully recover. Trauma-informed psycho- social support is critical to the effectiveness of justice responses in conflict-affected contexts.

Investment in Young people to promote a culture of RoL and respect to human rights: Rule of law measures that benefit young people can yield peace dividends but are not transformative in and of themselves. Youth are also more at risk of engaging in violence, conflict and illicit activities. Renewed efforts through the development of intentional strategies must therefore provide sufficient opportunities for the youth to engage meaningfully with change processes that support the Rule of Law. This will be achieved by exploring integrated solutions with the Youth Economic Empowerment (YEP) Project in UNDP.

Partnerships with CSOs promote local demand for the effective justice delivery: CSOs effectively empower people to respond to legal issues and to engage with justice and related administrative systems by virtue of contextualization. CSOs can also support justice actors to respond to and be accountable for providing the services needed by the population.

Capital development initiatives like infrastructure development in post-conflict settings undergoing recovery, can complement capacity-building efforts such as training and mentorship of justice officials. Training programmes ought to be designed with a well- defined strategy that includes infrastructural development and provision of equipment that enables beneficiaries to expand their capacity and reach.

8. Recommendations

Further to the mid-term evaluation's findings on Relevancy, Effectiveness, Efficiency and Sustainability, the evaluator recommends continuation of the programme to the end of its phase III in 2025. As per the theory of change, the programme interventions have subscribed towards stronger legal, security and governance systems contributing towards peace and political advancement and is aligned to the aspirations and priorities in South Sudan.

Based on the findings, the evaluator makes the following recommendations:

Recommendation 1: Given the current presence of UN Peacekeeping mission in South Sudan, the programme (A2JHR) should consider adopting a UN integrated approach through the development of a joint strategy to harmonize several programmatic actions across the mission and the UN country team (UNCT) instead of limiting to project based collaboration.

The Security Council Resolution (SCR 1594 of 2021)¹⁷ requires the UN to develop a **Smooth Transition Strategy (STS) of the UN peacekeeping missions**. This requires reinforcement and enhancement of the UN system wide coordination particularly on security sector assistance at the national and (sub-national) state levels.

- ❖ A **Joint UN transition strategy** through an integrated programme between UNMISS and the UNCT within the context of the UN Smooth Transition Strategy should address areas of:
 - **Mandate overlaps and duplication of programmes** relating to institutional capacity building and support, advocacy, implementation of laws, victim support, infrastructural developments and transitional justice initiatives.
 - Such a strategy should aim to **improve donor coordination and attract diversified funding windows** in the area of Rule of law. This includes the South Sudan Reconciliation, Stabilization, and Resilience Trust Fund (South Sudan RSRTF) that is currently funding integrated reconciliation, peace and security stabilization and community resilience intervention through multi-year and un-earmarked funding opportunities.

Recommendation 2: The programme (A2JSHR) should ensure continuing professional development (CPD) for the administration of justice and security sector and human rights commission's officials. CPD can be channeled through various learning institutions following training modules rather than one-off workshops. Continue the ongoing advocacy/dissemination modalities to facilitate the enforcement of laws and Policies and encourage access to the rule of law and human rights institutions.

To facilitate continuing professional development (CPD):

- ❖ **Strengthen the learning capacity of the Rajaf Police training centre** to deliver and provide its mandate through technical support.
- ❖ Advocate for the **formation of a South Sudan Judicial Training Institute/Academy**. This will provide continued education, training for Judges, Judicial Officers and Staff to expand their knowledge, build skills, improve court administration and judicial decision-making and give effect to the foundational values and principles of the Transitional Constitution of the Republic of South Sudan.
- ❖ The institutional and capacity assessment of the **Human Rights Commission** conducted in 2021 should be as used as a reference point to guide the capacity development of **SSHRC to effectively implement its role and mandate** in conducting human rights education and Advocacy,

¹⁷ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/247/56/PDF/N2124756.pdf?OpenElement>

investigation and monitoring of human rights violations in line with the Paris Principles adopted in 1993.¹⁸

- ❖ **Communication, advocacy and dissemination activities to continue** in order to facilitate the enforcement of laws and policies. The CSO's can be used to disseminate information to the local community groups and other stakeholders through community outreaches, radio programmes and dialogues and other innovative methods such as performing arts, participatory film making, board games and infographics etc.

Recommendation 3: Promote an integrated approach to address all phases of the criminal justice, prison reform and crime prevention chain as well as the complex needs of justice involved populations.

- ❖ Develop a **Common Strategic Framework for Mobile justice** in partnership with the A2J actors.
The support towards the mobile courts initiative by different partners in responding to the shortage of judges, should be strengthened with a long-term approach to ensure effective, accessible, sustainable and credible access to justice system in South Sudan.

Whilst the mobile courts have facilitated access to justice for those in rural communities by taking justice to the communities as opposed to the other way around, it is a temporary strategy.

- ❖ As an immediate interim measure, UNDP given its mandate to build democratic governance and RoL and inclusive institutions through the A2JSHR programme, to advocate with the Government of South Sudan to develop a **Common Strategic Framework for Mobile Justice** in partnership with the justice actors and partners. The Strategic Framework to ensure a **harmonized approach** and process to facilitate the deployment of mobile courts that are **complementary and appreciative of varied partner's** comparative advantage as it **strengthens the capacity of the justice system** in South Sudan.
- ❖ Undertake an analysis to identify the **mobile court model most appropriate within each context**. Areas to be assessed include the types of violent crimes arising from community violence and disputes in each judicial district, and the mapping of justice and security actors in remote locations.
- ❖ Promote complementary activities through the Judicial Reform Committee and the subsequent implementing body, such as **providing assistance to sustainability** through, **improving the conditions of service for judges** and **recruitment of additional Judges**, aimed at **establishing permanent courts in remote areas** to gradually reduce the number of mobile courts.

Recommendation 4: The programme should step-up efforts towards strengthening the capacity of the judicial system, to sustainably reduce the case backlog and prison overcrowding through an **Alternative Justice Systems Framework Policy**. This will encourage non-custodial sentencing as per the Tokyo Rules and development of a **Standard Prison Evaluation check list** to guide prison inspection and monitoring.

The National digital data base for inmate statistics should develop prison statistical tables classifying categories of persons imprisoned.

The MoJCA to collaborate with the Rule of Law sector working group which brings all justice actors, the international community and donors to undertake the following tasks:

- ❖ Formulate a **National Strategy** to address the backlog of cases and reduce overcrowding in prisons through various strategies such as a mixed model for **legal aid provision** including prison based paralegals and formulation of an **Alternative Justice Systems Framework Policy** to encourage **non-custodial sentencing** as per the Tokyo Rules,¹⁹
- ❖ The **Department of Probation** to review inmate profiles and facilitate the administration of criminal justice through **generation of social inquiry reports** to inform decision making regarding

¹⁸ <https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>

¹⁹ United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)

Bail, Sentencing and Penal Releases, Re-integration and Re-settlement of Offenders into the Community.

- ❖ Develop a **Standard Prison Evaluation check list** in compliance with the *Nelson Mandela Standard Minimum Rules (SMR) for the Treatment of Prisoners*,²⁰ *SMR for the Treatment of Prisoners (Tokyo Rules)*, *UN SMR for the Administration of Juvenile Justice (Beijing Rules)*²¹ and the *UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules)*.²²
- ❖ This **tool should guide the prison inspection and monitoring** by the Judges and prosecutors, SSHRC and the CSO's with regard to treating all prisoners with respect for their inherent dignity and value as human beings, and to prohibit torture and other forms of ill-treatment. The detailed guidance should **address the basic rules of the Nelson Mandela Rules** i.e. (i) Respect for prisoners' inherent dignity (ii) Medical and health services (iii) Disciplinary measures and sanctions (iv) Investigations of deaths and torture in custody (v) Protection of vulnerable groups (vi) Access to legal representation (vii) Complaints and independent inspection and (viii) Training of staff.
- ❖ NPSSS to revamp the **National digital data base for inmate statistics** and develop **prison statistical tables** to identify the categories of persons imprisoned.

Recommendation 5: Expansion of the Prisons Vocational Training Centre to open more centres in other prisons across the country depending on the available resources. The Programme to provide prison administration with technical guidance on enhancing rehabilitation programmes, in coordination with the CSO's and the private sector.

