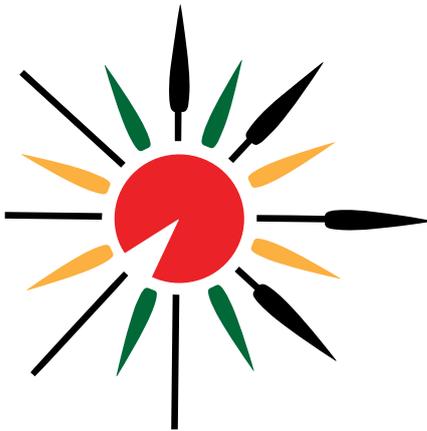


2016–2021
**STRATEGIC
PLAN**

**TRANSITIONAL JUSTICE
WORKING GROUP**
SOUTH SUDAN



MAY 2016



50
YEARS

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Acknowledgments

This strategic plan is the work of the core team of the Transitional Justice Working Group (TJWG): Assistance Mission for Africa (AMA); Dialogue and Research Initiative (DRI); Foundation for Democracy and Accountable Governance (FODAG); Human Rights Development Organisation (HURIDO); Solidarity Ministries Africa for Reconciliation and Development (SMARD); South Sudan Law Society (SSLS); and South Sudan Women Empowerment Network (SSWEN). The plan was designed and created by this group during an intensive series of discussions, drafting and reviews throughout February – May 2016. The mission, vision, objectives and goals of the plan were determined during two workshops attended by members of the Transitional Justice Working Group. The development of the plan was informed by consultations with representatives of the Government of the Republic of South Sudan (GRSS), representatives of commissions, United Nations (UN) officials, representatives of the international community and international organisations; all to which the core team extend their gratitude. The support provided by the Public International Law & Policy Group (PILPG) during the review of the strategic plan is acknowledged. The development of the plan was made possible by funding provided by the Access to Justice and Rule of Law Project of the United Nations Development Programme (UNDP). This funding made it possible to secure the services of a consultant, Dr. David Bloomfield, to support the development of the plan. Gratitude and thanks go to UNDP for their role in facilitating the process and providing insights and extensive review of the strategic plan.



Executive Summary

The violence which erupted in Juba in December 2013 swiftly spread to several parts of the country, in what became a devastating war, resulting in the deaths of many thousands and the displacement of at least two million persons.¹ After almost two years, the warring parties signed the Intergovernmental Authority on Development (IGAD) brokered Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) in August 2015. Chapter V of the agreement lays out extensive proposals for transitional justice processes to address South Sudan's recent history of violence. The formation of the Transitional Government of National Unity (TGoNU), marks a significant milestone in the implementation of the ARCSS and the transitional justice process in South Sudan.

Civil society engagement in the transitional justice process is essential to create a platform for national dialogue. Therefore, civil society organisations (CSOs) require a coherent and united voice in order to present a cohesive front among other stakeholders in the process. Civil society is uniquely positioned to make the voice of citizens audible in the transitional justice processes. Citizens are the society that is being rebuilt, and if their input is missing in the design and implementation of a formal process, the chances of success are significantly reduced. With their ability to reach down to communities and remote villages at micro levels, civil society, including faith-based institutions and women's groups form a crucial medium in the implementation of transitional justice and reconciliation processes. At the same time, civil society is a unique resource for transitional justice, in being able to move between all levels of society. It can facilitate interaction at the grass-roots level,

support process design at institutional level, and advocate for civic participation at national level. It therefore, has a vital contribution to make in the coordination, communication and interaction of several activities at various levels. Additionally, civil society can play a critical role in speaking out for, and demystifying the concept of, transitional justice, in an effort to create space and the necessary political buy-in that are essential for its success. The instrumental role of civil society's involvement in transitional justice coupled with the need for a coordinated and unified approach, forms the rationale for the establishment of the civil society Transitional Justice Working Group.