- ❖ Vocational Training is one of the most critical educational and rehabilitative programmes that prisons can provide. Thereby the VTC to consider expansion to other prisons, as per the available resources as a medium term measure, recognizing the role played by Prison officers that have benefited from the training as an unintended positive result of the VTC initiative.
- ❖ In furtherance of breaking the cycle of re-offending, the Programme to provide prison administration with technical guidance on how to initiate and/or enhance rehabilitation programmes, in close coordination with other non-governmental stakeholders, including CSO's and the private sector.

Recommendation 6: The programme to advocate for enactment of the “Declaration by the customary law actors” establishing their jurisdiction and referral mechanisms and enhance capacity strengthening and support to the Customary law courts across the country.

- ❖ Support the Ministry of Local Government to collaborate with the paramount chiefs and the Customary Law Working Groups to enact a **‘Declaration by the customary law actors’** setting out their roles and Jurisdiction and a commitment to report serious criminal cases to the formal justice system including matters requiring a formal adjudication in the best interest of women and children. This declaration once ratified by the Government and the paramount chiefs must be disseminated widely in a simplified poster format.
- ❖ In order to effectively engage traditional authorities as law enforcers of customary law systems that are binding on members of their respective communities, the programme to consider continuous professional development (CPD) for the Customary law court members in line with the **Manual For Traditional Authorities on Customary Law in South Sudan** (Revised in December

²⁰ https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Checklist_-_Nelson_Mandela_Rules.pdf

²¹ <https://www.ojp.gov/pdffiles1/Digitization/145271NCJRS.pdf>

²² <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial>

2013) developed by UNDP (A2J project)²³ and UN Women and the “*Study of Customary Law in Contemporary Southern Sudan*”.²⁴ The focus areas to include jurisdictional limits of the customary courts, mandates of the formal courts, upholding the rights of women and children and enhancement of coordination between the judiciary and customary courts on curbing criminality. The Manual to be translated into the local languages as a simplified version.

Recommendation 7: Address the operational setbacks of the GBV and Juvenile Courts and consider its scheduled hearings across the country. Advocate for the enactment of the Gender Based Violence Bill (2019) into law.

- ❖ The programme should support the Judiciary to **address the operational setbacks** faced by the GBV court including the formation of the Court Users Committee and the sentencing guidelines. Victim support and counseling to be done in collaboration with the MGCSW.
- ❖ Scheduled hearings of the **GBV and juvenile cases to take place across the country** where High Court judges are not present in the states.
- ❖ The programme should continue advocating for the Transitional National Legislature to enact the **Gender Based Violence Bill (2019)** followed by its enforcement through facilities to (i) file complaints (ii) victim protection (iii) institutional arrangements (iv) prevention of GBV and (v) dissemination of the provisions of the law.

Recommendation 8: As per the Resolutions reached at the Conference on Transitional Justice, finalize and enact the Commission for Truth Reconciliation and Healing (CTRH) and Compensation and Reparations Authority (CRA) Bills as a critical step in establishing the CTRH and the CRA. In operationalizing the law, the Ministry of Justice and Constitutional Affairs and the bodies to be established must promote the meaningful participation of women in transitional justice as per the Security Council Resolution 1325. Victim support to be enhanced through continued engagement with the CSO’s and inter-unit collaboration within the UNDP programmes.

- ❖ The programme to identify means of incorporating the **Resolutions reached at the Conference on Transitional Justice in South Sudan** held in May 2023, urging the Government through the MoJCA to urgently finalize the CTRH and CRA Bills and present it before the Transitional National Legislative Assembly for enactment as a critical step in establishing the CTRH and the CRA.
- ❖ In compliance with the revitalized agreement, Ministry of Justice and Constitutional Affairs **and the ensuing commissions must include 35% of women from diverse backgrounds**. The UN SCR 1325 (2000) stresses the important role of women in the prevention and resolution of conflicts and in peace-building and their representation at all decision-making levels and institutions relating to the prevention, management and resolution of conflicts.
- ❖ Support to the VSG’s should be expanded through an increased mandate of the CSO’s to accommodate additional victims to receive psychosocial support and counseling in partnership with the MGCSW and MOH. Efforts should be made to ensure consistency in their operations and consider continued partnerships with CSO’s who have already established VSG’s in the payams and bomas.
- ❖ In order to address the multiplicity of the beneficiary needs, UNDP to consider **inter-unit collaboration within the UNDP programmes** to add value to the programmes whereby the same beneficiaries within the same area benefit from a multi-sectoral response.

²³ <https://www.undp.org/south-sudan/publications/manual-traditional-authorities-customary-law-south-sudan>

²⁴ <https://land.igad.int/index.php/documents-1/countries/south-sudan/gender-5/983-customary-law-overview-in-south-sudan-2004/file>

Recommendation 9: Recruit additional staff to align with the staffing table and ensure balance between the International and national professional officers based in Juba and the regions.

- ❖ In order to implement the current programme which is quite broad, multi-layered and complex, the programme to recruit additional staff to align with the staffing table and ensure capacity balance between the International and national professional officers based in Juba and the regions. This will ensure adequate skills transfer to the national professions for better management and delivery of services in the long run.

Recommendation 10: To strengthen support on the Operations and Procurement Units, the country office should consider recruiting additional staff to alleviate the overwhelming burden on the current team.

- ❖ In order to ensure timely, well planned and efficient programme implementation, **UNDP's Operations Unit to be flexible enough to expedite procurement, finance, IT and human resources** especially where the decisions from the government stakeholders take time to reach the programme. The support must be fit for purpose at the national and state level, given the demand placed on the RoLSHR programme during South Sudan's transitional period necessitating the setting up of mechanisms and institutional reforms. The country office should expand the staff allocated to the procurement unit which is overstretched.

Recommendation 11: The management to accelerate the evolution of project based field offices into UNDP field offices to reinforce the programmatic synergies between UNDP projects in the regions by maintaining coordination and collaboration of activities.

- ❖ Acceleration of **project based field offices into UNDP field offices** will reduce the heavy lifting that the RoL programme and staff are currently experiencing to meet the demands of country office missions and other engagements. It will further strengthen the programmatic synergies between UNDP projects in the regions by maintaining coordination and collaboration of activities. Formation of a field office should include a review of the conditions of work for all field based staff.

Annex 1 - Summary of achievements based on the CPD Outcomes (2020-2022)

CPD Outcome 1: “Strengthened peace infrastructures and accountable governance at the national, state and local levels.”

Summary achievements based on CPD Outcome One:

CPD output indicator	Progress to date 2020	Status	Progress to date 2021	Status	Progress to date 2022	Status
1.2.1: Four thousand GBV cases (50 % women) reported to authorities receiving judgment in the formal justice system. (Baseline 1,324 (58% women))	838 (86 percent female) Cumulative number: 2,720 (1960 (66 percent female)).	Ongoing	3,055 (80 percent female)	Ongoing	Annual Target: Target: 4000 (50% Female) Annual Achievement: 4,337 (76% Female)	Achieved
1.2.2: Twelve (12) police and community relationship committees established and operational at community level. (Baseline 5)	68 new PCRCs have been established Cumulative number: 73.	Ongoing	121	Achieved	Annual Target: 12. Annual Achievement: 19 New PCRCs, Cumulatively, 170 PCRCs (20 Women Led, 21 Youth Led, 6 IDPs Led).	Achieved
1.2.3: Five thousand (5,000) indigent persons (1,500 females, 3,500 male) provided with legal aid services, disaggregated by sex. (Baseline: 220 (68 female, 152 males))	3,749 (1,778 female) Cumulative number: 3,969 (1,930 female).	Ongoing	5,958 (3,728 female)	Achieved	Annual Target: 5000 (1,500 females, 3,500 male) • Annual Achievement: Actual Legal Aid people: 5,713 persons (2,915 Female/2,798 Male) • People reached on legal Aid awareness: 59,494 (26,059 Female/27,722 Male)	Achieved
1.2.4: Two Thousand SGBV survivors (800 females, 1,200 males) benefitting from victim redress mechanisms, including on transitional justice. (Baseline: 125 (50 females, 75 males))	952 (769 female) Cumulative number: 2,238 (1,750 female).	Ongoing	2,919 (2,132 female)	Achieved	Annual Target: (800 females, 1,200 males) Annual Achievements: 5,867 (3,276 Female, 2,591 Male)	Achieved
Overall status				Ongoing		Achieved

Progress towards project outputs

Programme Output 1: Justice and security institutions are strengthened with essential capacities to deliver accountable, effective, and equitable services delivery, including gender responsiveness

Summary achievement against 2022 Annual Work Plan (AWP) targets:

Indicator (as they appear in the AWP)	Indicator Target (2022)	2020 Summary achievement	Status:	Indicator Target (2022)	2021- Summary achievement	Status:	Indicator Target (2022)	2022 - Summary achievement during quarter 3	Status:
1.1. Number of supportive actions taken to ensure an inclusive process to develop a permanent constitution (Baseline: 14 policies and supportive Actions)	12 policy and supportive actions taken	14 policy and supportive actions taken	Achieved	12 actions taken	39 Actions taken	Achieved	12 Annual target for policy and supportive actions.	18 Supportive Actions across the nation.	Achieved
1.2. Number of supportive actions taken in support of justice sector reforms. (Baseline: 6 Policies and supportive actions)	6 policy and supportive actions taken	3 supportive actions taken	Partly Achieved	6 actions taken	6 Actions Taken	Achieved	12 Annual target for policy and supportive actions	10 ²⁵ supportive actions taken in support of justice sector reforms. Including support for the formation of the Judicial Reform Committee	Partially Achieved
1.3. Number of supportive actions taken in support of security sector reforms. (Baseline: 8 supported actions)	6 policy and supportive actions taken	8 supportive actions taken	Achieved	6 actions taken	20 actions taken	Achieved	12 Annual target for policy and supportive actions.	26 Supporting Actions across the country	Achieved

²⁵ Supportive Action included:

1. Joined JRC Partners group, held 2 meetings and agreed on coordinated support.
2. Provided technical support to shape scope of the JRCs work.
3. Provided research support alongside partners, eg conduct of Justice gap assessment
4. Provided a policy brief of emerging issues from the ROL forums
5. Provided gender diversity assessment report
6. Provided ICT (in form of 10 laptops, internet support and printer) office equipment and material support to enable further research and operations in support of their work.
7. Supported the design of a website to facilitate access to and sharing of information as well as providing a platform for people residing within and outside of South Sudan to become active participants in the JRC's work
8. Deployed four core Secretariat staff who are here today: the Head of Secretariat, Head of Legal Research, Associate Legal Researcher, and Communications & Media Specialist.

	actions taken								
1.4. a). Number of Rule of Law forums held. (Baseline: 214)	48	25	Partly Achieved	66	47	Ongoing	Annual (60)	46 Forums held in Central, Eastern, Western Equatoria States, Western Barl El Ghazal States and Jonglei States (Yambio, Juba, Torit, Wau, Aweil and Bor)	Partially Achieved
1.4 (b): Number of persons participating in RoL forums by sex							No set specific target for 2022.	986 (723Male/263 Female) in Central, Eastern, Western Equatoria States; Northern and Western Barl El Ghazal States and Jonglei States (Yambio, Juba, Torit, Wau, Aweil and Bor)	Achieved
1.4 (c) Number of transformative Action adopted/Taken in the RoL Forums.							No set specific target for 2022.	40 Supportive Actions in Western and Eastern Equatoria States; Northern and Western Barl El Ghazal States and Jonglei States (Yambio, Torit, Aweil and Bor)	Ongoing
1.5. Number of laws reviewed in line with the R-ARCSS and international human rights standards. (Baseline:11)	5	6	Achieved	5	1	Ongoing	2	1 law (CMP Act 2022) Drafts of the Family Bill	Ongoing
1.6. Number of cases tracked through the case management system disaggregated by type and stage of processing. (Baseline: 10,075)	20,000	7,478	Partly Achieved	20,000	10,836 cases (2,508 female)	Ongoing	Annual target (10,000)	Estimated Total Received cases: 20,781 (4,795 F/15,986 Male). Estimated Total Disposed/Concluded: 5,061 (1,692 F/3,361 M)	Achieved
1.7. Number of Rule of law actors with improved functional and technical skills (Baseline 419 (155 female)	TBD	90 (31 female)	Partly Achieved	150 (30 percent female)	1,467 (39.5 percent)	Achieved	Annual Target (400),	Annual achievement: Total 1,194 (484 female/710 male) in Police, Prison, Paralegal and PCRCs across the country.	Achieved

Number of Rule of law actors with improved functional professional category. Number of topics covered disaggregated by skill type.									
1.8. Number of the justice workforce protected from job-related C-19 risks to infection. (Baseline 17,141)	6,000	17,141	Achieved	6000	3,907 (1,084 female)	Ongoing	Annual Target 6,000(30% female).	This action was tracked for Q1 and Q2 (Total: 1,014 (183 F). Note: There was no action towards this indicator for Q3 and Q4.	Data on this indicator was discontinued in Q3 & Q4 due to removal of COVID-19 restrictions.
1.9. Number of persons in prison and police detention benefitting from early release (Baseline 4,383/474 Female)	700	4,383 (474 female)	Achieved	700	5,646 (1,058 female)		Annual Target: 700	Total 3,021 (2810 Male, 211 Female in Juba, Torit, Wau, Aweil and Bor.	Achieved
Overall Status			Partly Achieved			Ongoing			

Project Output 2: The most vulnerable people; particularly women, girls, SGBV survivors, IDPs and returnees have increased equal access to a fair and effective justice system

Indicator	Indicator Target (2020)	Summary achievement	Status:	Indicator Target (2021)	Summary achievement	Status:	Indicator Target (2022)	Summary achievement during the quarter 3	Status:
2.1. Number of vulnerable persons who benefitted from legal aid disaggregated by gender and type of case	2000 (30 percent female)	897 (75 Percent female)	Partly Achieved	2,000 (30 percent female)	2,159 (74 percent female)	Achieved	Annual target 2,000 (30 percent female).	Actual Legal Aid: 5,713 (2915 female/2,798 -51 % percent female). People reached on Awareness on legal aid: 59,494 (27,722 F/26,059M).	Achieved

2.2. Number of GBV and juveniles who have gained access to the GBV and Juvenile courts disaggregated by gender	451 (80 percent female)	368 GBV cases and 82 juvenile cases	Achieved	451 (80 percent female)	167 (97 percent female)	Ongoing	Annual target 600 (percent female), and target	<ul style="list-style-type: none"> Received: 208 (183 Female, 25 male, 19 Juvenile (of which 15 of the juveniles are female). Concluded: 190 (160 Female /30 male) including 46 Juvenile (of the 46 juveniles, 38 are female). Ongoing cases 188 cases. <p>Note: 1. part of the concluded and ongoing cases was received in the previous reporting period.</p>	Partially achieved
2.3. Number of people reached through raising programmes on law, legal rights and redress mechanisms	1,000,000 (51 female)	1,195,315 (52.3 percent female)	Achieved	1,000,000 (51 percent female)	2,836,586 (51 percent female)	Achieved	Annual target 2,000,000 (51 female) for 2022; Quarter 3 Target (500,000-51% Female)	Total of 2,224,534 people (1,150,460 Female /1,074,074 Male) of which 51.7 percent is female.	Achieved
2.4. Percentage of reduction in case backlogs.	75 percent	53 percent	Partly Achieved	75 percent	86 percent	Achieved	Annual target 75 percent of the case load.	5 Mobile courts deployed in 2022 in Mundri, Tambura, Abyei, Malakal and Bentiu. Caseload: 246 cases Disposed/Concluded: 223 Rate: 91%	Achieved

2.5. Number of traditional leaders trained on human rights and gender equality developed.	200 (30 percent female)	97 (9 percent female)	Partly Achieved	200 (30 percent female)	206 (26 percent female)	Achieved	Annual target=200 (30 percent female) for 2022	399 (353 male, 46 female) 12% Female, 88% Male	Achieved (gender parity still unattained)
Overall status			Partly Achieved			Ongoing			Achieved

Project Output 3: Community security especially in conflict-affected areas is people centered, prevents violence and promotes safety