The TJWG is a coalition of pre-existing civil society organisations, representatives of women's groups and faith-based organisations interested or engaged in transitional justice issues, complemented by experts in the subject matter. The TJWG was established as a platform to support the implementation of Chapter V of the ARCSS, and to provide an interface between national and international transitional justice stakeholders and the official transitional justice processes. The TJWG aims to advocate for transitional justice; ensure a strengthened civil society voice in the debates around the design and implementation of transitional justice processes; and coordinate a complementary civil society role within those processes, including support to the documentation of human rights violations. The TJWG is managed by a core team of the seven founding organisations, complementing each other in their respective organisational strengths related to transitional justice. These organisations are Assistance Mission for Africa (AMA), Dialogue and Research Initiative (DRI), Foundation for Democracy and Accountable

1. United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), South Sudan Humanitarian Bulletin (1 December 2015), available at South Sudan, http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_SouthSudan_humanitarian_bulletin_1Dec2015.pdf



Governance (FODAG), Human Rights Development Organisation (HURIDO), Solidarity Ministries Africa for Reconciliation and Development (SMARD), South Sudan Law Society (SSLS) and South Sudan Women Empowerment Network (SSWEN).

This document represents a five-year strategy to ensure that civil society plays an essential role in the effective implementation of transitional justice processes in South Sudan. It sets out the TJWG's vision, mission, objectives, goals and activities.

The TJWG's vision reads as follows: Inclusive and victim-centred transitional justice processes are effectively implemented in South Sudan by the year 2021.

The TJWG's mission is: To advocate for transitional justice in South Sudan, coordinate and support civil society initiatives on transitional justice, and to coordinate civil society initiatives with those of other stakeholders, with a focus on the implementation of the transitional justice provisions in the Agreement on the Resolution of the Conflict in the Republic of South Sudan.

To achieve this, the TJWG has set out four primary objectives, namely:

1 *To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.*

Civil society needs to form an effective network, and establish a strong and coherent voice to properly support the transitional justice process alongside all other stakeholders. Civil society networking for transitional justice involves establishing a coordinating mechanism for civil society voices and interventions, mapping of initiatives and building linkages between them, so that civil

society becomes more than the sum of its parts. Civil society represents public opinion and will provide a reliable collective voice and response to Government institutions, including the Transitional National Legislative Assembly (TNLA), the Ministry of Justice and Constitutional Affairs (MoJCA), the Judiciary of South Sudan (JoSS), and the National Constitutional Amendment Committee (NCAC).

In support of this objective, the TJWG intends to carry out a comprehensive mapping of CSO transitional justice initiatives at national level, state level, county level and payam level; establish monthly transitional justice forums at national and state level; form and document a collective civil society standpoint on transitional justice issues; offer trainings for civil society on transitional justice; publish quarterly transitional justice forum newsletters for all stakeholders; develop position papers on transitional justice; and coordinate civil society reconciliation and dialogue activities at the community level to complement the official processes.

2 *To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.*

This involves coordinating awareness-raising and civic education services throughout the country. It also includes conducting research, stimulating discussion and debate on transitional justice at the national level, and coordinating civil society-led dialogue activities at the local level. In support of this activity, the TJWG will develop education and outreach materials for different target groups (including traditional leaders); constitute sub-groups for dialogue and debate within all transitional justice forums; organise consultations and a public debate series on transitional justice; and feature on a weekly transitional justice radio programme.



3 *To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA) and to promote accountability, reconciliation, truth-telling and reparations processes.*

This objective involves providing a civil society perspective, including advice and support on the design and formation of the official mechanisms. It also involves monitoring the implementation of the official processes, as well as supporting parallel processes (e.g., by faith-based organisations and by traditional leaders), and offering analysis on the outcomes of the processes.

Among other things, the TJWG will advocate and lobby for the establishment of the HCSS, CTRH and CRA; coordinate civil society's role in the CTRH consultative process and provide support in the drafting of legislation for the establishment of the CTRH;² support the process of drafting the establishing legislation of the CRA and offer recommendations on issues of compensation and reparation; develop position papers on model legislations; monitor the HCSS, CTRH and CRA proceedings and reach out to the public to raise awareness about the mandate, structure and proceedings of these institutions during all stages of these mechanisms; and support the outreach programme of the CTRH.

4 *To support the documentation of violations of human rights and other crimes.*

Accounts of gross violations of human rights are expected to emerge during the transitional justice process. Whether these accounts are ultimately processed in a legal system (national, international or traditional), in a public hearing such as a truth commission, or in reconciliation dialogues between communities or individuals, they need to be collected, processed and archived. The TJWG will help to support the use of documentation in advocacy and to increase public awareness on transitional justice. Among other things, the TJWG will offer support to and liaise with civil society-led documentation initiatives; and support dialogue on the documentation of human rights violations by CSOs.

The strategy establishes a formula for financial management. A comprehensive Strength, Weakness, Opportunities and Threats (SWOT) analysis articulates risk analysis and contemplates operating under difficult circumstances, including for limited continued civil society engagement, in the event that it becomes impossible to implement the peace process. Internal and external monitoring and evaluation systems will be put in place to measure project implementation and impact.