Indicator	Indicator Target (2020)	Summary achievement	Status:	Indicator Target (2021)	Summary achievement	Status:	Indicator Target (2022)	Summary achievement during the quarter	Status:
3.1. Number of SPUs established and operationalized to respond to SGBV and child marriage	1	1	Achieved	1	2	Achieved	Annual Target: 1	3 new SPUs. Cumulative operational SPUs (24), Note: these include 1 Desk at GPAA; with 116 (68 male/48 Female) Officers. Received: 2,407 cases (873 Male/1,534 Female), cases referred to court: 916 , Concluded cases through the court: 159 Cases settled outside the court/mediated through SPU: 127 .	Achieved
3.2. Number of PCRC meetings held.	72	64	Partly Achieved	72	290	Achieved	Annual target (96),	Total of 394 meeting held by 170 established and operational PCRCs, with 12, 355 participants (6685 Male/5670 female) from which 38	Achieved

							transformative actions were decided/taken.		
3.3. Number of inmates who benefit from Vocational Skills training in prison (Baseline 697)	246	242(26 female) completed skills training. 213 (34 female) continuing with skill training.	Achieved	246	414 (29 females)	Achieved	Annual target (250)	1. Total of 917 with 201F/716M. 2. Graduated in 2022: 630 (134F/458M). 3. Inmates: 787 (137F/650M) 4. Prison Officers trained: 130 (64F/66M) 5. Number (type) of vocational trainings: 12	Achieved
3.4. Number of people reached on crime prevention messages using radio/community radios. (Baseline 0)	500,000	Pending funding availability	Pending	50,000	1,501,000	Achieved	Annual target (1,000,000 -51% female), Quarter 3 Target (500,000-51% Female)	Estimated total reached through radio and community outreaches 3, 198,164 (1,646,929 Male/1,551,235 Female)	Achieved
3.5. Model to reintegrate X-Combatants into community policing developed (Baseline: not developed)	Developed	Pending funding availability	Pending	Developed	Pending availability of funds	Pending			
3.6. Number of calls responded to by Emergency Call Centers (ECC)	2000	2,268	Achieved	2,000	2,226	Achieved	Annual Target (2000)	Total Calls received 2,782 (2,048 by male and 734 by female. Of these, 2,247 by (1724m/523F) incidences were responded to. Estimated time: 100% of cases responded to within 30 minutes, 83% within 20	Achieved

			minutes, and 62% with 15 minutes.
	Overall status	Partly Achieved	Achieved

Project Output 4: The national human rights systems promote awareness, respect and provide redress

Indicators	Indicator or Target (2020)	Summary achievement	Status:	Indicator Target (2021)	Summary achievement	Status:	Indicator Target (2022)	Summary achievement	Status:
4.1. Support for the development of the strategic plan for the South Sudan Human Rights Commission (SSHRC)	Developed	Planned for 2021	Pending	Developed	Developed	Achieved			
4.1. Number of CSOs with strengthened capacity to defend human rights and engage in national human rights processes.							Annual target (3CSOs),	Not directly targeted for human rights capacity strengthening of CSOs but contracted as Implemented partners , a long which their capacity was strengthened.	Constrained
4.2. Number of UPR reports prepared for submission to the Human Rights Council	1	Planned for 2021	Pending	1	2	Achieved	0	SS following on the implementation of the UPR Reports recommendation	No planned for 2022
4.3. Number of juvenile reformatory centers	1	1 underway 1 set to begin in February 2021.	Partly Achieved	1	2	Achieved	1	1 completed	Completed

constructed and furnished				
	Overall status	Partly Achieved	Achieved	Achieved

Project Output 5: Transitional justice mechanisms effectively address the legacies of human rights violations and root causes of conflict

Indicator	Indicator Target (2020)	Summary achievement	Status:	Indicator Target (2021)	Summary achievement	Status:	Indicator Target (2022)	Summary achievement	Status:
5.1. Number of people reached during outreaches and media campaigns on Transitional Justice (Baseline 52,000)	200,000 (51% female)	Planned for 2021	Pending	500,000 (51 percent female)	118,965 (38.6 percent female)	Ongoing	Annual Target: 1,000,000 (51% female).	2,361,305 (1,522,148 Male/831,068 female) (35 % percent female)	Achieved
5.2. Number of supportive actions taken to establish and operations, CTHR, HC, CRA. (Baseline 3)	2	4	Achieved	4	16	Achieved	6	7 ²⁶ (Cumulative). Some key actions await legislation for the formation of the statutory mechanism for Transitional Justice).	Ongoing
5.3. Number of victim support groups established. (Baseline 10)	2	Planned for 2021	Pending	2	0	Pending	5	30 (791membership- (311 male/480 female)	Achieved
	Overall status		Partly Achieved			Ongoing			Achieved

²⁶ Revision of Workplan/Programme for Consultations through 8 meetings
- Two learning visits to South Africa and the Gambia
- Country wide Consultations of TC
- Drafting of the zero drafts of the CTRH and CRA Bills and review by UNDP
- Technical note/strategy for a holistic response to TJ for the ministry

Annex 2 - Summary of Infrastructural Projects

S/NO	PROJECT	LOCATION	YEAR	Status
2020 - Projects				
1	Renovations, Gudele police post SPU	Central Equatoria state	2020	Completed 100%
2	Renovations, Gudele police post SPU Additional works	Central Equatoria state	2020	Completed 100%
3	Construction of Yei prison wall fence	Eastern Equatoria state Yei County Prison	2020	Completed 100%
4	Construction of wall fence - Additional works	Wau Central Prisons Western Bahr el Ghazal	2020	Completed 100%
5	Juba VTC office block	Central Equatoria state	2020	Completed 100%
6	Construction of Chain-link and Toilet at Lologo police station	Central Equatoria state	2020	Completed 100%
7	Supply of Generator to Lologo police station	Central Equatoria state	2020	Completed 100%
8	Construction of Generator Shade at Lologo police station	Central Equatoria state	2020	Completed 100%
9	Construction of Juvenile section in Aweil	Northern Bahr el Ghazal NPSSS, Aweil	2020	Not Completed
2021 - Projects				
1	Renovation of Bor prisons female wing and sewage system	Jonglei State, Bor	2021	Completed 100%
2	Construction of 3-police posts in Yambio	Yambio Wester Barh El Ghazal state	2021	Completed 100%
3	Construction of 3-police posts, renovation of fence and construction of a latrine at SPU Bor	Jonglei State, Bor	2021	Completed 100%
2022 - Projects				
1	Construction of 2-police posts	Bor, Jonglei State	2022	Ongoing
2	Construction of wall fence and Guardhouse	Terekeka Central Equatoria state	2022	Completed 100%
3	Construction of 4-classroom block, water channel, and wall fence	Malakal Upper Nile state	2022	Ongoing
4	Construction of 2-police posts, 1- SPU, and 2-Traditional court	Wau Western Bahr El Ghazal	2022	Ongoing
5	Construction of 2-police posts, 1- SPU, and 1-Traditional court.	Aweil, Northern Bahr El Ghazal	2022	Ongoing
6	Construction of 2-police posts, and 2-Traditional court.	Torit Eastern Equatoria State	2022	Completed 100%
7	Construction of 2-Traditional courts	Juba, Central Equatoria state	2022	Completed 100%
8	Construction of 2-Traditional courts	Yambio Wester Equatoria State	2022	Completed 100%
9	Repairs to ECC Wau and Juba	Wau Western Bahr El Ghazal	2022	Completed 100%
10	Repairs to Directorate of community policing at Nyakuron	Juba, Central Equatoria state	2022	Completed 100%

Annex 3 - Persons Interviewed

Key Informant Interviews

	Name	Title and Agency	Agency
KII in Juba - Central Equatoria State			
1.	Mercyline Sikasa	Security Specialist	UNDP SS
2.	Tendai Chabvuta	Manager, Transitional Justice Process	
3.	Salomo Paulasaari	Associate RoL Officer	
4.	Evelyn Edroma	Chief Technical Advisor/Program Manager. ROLSHR Program	
5.	Stella Dangasuk	Project Manager GBV Court	
6.	Gima Robert, Kani	Executive Director	REDO (CSO)
7.	Michael Nzau	M&E - A2JSHR Programme	UNDP SS
8.	Brig, James Dak Karlo	Director, Deputy Spokesman	SSNPS, SPU
	Jonas Eluzai	Director of Legal Affairs MOI	Ministry of Interior
	Amule Moses Cosmes	SPU	SPU
9.	Alfred Ajuong	Emergency Call Centre	MoI
10.	Sabuni Samuel	Senior Supervisor, Director of VCT	Prisons, VCT
11.	Alei Wol Alei	Inmate data base statistics office	Prisons
12.	Yussef Auf	Project Manager, CMP	UNDP SS
13.	Williem Molenaar	Policy Officer, Political Affairs	Embassy of Netherlands
	Charles Jibi	Policy Officer	
14.	Josephine Chandiru	Executive Director	Steward Women
15.	Mamadou Toure	Capacity Building Officer	UNPOL/UNMIS
16.	Netto Chigiya		
17.	Col Michael Ngong	ECC and visit to the ECC centre	ECC
18.	Judge Andrew	Judge of the GBV Court	Judiciary
19.	Hon. Justice Kulang	President of the Court of Appeal for Greater Upper Nile; coordinator for mobile courts	Court of Appeal, Mobile Court
20.	Mawa Nemaya	Executive Director	Advanced youth Radio
	David Boboto	Project Officer	
21.	Cheryl Sembie	A2J Project Manager	UNDP SS
22.	Linda Gibson	Finance and Admin officer	
23.	Lucy Elundah	Yambio Security Adviser	UNDP, Yambio
24.	Mr. Lawrence Kamilo	Commission on Truth and Reconciliation	First Counsel, MOJCA
25.	Dr Gabriel Awow	Undersecretary	MOJCA
26.	Adebayo Alowolodu	Rule of Law Specialist	UNDP, Torit
27.	Gregoire Sibomana		UNDP, Waw
28.	George Kadimba	Security, A2J	UNDP, Aweil
29.	Catherine Waliaula	Governance Adviser	UNDP SS
30.	James Kunhiak	Gender and Security Project Manager	UN Women
31.	Djordje Djordjevic	Consultant, Baseline assessment for the UNDP Transitional Justice Project	Independent consultant
KII in Yambio - Western Equatoria State			
32.	Aubrey Hamilton	Rule of Law Specialist	UNDP, Yambio
33.	Samuel Salla	Admin and Procurement	REDO (CSO Representative)
34.	Kawagia James	Assistant HR REDO	
35.	Benjamin Commander Gayos	DG, Focal Point for UNDP, Cochair RoL Forum	Ministry of Local Government and law enforcement, Yambio
36.	Ms. Eunice Dungupai	SPU and PCRC Yambio Focal Point	NPSSS

37.	Abel Dominic Hetiru	Executive Director	Civil Society Human Rights Org (CSHRO)
38.	Judge Anjelo Daniel	Acting HCJ, Yambio	County Court Judge
39.	Magdolin Domic Cassiana	Commissioner	Human Rights Commission (HRC), WES Yambio
40.	General Joseph Benjamin	Director of Yambio Central Prisons former - Director of Inmates Affairs	Department of Prisons
KII in Bor - Jonglei State			
41.	Peruth Karungi	Security Specialist	UNDP
42.	Andrew Bul	Director General	Ministry of Local and Law Enforcement
43.	Manyok Simon	Human Rights Advisor	Government of SS
44.	Abraham Deng	Coordinator	Prisons
45.	Joseph Malual	Director	SPU
46.	Akec Mapior	Coordinator	Police
47.	John Yel	President of the High Court	High Court
48.	Deng Kuot Machar	Head, Legal administration and Public Prosecutors	Legal Administration
49.	Ajock Abit	Legal Aid, Project Manager	UNMYPDA
KII in Aweil - Northern Bahr el Ghazal			
50.	George kadimba	Security Specialist	UNDP, Aweil
51.	Deng Mejak	DG	Director Legal Administration
52.	Abraham Majur Lati	President of High Court	Judiciary
53.	Ayak Agiu Bol	Commander SPU	SSNPS
54.	Aduol Aduol Aduol	Executive Director	HASS (CSO)
55.	Capt. Adim Ayok Adim	Community Policing Coordinator	SSNPS
56.	Regina Ajock	Executive Director	Action for children development foundation (ACDF) (CSO)
57.	Peter Ding	Executive Director	Wider aid & Development agency (CSO)

List of Focus Group Discussions

FGD in Juba - Central Equatoria State		
1.	John Guat	MOI, National Police Service
	Jonas Eluzai	Director, Legal Affairs MOI
	First Lt. Amule Moses Cosmes	SPU
	ALFRED Ajuong	Police Emergency Call Centre
	Sarah Athiei Lueth	Community Policing
FGD in Yambio - Western Equatoria State		
2.	8 IDP's and 5 Host community women and 1M IDP	Acrobody village, Yambio County
3.	Legal Aid Beneficiaries (2F litigants)	Justice and Confidence Centre (JCC) - CSHRO
4.	6 participants (2 SPU, 3M and 1F community rep)	PCRC, Nzara
FGD in Bor - Jonglei State		
5.	10 participants	Customary Justice Actors
6.	10 participants	PCRC members
7.	12 participants	RoL Forum, Bor
8.	Legal Aid Beneficiaries (7F and 1M)	JCC - Haimachour village and Pakau village
9.	School RoL club	St.Andrew High School-Bor, Jonglei
FGD – Aweil - Northern Bahr el Ghazal		
10	17M and 12F	PCRC, MalekAlel village
11	12M and 1F	Customary Chiefs, MalekAlel village
12	Legal Aid beneficiaries (9F)	JCC- Action for children development foundation (ACDF) Aweil East

Annex 4 - KII and FGD Interview Guide

These interview questions are informed by UNDP South Sudan A2J, Security and HR evaluation methodology and evaluation matrix. Following is the breakdown and justification of each KII and FGD instrument.

- I. UNDP staff interview guide – this guide covers all aspects of Programme design and implementation as well as focus deeply on efficiency aspects.
- II. Government of SS entities responsible for the A2J, Security and HR will have a holistic understanding of the Programme and might be able to answer on all aspect of Programme design and implementation.
- III. CSO's and partner agencies working on project implementation
- IV. Collaborating UN agencies
- V. Programme beneficiaries

The guides will be kept in English, where possible the interviews will be held in English and when required an interpreter will be used.

These guides are meant to generate a discussion with key informant and then guide the conversation. The consultant might not ask all questions and probes to all respondents. The consultant will determine if she needs to adjust the questions or probes based upon what they are learning in the initial interviews and which areas of inquiry need more or less focus.

Question	Interviewee
Relevance	
1. Could you describe your position and role in this department?	GoSS, UNDP, PUNO
<ul style="list-style-type: none"> How long have you been in the current role? What was your previous role? (if the person is newly appointed) 	
<ul style="list-style-type: none"> Were you directly involved in Programme design and/or implementation? 	
<ul style="list-style-type: none"> What kind of work you were looking after, since how long etc.? 	
2. Let's talk A2J, Security and HR needs and Government of SS (GoSS) priorities to address those?	GoSS, UNDP, UNMIS, PUNO
<ul style="list-style-type: none"> If the respondent is in their position since start of Programme; help him/her think through start year of A2J, Security and HR and ask, what were the A2J, Security and HR priorities at that time? What were GoSS strategies to address those priorities at that time? 	
3. Which national & provincial priorities/concerns did the program address? 4. Were the Programme's results and approaches consistent with ground realities and local context? 5. Are you in a position to explain the programme's development process in terms of need base, consultative process?	UNDP, UNMIS, UNICEF, UNW, OHCHR, GoSS
6. In your opinion, how Relevant is the A2J, Security and HR Programme to GoSS's developmental priorities?	GoSS, UNDP, UNMIS
<ul style="list-style-type: none"> How is the Programme addressing; <ul style="list-style-type: none"> National development priorities and policies, UNDP Strategic Plan and the SDGs? Theory of change for the relevant country programme outcome? Were the Programme's results and approaches consistent with ground realities and local context? 	