A partnership matrix identifies relevant partners for advocacy, lobbying and collaboration purposes. To implement its objectives, the TJWG will need to reach out to a broad range of stakeholders and potential partners. This will include new actors and stakeholders established in line with the peace agreement.

2. Article 2.1.3 of Chapter V of the ARCSS reads: "The Ministry of Justice and Constitutional Affairs of the TGoNU, in collaboration with other stakeholders and the civil society, shall conduct public consultations for a period not less than one (1) month prior to the establishment of the CTRH, to inform the design of the legislation referred to in Chapter IV, Article (1.1). This notwithstanding, such consultations shall ensure that the experiences of women, men, girls and boys are sufficiently documented and the findings of such consultations incorporated in the resultant legislation."



Acronyms

AMA	Assistance Mission for Africa
ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
AUCISS	African Union Commission of Inquiry on South Sudan
CCM	Chama Cha Mapinduzi, political party of Tanzania
CNHPR	Committee for National Healing, Peace and Reconciliation
CPA	Comprehensive Peace Agreement
CRA	Compensation and Reparation Authority
CSO	Civil Society Organisation
CTRH	Commission for Truth, Reconciliation and Healing
DRI	Dialogue and Research Initiative
FODAG	Foundation for Democracy and Accountable Governance
GRSS	Government of the Republic of South Sudan
HCSS	Hybrid Court for South Sudan
HURIDO	Human Rights Development Organisation
IDP	Internally Displaced Person
IGAD	Intergovernmental Authority on Development
(I)NGO	(International) Non-Governmental Organisation
JoSS	Judiciary of South Sudan
MoJCA	Ministry of Justice and Constitutional Affairs
NCAC	National Constitutional Amendment Committee
NEC	National Electoral Commission
PILPG	Public International Law & Policy Group
PoC	Protection of Civilian
SMARD	Solidarity Ministries Africa for Reconciliation and Development
SPLM	Sudan People's Liberation Movement
SPLM-IO	Sudan People's Liberation Movement in Opposition
SSLS	South Sudan Law Society
SSWEN	South Sudan Women's Empowerment Network
SWOT	Strengths Weaknesses Opportunities Threats
TJF	Transitional Justice Forum
TJWG	Transitional Justice Working Group
TGoNU	Transitional Government of National Unity
TNLA	Transitional National Legislative Assembly
UN	United Nations
UNDP	United Nations Development Programme
UNMISS	United Nations Mission in South Sudan



1. Introduction

1.1 BACKGROUND

The violence which erupted in Juba in December 2013 swiftly spread to several parts of the country, resulting in the deaths of many thousands and the displacement of at least two million persons.³ After almost two years of negotiations, the warring parties signed the Intergovernmental Authority on Development (IGAD) brokered Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) in August 2015. Chapter V of the agreement lays out extensive proposals for transitional justice processes to address South Sudan's recent history of violence.

Civil society engagement in the transitional justice process is essential to create a platform for national dialogue and to represent the views of the populace outside the political arena. Therefore, civil society organisations (CSOs) need a single and coherent voice in order to present a cohesive front for engagement regarding the implementation of the process.

The Transitional Justice Working Group (TJWG) is a coalition of pre-existing civil society organisations, representatives of women's groups and faith-based organisations interested or engaged in transitional justice issues, complemented by experts on the subject matter.

The TJWG was established as a platform to support the implementation of Chapter V of the ARCSS, and to provide interface between national and international transitional justice stakeholders and the official transitional justice processes. The TJWG aims to advocate for transitional justice; ensure a strengthened civil society voice in the debates around the design and implementation of transitional justice processes; and coordinate a complementary civil society role within those

processes, including support to the documentation of human rights violations.

This document represents a five-year strategy to ensure that civil society plays an essential role in the effective implementation of transitional justice processes in South Sudan. Such a period is considered appropriate, given that transitional justice is a long-term process, and will require more than the 30-month transitional period specified in the ARCSS to implement. This strategic plan will be reviewed quarterly, to ensure continued relevance to the context.

The strategic plan consists of five sections. The current section (**section 1**) offers the rationale for the necessity of civil society inclusion in transitional justice processes; briefly introduces the TJWG, its formation, objectives, guiding principles and composition; and concludes with a short note on defining terms in transitional justice.

Section 2 comprises of a brief background to the 2013 conflict and subsequent peace process, a context analysis of the background to the emergence of transitional justice concepts and processes in South Sudan, and a brief analysis of the TJWG's positioning in that regard.

Section 3 describes in depth the TJWG's vision and mission for the five-year period of this plan. It presents the TJWG's four key objectives to fulfil the vision and mission, and then outlines detailed goals and activities to achieve those objectives.

Section 4 gives a detailed picture of the TJWG's organisational structure and its operational processes, and assesses its strengths, weaknesses, opportunities and threats.

3. United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), South Sudan Humanitarian Bulletin (1 December 2015), available at South Sudan, http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_SouthSudan_humanitarian_bulletin_1Dec2015.pdf.



Section 5 provides for monitoring, evaluation and risk management. It identifies possible risks and proposes measures for mitigation. Annexed to the Strategic Plan are the Action Plan, Terms of Reference of the TJWG, Partnership Strategy, Resource Mobilisation Strategy and Communication Strategy.

1.2 CIVIL SOCIETY AND TRANSITIONAL JUSTICE

Transitional justice refers to a society's attempt to address large-scale past abuses, usually after periods of destructive violence so as to achieve accountability and reconciliation. They often include judicial mechanisms, such as prosecution initiatives, and non-judicial mechanisms such as truth-seeking, reparations programmes and institutional reforms. Transitional justice processes also take account of traditional dispute resolution mechanisms that are founded on social practices, norms and structures that constitute a space for the discussion of truth, guilt, responsibility and restoration.

While a formal judicial process is a vital ingredient of transitional justice, it cannot on its own, achieve the overarching goal of rebuilding a society and establishing sustainable peace. For that, it needs to resonate beyond its judicial structures into the affected communities, and into the lives of individuals, to generate buy-in and ownership from the wider society. Local ownership is an essential prerequisite for a successful transitional justice process. This requires a strong civil society engagement, for at least four reasons:

First, civil society can play a significant role in making the voices of citizens audible in these processes. Citizens are the society that is being rebuilt, and if their input is missing in the design and implementation of a formal process, the chances of success are significantly reduced. Without citizens' engagement, the process will remain the property only of its managers. Transitional justice processes will not resonate throughout society or contribute to

the broader rebuilding of a sustainable and peaceful future. In contrast, with citizens' engagement, society owns the processes, the outcomes of justice are taken to heart, and society can move beyond the transitional period and into a sustainable, peaceful future.

Second, upstream political process of national reconciliation does not necessarily trickle down to communities. Government-led and formal institutional reconciliation processes operate mainly at the official and national levels. Inter-personal and downstream reconciliation processes are more effectively supported by civil society, faith-based institutions and women's groups. CSOs can reach down into the cracks within small communities and remote villages at micro levels. Reconciliation, including justice, must take place both at the top and the bottom layers of society.

Third, civil society is a unique resource for transitional justice, due to its mobility in social and political interaction. It can facilitate interaction at the grass-roots level, support process design at institutional level, and advocate for civic participation at the national level. It therefore, has a vital contribution to make in the coordination of transitional justice interventions at various levels of engagement.

Fourth, civil society can play a critical role in advocacy, and demystifying the concept of transitional justice, in an effort to promote the necessary political buy-in required for an effective process.

For the TJWG, and as used in this plan, civil society is representative of non-governmental actors of South Sudanese society that are actively engaged in supporting the country and its people to come to terms with the past. This includes national non-governmental organisations, faith-based leaders, youth associations, women's groups and victims' groups. In a post-conflict country, it is no surprise that the fault lines run through all levels of society and that different opinions abound about how best to rebuild the country. Nevertheless, preceding and following the signing of the ARCSS, there has been a dynamic that has seen civil society groups

unite and coordinate their efforts. One of these developments has been a group of CSOs that united with a common interest to advance transitional justice in South Sudan. What started as a loose coalition of organisations in 2014 has gradually evolved into a group now known as the Transitional Justice Working Group.

1.3 THE TRANSITIONAL JUSTICE WORKING GROUP

With growing awareness of the importance of civic engagement on a range of initiatives being proposed to establish sustainable peace in South Sudan, a group of experienced CSOs began meeting in 2014. Their discussions focused on transitional justice and reconciliation issues. At a meeting conducted by the Human Rights Development Organisation and the Dialogue Research Initiative in 2015, the CSOs resolved to formalise a civil society Transitional Justice Working Group, and set about developing their Terms of Reference (see Annex B). The main aim and motivation for this action was to (1) advocate for transitional justice (2) ensure a strengthened civil society voice in the debate around the design and implementation of transitional justice processes, and (3) coordinate a complementary civil society role within those processes. The formation of the Transitional Justice Working Group, and this strategic plan, represent a concerted effort by civil society to support the transitional justice process in an effective and systemic manner.