<ul style="list-style-type: none"> - Were the Programme interventions consistent with relevant SDGs and national development priorities and policies? - How did the program respond to GoSS's international commitments? - If the respondent is aware of Programme since start, ask about Programme's development process in terms of need base, consultative? 	
7. How the Programme evolved overtime to respond the changes in contextual and operating environment?	GoSS, UNDP and PUNO's.
<ul style="list-style-type: none"> - How Programme did the adapted during Covid 19 pandemic? - How Programme adjusted to changing security situations and political climate in South Sudan, floods and environmental hazards? - Generally speaking, what is your opinion about flexibility to respond these frequent re-adjustments? 	
8. In your opinion, were the Programme interventions and approaches in line with A2J, Security and HR Programme's anticipated results?	UNDP, GoSS and PUNO's. Donor agencies
<ul style="list-style-type: none"> - What do you think about feasibility of interventions to achieve the desired A2J, Security and HR objectives and results? - To what extent did the programme use harmonised approach to avoid duplication and complement with other organizations and agencies? - To what extent does the programme contribute to gender equality, the empowerment of women and the human rights-based approach? - To what extent did the programme align with the wider policy frameworks of UNDP and collaborated with other projects within the UNDP and UN agencies? 	
Effectiveness	
9. In your opinion, how well did the Programme able to achieve planned results?	
<ul style="list-style-type: none"> - What was the Programme's role to increase A2J, Security and HR in the 6 targeted provinces? - What were Programme contribution towards improving A2J services? - How did the Programme contribute to improving capacities and procedures in the targeted departments and ministries? 	UNDP, GoSS and PUNO's.
<ul style="list-style-type: none"> - What was Programme role to increase A2J in target provinces? - What were Programme contribution towards improving A2J, Security and HR services? - How did the programme contribute to improving the capacities and procedures in the targeted departments and ministries? - what are the Notable milestones that were achieved for the various components of the project comprising: <ul style="list-style-type: none"> o enhanced government-led management and coordination. o capacity development of key actors and service providers. o establishing and equipping services for A2J, Security and Human rights. - How did the program address the enhancement of the human capacities within Government i.e. judges, magistrates, prosecutors, attorneys, prison officials, Police and other actors? - What steps were taken to expand the capacity of child justice and GBV as a pre-condition for the expansion of juvenile and GBV courts. 	UNDP, UNICEF, UNW and UNMIS
10. In your opinion, what was Programme role on the changes made in legal and policy framework and increase/decrease in the prison population, truth and reconciliation and legal aid beneficiaries and A2J and community policing services?	GoSS

<ul style="list-style-type: none"> - Please explain the impact of the conferences and trainings related to the discussions around the programme thematic areas. - What progress were made by the MoJ to the various laws enacted and what's the status on the drafting regulatory frameworks to operationalize them? (i.e., Penal Code Act, Code of Criminal Procedure Act, Civil Procedure Act, Evidence Act, Legal Aid Act, Interpretation of Laws Act, National Family Law and the Constitutional making process Law) 	UNDP
11. In your opinion, what were Programme contribution towards modernizing A2J infrastructure and strengthening human rights practices and procedures at the national and provincial level?	
<ul style="list-style-type: none"> - What was Programme role to improve government staff communities' knowledge, perceptions, and attitudes in relation to Justice, peace and Human rights?; - What was Programme role to modernize the A2J, Prison and policing infrastructure and enabled informed decision making? - How did the establishment of Mobile courts and Policing teams help to achieve results? - What was Programme role to improve communities' knowledge, perceptions, and attitudes in relation to A2J, Human rights, security and peace? - In your opinion how did the Programme advocacy and community outreach work? - How did the advocacy component evolve overtime to address the changing context and ground realities? 	
12. What was the Programme contribution to improving child and women -cantered justice policies, procedures, and services?	UNICEF, MOJ, UNDP, UNW
<ul style="list-style-type: none"> - Would you share thoughts about Programme contribution in improving/revising policies, procedures and services around children in contact with law and GBV? - How did the Programme perform on training and capacity building of police, lawyers, judges, and prison staff? - What was the Programme contribution to support Juvenile and GBV court system including case identification, referral and management? - What do you think about Programme role to improve communities' knowledge, attitudes and perceptions in relation to children in contact with law and GBV cases. - How did the Programme advocacy component influence the government knowledge, attitudes and perceptions in relation to children in contact with law and GBV? - How the advocacy and trainings component evolve overtime to address the changing context and ground realities? 	
<p>In your opinion, what are Programme's contributions in establishing and/or strengthening interoperability between</p> <ul style="list-style-type: none"> - Ministry of Justice and Constitutional Affairs, Judiciary of South Sudan (JOSS) and the Law Review Commission - MOI (Police and Prison Affairs) South Sudan National Police Service, National Prisons Service of South Sudan, - Ministry of Gender and Social Welfare (MoGSW), - South Sudan Human Rights Commission, CTRH etc? 	UNDP, PUNO and GoSS
<ul style="list-style-type: none"> - Ask about political and technical relationship between these entities? - Programme role to strengthen the coordination among <ul style="list-style-type: none"> o A2J focused departments o Security and Human rights Departments o Justice for children and GBV departments 	
13. What strategies and factors contributed to achievement or non-achievement of the results?	

<ul style="list-style-type: none"> - Was Programme achieving results as per the South Sudan National Development Strategy (2018 - 2021) and applicable SDGs? - Which Socio-economic, political, and institutional factors area affected/affecting the programs' delivery and results? - Is there anecdotal evidence from monitoring visits conducted in the target provinces indicating that the judges, prosecutors' prison and police officials are applying their new knowledge and skills. 	UNDP, PUNO's, Donor agencies.
14. What are the key lessons that you as a stakeholder have learned from the design, implementation and results of this Programme?	GoSS, UNDP
<ul style="list-style-type: none"> - What was Programme's potential to capture lessons; lessons influencing modification of the Programme delivery in terms of accessibility, expansion and quality of the services? - How Programme utilized these lessons learnt for course correction and informed decision making? - What is the potential of these lessons learnt to inform future similar Programme's? 	
Efficiency	
15. In your view, did the Programme have sufficient resources to achieves the intended results?	UNDP, GoSS, PUNO
<ul style="list-style-type: none"> - Resources in terms of human, financial and technical? - How did the Programme resources distribute for policy level work, capacity and system development and community level engagements? - How was Programme's resource distribution across different components e.g. A2J, Security and HR? - In your opinion, did the Programme over or underutilized allocated resources for any particular level or component? 	
16. Do you think the program has delivered intended results on time?	
<ul style="list-style-type: none"> - Were there any delays in Programme implementation? - What were changes in context and operating environment that affected time lines and resources? - How did the Programme respond and adapt to these changes and strategies to remain on track; - What could have been done or done better to keep the Programme on track or in other words what are the key lessons learnt around time and schedule? 	
17. In your opinion, did the Programme deliver intended results efficiently?	
<ul style="list-style-type: none"> - Did the Programme undertake any cost-saving measures? - Was disaggregated financial data available to see the investment and return on each component? - What could have been done to save cost; or in other words key lessons around cost allocation and utilization? 	
Sustainability	
18. What are your views around Programme's exit strategy planning and execution?	GoSS, PUNO and UNDP
<ul style="list-style-type: none"> - What process was adopted to the sustainability strategy? - What is the level of public sector stakeholders' involvement and ownership of the process at the national and provincial level? - What is the status of exit strategy execution? 	
19. In your opinion, which of the Programme interventions and results are likely to continue beyond Programme life?	
<ul style="list-style-type: none"> - What are the Programme interventions and results that has already sustained? - Which interventions and results are more likely and not likely to sustain and under what conditions? 	

<ul style="list-style-type: none"> - Which associated factors and assumptions are likely to support or hinder the sustainability or likelihood of the Programme sustainability? - In your opinion which of the Programme interventions and results merit scalability and under what conditions? 	
20. What do you think about the key learnings around Programme's exit strategy? What could have been done better to make interventions and results sustainable? (Probe: key learnings and success around sustainability)	
Human Rights	
21. In your opinion, how did the Programme use human right-based approach (HRBA) and equity lens?	PUNO, GoSS, UNDP
<ul style="list-style-type: none"> - Was the Programme complaint to human rights polices and protocols? - What was Programme approach to reach most vulnerable segments in terms of women and children in remote areas, displaced persons and those in pre-trial detention in urban and semi urban areas. - Which of the Programme strategies and interventions prove more/less effective to respond vulnerable group's needs? - How did the Program strengthen the public sector organizations capacity (policies, law, infrastructure and processes) to provide consistent/uniform services provision to poor and other vulnerable groups? - What could have been alternate strategies to reach most vulnerable segments; key learning and success around equity and human right-based approach? 	
Gender Equality	
22. In your opinion, how effectively did the Programme focus on gender equality in the interventions and results?	PUNO, GoSS, UNDP
<ul style="list-style-type: none"> - Was there any gender assessment to understand the context? - Did the programme incorporate gender focus in design, implementation and results? - Were there any specific efforts by the programme to address gender disparity and tracking of results? - What could have done better; in other words what are the key learnings and success around gender equality? 	
Environment	
23. How has UNDP applied the environment and climate perspective to mitigate possible negative impact	PUNO, GoSS, UNDP
Additional Inputs	
24. Do you want to add anything else about BR & J4C Programme and things we discussed today?	
25. Interviewer observations and comments	

Annex 5 – MTE Consultancy TOR

UNITED NATIONS DEVELOPMENT PROGRAMME - TERMS OF REFERENCE	
1. Consultancy Information	
Project Title: Midterm Evaluation of the Access to Justice, Security and Human Rights Programme Duty Station: Juba, South Sudan with anticipated field travel to programme locations. Type of Consultancy: International Consultant Duration under review: April 2020 to 31 December 2022	
2. Background and Context	
<p>South Sudan faced renewed conflicts in December 2013 and July 2016 that have undermined the development gains achieved since independence. As a result, South Sudan remains caught in a web of fragility, economic stagnation, and instability a decade after independence. Poverty is pervasive and has been reinforced by a history of conflict, displacement, and shocks.</p> <p>The signing of the Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS) in September 2018 and subsequent formation of a unity government in February 2020 provided hope for peace and post conflict transformation. There has been some progress in implementing the R-ARCSS but overall implementation continues to be slow. In 2011, 504 members of the Revitalized Transitional National Legislative Assembly (RTNLA) and 84 members of the Council of States were sworn in. The legislature is expected to pass new laws and reforms to make further progress on the full implementation of the R-ARCSS. Despite the political differences among members of the RTNLA, four essential bills were passed including the Constitution Making Bill and the Police Bill.</p> <p>The graduation of the first phase of the Necessary Unified Forces is largely complete - with only Bentiu in Unity State remaining, due to floods in the state. Efforts are now geared towards providing urgent financial, logistical and political support by the government. The ranks of the graduating forces and deployment plans are yet to be finalized and implemented so that the force can begin to serve as a truly national army although limited deployments have been made to hotspots in northern parts of Warrap State and Kodok in Upper Nile State.</p> <p>The recent enactment of a Constitution Making Process Act, 2022 sets out the roadmap for drafting the permanent constitution. Preparations for elections at the end of the transitional period have equally started with the review of the Elections Act²⁷. Measures have also been taken to set up transitional justice mechanisms in particular the Commission for Truth Reconciliation and Healing and the Compensation and Reparations Authority, while a Judicial Reforms Committee which was set up in 2022 will propose recommendations for structural reforms aimed at ensuring an independent judiciary.</p> <p>Due to lack of progress on some provisions of the R-ARCSS, South Sudan extended its transitional period which was due to end on February 2023 for two years. This occurs at a time when localized ethnic and intercommunal violence continues following an increase in intercommunal attacks in August 2021 in the Tambura region in Western Equatoria²⁸. Similar communal conflicts were also seen in 2022 with particularly concerning clashes amongst armed militias, which are causing displacement in northern Jonglei and Upper Nile, the intercommunal violence in northern Warrap, and ongoing cattle-raiding and migration-related conflicts in the Equatorias.</p> <p>These conflicts result in an escalation of incidents of crime such as sexual and gender based violence, destruction and looting of property, murder among others. Currently, 1.75 million people in South Sudan face one or more legal problems according to a 2022 UNDP study. 60% of these problems relate to land disputes, domestic violence,</p>	

²⁷ <https://www.securitycouncilreport.org/monthly-forecast/2021-09/south-sudan-15.php>.

²⁸ <https://www.securitycouncilreport.org/monthly-forecast/2021-09/south-sudan-15.php>.

and crime. 57% of these disputes are completely or partially resolved mainly through traditional systems while 12.5% are perceived to be resolved unfairly. As such, South Sudan has an annual justice gap of almost 2 million unresolved legal problems.

The UNDP South Sudan programme on strengthening Access to Justice, Security and Human Rights 2020 to 2025 (Phase III) provides technical, policy and capacity building support to the national and local actors to increase access to justice, advance community security and promote accountability for human rights violations. The program works with governments and civil society organisations, and collaborates with other UN agencies and development partners to make the rule of law and respect for human rights a national reference point for achieving the national development strategy. Launched in 2020, the programme is guided by international human rights standards and principles and adopts a sector-wide approach to achieve five interrelated outputs in six main locations.

The programme is aligned to and contributed to the realization of Outcome 1 of the United Nations Cooperation Framework (UNCF 2019 to 2022) that seeks to strengthen peace infrastructures and accountable governance. It also supported the achievement of UNDP's commitments in the Strategic Plan (2018-2021) and Country Programme Document (2019-2022) by addressing the evolving needs of South Sudan's justice and security sectors. Additionally, the programme contributes towards SDG 16: Promote just, peaceful and inclusive societies with a special focus on target 16.1 (Significantly reduce all forms of violence and related death rates) and target 16.3: The priority is given to providing support to national institutions, promoting a people-centered approach in delivering justice and introducing security measures, and empowering citizens to exercise their rights which are complemented by assistance in the areas of the permanent constitution-making, transitional justice, judicial and security sector reforms.

3. Purpose of the Mid Term Evaluation

The Access to Justice, Security and Human Rights programme Phase III has been under implementation since April 2020. This evaluation is aimed at assessing the midterm performance of the programme and its contribution to the overall justice and rule of law in the country. The overall objective of this mid-term evaluation is to assess relevance, efficiency, effectiveness, coherence, sustainability and impact (where practical) of The Access to Justice, Security and Human Rights programme Phase III has been under implementation between April 2020 and December 2023 using the OECD/DAC evaluation criteria>

As a result, the focus of the mid-term evaluation will be to:

1. Assess the programmes contribution to supporting the implementation of the R-ARCSS and laying the foundation for the transformation of South Sudan towards peace and development.
2. Evaluate the Midterm performance of the Access to Justice, Security and Human Rights Phase III (April 2020 to December 2022)

UNDP is commissioning this midterm evaluation to provide UNDP, the Kingdom of the Netherlands, Peace Building Fund (PBF), Japan, the RSRTF, national stakeholders, and partners with an impartial assessment of the results generated by the programme over the implementation period. The evaluation will assess, as per the OECD/DAC criteria; the project's relevance, effectiveness, efficiency, impact, coherence and sustainability; its contributions towards gender equality and women empowerment; identify and document lessons learned; and provide stakeholders with recommendations to inform the strategic direction (and adjustment where practical) and planning for remaining part of the programme cycle.

The evaluation serves as an important accountability function, providing national stakeholders (relevant ministries and institutions of the Government of the Republic of South Sudan) and partners with an independent assessment of the results of the project. The evaluation should be formative in nature, forward looking and utilisation focused, and should elaborate lessons and best practices that will inform implementation up to the end of the programme.

4. Objectives

Specific project Evaluation objectives are to:

5. Determine the relevance and strategic positioning of UNDP's Access to Justice, Security and Human Rights programme Phase III to the justice, security, human rights and peacebuilding needs in South Sudan in general and in the six programme locations in particular.
6. Assess the extent to which the net benefits of the programme are likely to result in long term benefits and thus sustainable. Assess a) the progress made towards programme planned results and whether there were any unintended results and b) what can be captured in terms of lessons learned for ongoing and future UNDP rule of law initiatives in South Sudan in line with the Theory of Change of the programme.
7. Assess whether the programme management arrangements, approaches and strategies were well-conceived, applied for efficient and effective delivery of the programme results
8. Analyze the extent to which the programme enhanced application of a rights-based approach, gender equality and women's empowerment, social and environmental standards and participation of other socially vulnerable groups such as youth, children and persons with disability.