1.4 VISION, MISSION AND OBJECTIVES

TJWG's Vision:

Inclusive and victim-centred transitional justice processes are effectively implemented in South Sudan by the year 2021.

TJWG's Mission:

To advocate for transitional justice in South Sudan, coordinate and support civil society initiatives on transitional justice, and to coordinate civil society initiatives with those of all other stakeholders, with a focus on the implementation of the transitional justice provisions in the Agreement on the Resolution of the Conflict in the Republic of South Sudan.

The TJWG has four primary objectives:

1 *To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society, and national and international transitional justice stakeholders.*

2 *To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.*

3 *To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA) and to promote accountability, reconciliation, truth-telling and reparations processes.*

4 *To support the documentation of violations of human rights and other crimes.*



1.5 GUIDING PRINCIPLES

The guiding principles of the TJWG are:⁴

1. Victim-centeredness: The TJWG is committed to supporting transitional justice processes which prioritise the interests of victims and their families.

2. Transparency: The TJWG will openly communicate its work to the public. The work of the group, its administration and its financial management will be conducted according to transparent and accountable procedures.

3. Inclusivity and diversity: All activities of the TJWG will be inclusive, and will reflect the diversity of South Sudan, especially women, youth, and other marginalised groups. The TJWG will champion truth-telling, fairness and justice for all people, regardless of status, language, ethnicity, tribe, gender, religion, political affiliation or creed.

4. Impartiality and independence: The operations of the TJWG will be devoid of political interference. The TJWG will remain objective and impartial in conducting its daily business, keeping at the heart of its mission the goal of providing accurate and independent information to officials, civil society and citizens.

5. Gender-sensitivity: The TJWG will ensure gender mainstreaming in its processes and activities, and pay particular attention to the participation of women and girls in the processes of transitional justice.

6. South Sudanese-owned and driven: The TJWG will strive for a transitional justice process that is South Sudanese-owned and driven. This means that time and resources must be invested into civic engagement and public consultations, and that outreach to the grassroots level must be continuous.

1.6 COMPOSITION OF THE TJWG

The TJWG is a coalition of pre-existing CSOs, representatives of women's groups and faith-based organisations interested or engaged on transitional justice initiatives, complemented by experts on the subject matter. It is managed by a core team of the seven founding organisations, complementing each other in their respective organisational strengths related to transitional justice. The core team comprises of the following CSOs:

- ◆ Assistance Mission for Africa (AMA)
- ◆ Dialogue and Research Initiative (DRI)
- ◆ Foundation for Democracy and Accountable Governance (FODAG)
- ◆ Human Rights Development Organisation (HURIDO)
- ◆ Solidarity Ministries Africa for Reconciliation and Development (SMARD)
- ◆ South Sudan Law Society (SSLS)
- ◆ South Sudan Women Empowerment Network (SSWEN)

The TJWG also comprises of a range of thematic subgroups, each led by one organisation. More detailed information about the TJWG's structures and operations are provided in Section 4.

1.7 TERMINOLOGY

The TJWG's understanding and definitions of transitional justice and related terms are as follows:

4. These principles have in part been adapted from a set of principles for a transitional justice process which were developed during a conference held by the TJWG, South Sudan Law Society and UNDP, New Beginnings: transitional justice in South Sudan, 10-12 November 2015, in Juba, South Sudan.

Reconciliation: Reconciliation is a process of rebuilding broken social relationships, so that they are based on trust and respect, and of re-weaving the social fabric among us in the society so that we can accept our diversity and promote unity.

Transitional justice: Transitional justice refers to the set of judicial and non-judicial measures undertaken to address the legacy of massive human rights abuses. This includes, amongst others, statutory and customary accountability mechanisms, truth-telling processes, memorialisation initiatives, compensation and reparation, and institutional reform.