5. Scope

The project mid-term evaluation covers the period from April 2020 to 31 December 2022. The evaluation will cover all programme locations – Juba, Aweil, Bor, Torit, Wau and Yambio.

The evaluation will also assess the programme conceptualisation, design, implementation, monitoring and evaluation. It will also engage all programme stakeholders – benefitting communities, relevant ministries and institutions of the Government of the Republic of South Sudan, programme donors, UNDP, UN agencies, UN Mission in South Sudan, civil society organisations, local and national level platforms for addressing the rule of law and human rights, and other actors. The evaluation will be guided by OECD-DAC criteria and explore the key factors that have contributed to the achieving or not achieving of each criterion; and addressing crosscutting issues such as gender equality and women's empowerment and human rights.

6. Mid-term Evaluation Questions

The evaluation seeks to answer the following questions, focused on the evaluation criteria of relevance, effectiveness, efficiency and sustainability.

Relevance and Coherence

1. To what extent was the programme in line with the national development priorities and policies, the country programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?
2. To what extent does the programme contribute to the theory of change for the relevant country programme outcome?
3. To what extent were lessons learned from other relevant projects considered in the programme's design?
4. To what extent does the programme contribute to gender equality, the empowerment of women and the human rights-based approach?
5. To what extent did the programme align with the wider policy frameworks of UNDP and collaborated with other UNDP Projects
6. To what extent did the programme use harmonised approach to avoid duplication and complement with other organizations and agencies

Effectiveness

7. To what extent did the programme contribute to the country programme outcomes and outputs, the SDGs, the UNDP Strategic Plan and national development priorities?
8. To what extent were the programmes outputs achieved? Were there any unintended or unexpected results achieved by the programme that can be documented as lessons?
9. What factors have contributed to achieving or not achieving intended country programme outputs and outcomes?
10. To what extent did the programme relate or interact with other projects in the same area; both internal and external to UNDP?
11. How has UNDP worked to apply a conflict perspective to avoid security risks faced on the ground in terms of risk management

Efficiency

12. To what extent was the programme management structure as outlined (and applied) in the programme document efficient in generating the expected results?
13. To what extent has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes?

<p>Sustainability</p> <ol style="list-style-type: none"> 14. To what extent will the programme initiatives continue in the future and; to what extent are the local authorities and beneficiaries involved and own the programme interventions? 15. To what extent will financial and economic resources be available to sustain the benefits achieved by the programme? How is the link between humanitarian, development and peace being integrated within the programme? 16. Are there any social or political risks that may jeopardize sustainability of programme outputs and the programme's contributions to country programme outputs and outcomes? 17. To what extent are lessons learned being documented by the programme team on a continual basis and shared with appropriate parties who could learn from the programme? 18. To what extent has capacity building and/strengthening been integrated in the implementation of the programme in terms of design and approaches? 19. To what extent do UNDP interventions have well-designed and well-planned exit strategies? <p>Human rights</p> <ol style="list-style-type: none"> 20. To what extent are human right issues incorporated in programme design, implementation, and monitoring? 21. To what extent have poor, indigenous and physically challenged, women and other disadvantaged and marginalized groups benefited from the work of UNDP in the country? <p>Gender equality</p> <ol style="list-style-type: none"> 22. To what extent has gender equality been addressed in the design, implementation and monitoring of the programme? 23. Is the gender marker data assigned to this programme representative of reality? 24. To what extent has the programme promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects? 25. To what extent have men been involved to change patriarchal attitudes, behaviours and norms and empower women <p>Environment</p> <ol style="list-style-type: none"> 26. How has UNDP applied the environment and climate perspective to mitigate possible negative impact. <p>Guiding evaluation questions will be further refined by the evaluation team and agreed with UNDP evaluation stakeholders at the inception phase of the evaluation</p>
<p>7. Methodology</p> <p>The evaluation will be carried out in accordance with UNDP evaluation guidelines and policies, United Nations Group Evaluation Norms and Ethical Standards; OECD/DAC evaluation criteria and Evaluation Quality Standards. The evaluation will employ a combination of qualitative and quantitative evaluation methods including, but not limited to:</p> <ol style="list-style-type: none"> 1. Document review of all relevant documentation. This would include a review of inter alia; project document (contribution agreement); theory of change and results framework; programme and project quality assurance reports; annual workplans; consolidated quarterly and annual reports; results-oriented monitoring report; highlights of project board meetings; and technical/financial monitoring reports. 2. Semi-structured interviews (and discussions/consultations) with key stakeholders including key government counterparts, donor community members, representatives of key civil society organizations, UNCT members and implementing partners. 3. Surveys and questionnaires including participants in development programmes, UNCT members and/or surveys and questionnaires involving other stakeholders at strategic and programmatic levels. 4. Field visits and on-site validation of key tangible outputs and interventions. The evaluator is expected to follow a participatory and consultative approach that ensures close engagement with the evaluation managers, implementing partners and direct beneficiaries. <p>The final methodological approach including interview schedule, field visits and data to be used in the evaluation should be clearly outlined in the inception report and be fully discussed and agreed between UNDP, stakeholders and the evaluators.</p>
<p>8. Ethical Considerations</p> <p>The consultant is expected to follow the UNDP Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis . The technical proposal must explicitly state, under methodology, how ethical considerations will be made and how ethical standards will be ensured throughout the evaluation process. The</p>

whole evaluation process is guided by UNEG Guidance on Integrating Human Rights and Gender Equality in Evaluation
9. Evaluation Products/Deliverables
<p>The evaluator will be expected to deliver the following:</p> <ol style="list-style-type: none"> Evaluation inception report (10-15 pages). The inception report should be carried out following and based on preliminary discussions with UNDP after the desk review and should be produced before the evaluation starts (before any formal evaluation interviews, survey distribution or field visits) and prior to the country visit in the case of international evaluators. Evaluation debriefings. Immediately following an evaluation, UNDP may ask for a preliminary debriefing and findings. Draft evaluation report (max 40 pages). UNDP and stakeholders will review the draft evaluation report and provide an amalgamated set of comments to the evaluator within 10 days, addressing the content required (as agreed in the inception report) and quality criteria as outlined in the UNDP evaluation guidelines. Evaluation report audit trail. Comments and changes by the evaluator in response to the draft report should be retained by the evaluator to show how they have addressed comments. Final evaluation report (Soft copy: well formatted PDF file). Presentations and validation by stakeholders and the evaluation reference group. Evaluation brief and other knowledge products agreed in the inception report. <p>The suggested Table of Contents of the evaluation report is as follows</p> <ol style="list-style-type: none"> Title Table of Contents List of Acronyms and abbreviations Executive Summary Introduction and Country Context Brief Description of the Programme Evaluation Objective and Methodology (Methods, Scope, Limitation ...) Data analysis Evaluation Findings Conclusion Lesson learned Recommendations Annexes (TOR for evaluation, evaluation matrix and data collection instrument, lists of individuals/ groups interviewed/ consulted, sites visited, supporting documents reviewed)
10. Required Qualifications
<p>The programme evaluation will be conducted by an independent consultant (an international evaluation expert). The international consultant must have extensive experience in strategic programming of development assistance in post-conflict countries within the broader areas of peacebuilding and democratic governance on post conflict settings. Preferably, the consultant also has substantial knowledge of and experience with the monitoring and evaluation of similar initiatives in volatile environments. The required qualifications and technical competencies are listed below:</p> <p>Qualifications</p> <ul style="list-style-type: none"> Minimum Master's degree in Conflict and Peace building Studies, Law, Public Policy and Management, Public Administration, Development studies, International Development, or any other relevant educational background. (20 points) <p>Technical competencies</p> <ul style="list-style-type: none"> Minimum 10 years' experience in the fields of community security, conflict prevention, peace building and reconciliation, governance, inclusive participation, gender mainstreaming and human rights promotion. (40 Points) At least 7 years (and recent – latest should have been conducted within the past 2 years) professional experience in conducting evaluations of similar peacebuilding initiatives. (20 Points) Excellent writing skills with a strong background in report drafting. (10 points) <p>Demonstrated ability and willingness to work with people of different cultural, ethnic and religious background, different gender, and diverse political views; (10 Points)</p>