Justice is at the heart of the reconciliation process as the key component of a transition from the violence of the past, to the peace of the future. Transitional justice is not a different kind of justice; it is justice exercised during a transitional period and in response to atrocities that were committed in a delineated time period. Transitional justice operates in four dimensions:

- ◆ **Retribution:** punishment for past crimes and violations
- ◆ **Reparation:** the process of restoration, compensation for loss, hurt and suffering
- ◆ **Accountability:** holding offenders publicly responsible for their past criminal conduct
- ◆ **Acknowledgement:** formal recognition and sympathy for the injustices and hurts suffered by victims

An end to impunity, and a guarantee of non-recurrence are the foundations of the future after the transition. The justice carried out during the transition provides these by means of:

- ◆ **Punishment and deterrence:** justice for the past
- ◆ **Legal, constitutional and institutional reforms:** justice for the future

Traditional and customary justice and reconciliation mechanisms will have a key role to play in the transitional justice process in South Sudan.

2. Context Analysis

2.1 THE CONTEXT OF CONFLICT IN SOUTH SUDAN⁵

In December 2013, after months of tension, political and leadership disagreements within the Sudan People's Liberation Movement (SPLM) erupted into armed conflict in South Sudan, sparked by violence within the military in Juba. The fighting began among members of the Presidential Guard, but swiftly spilled over within 24 hours into residential areas, where civilians were targeted along ethnic lines. Rapidly, the fighting spread beyond the capital, to the Greater Upper Nile region. Forces loyal to the former Vice-President Riek Machar, formed themselves into the grouping that became known as the Sudan People's Liberation Army in Opposition (SPLM-IO), and launched attacks on Government forces. They captured the three state capitals of the Greater Upper Nile region within days, but over the following months, these towns changed hands several times between the opposing forces, with each changeover causing major destruction, looting and violence to the civilian population. By August 2014, serious human rights violations by all sides had been documented by the United Nations, Human Rights Watch and Amnesty International, including mass killings, torture, rape, sexual mutilation, enforced disappearances and the recruitment of child soldiers.

5. This section owes a debt to the report by David K Deng, Belkys Lopez, Matthew Pritchard and Lauren C Ng: Search for a New Beginning: Perceptions of Truth, Justice, Reconciliation and Healing in South Sudan, UNDP (June 2015), available at <http://www.ss.undp.org/content/dam/southsudan/library/Rule%20of%20Law/Perception%20Survey%20Report%20Transitional%20Justice%20Reconciliation%20and%20Healing%20-.pdf>.



The violence that erupted in December 2013 has displaced more than two million people (approximately 20% of the total population), comprising over 1.5 million Internally Displaced Persons (IDPs) and 500,000 refugees. Currently, more than 100,000 of those IDPs are crammed into United Nations Mission in South Sudan (UNMISS) Protection of Civilian (PoC) sites. Estimates of the death-toll are difficult to confirm, but the figure is likely to be over 50,000.⁶

Though triggered by political differences, the speed and intensity with which the conflict spread, points to a number of underlying problems: the failure to disconnect the military from politics; the fragility of the nascent structures of political governance; and an inability to transform South Sudan's oil wealth into tangible benefits for the majority of its people. The re-emergence of violence has laid bare remaining ethnic fault lines, and the underlying absence of nationally driven social cohesion, against a background of a long legacy of violence and trauma from decades of past wars. The violence since 2013 is only the latest chapter in a long history of conflict which has remained largely unaddressed. Unresolved grievances linked to decades of civil war, a culture of impunity, especially in the political and military classes, a profound silence that has accompanied mass human rights abuses, and the mental health consequences of decades of trauma: these are among the many factors still driving conflict in South Sudan and that lie at the heart of the grievances that a transitional justice process will need to address.

The normative corrections which might have been expected from effective governance structures, responding to political and/or violent crisis through constitutional means and the rule of law, were absent. The result was a crisis of political governance. Furthermore, there has been only

limited outreach at the local level to strengthen existing capacities for conflict prevention, despite numerous community driven dialogues and local efforts in conflict resolution. As a result, reconciliation and accountability mechanisms have been unable to respond effectively to localised or national conflicts.

2.2 THE PEACE PROCESS

Just days after the eruption of violence in December 2013, IGAD sent a high-level delegation to Juba, and later appointed three special envoys from Ethiopia, Sudan and Kenya, to engage the warring parties in a mediation effort. They brought together the two sides, the Government of the Republic of South Sudan, and the SPLM-IO, in January 2014, for the first of many rounds of negotiations.

While the peace process regularly produced ceasefire agreements, including plans for a power-sharing Government of national unity, an inclusive peace process involving civil society, and the implementation of transitional justice and reconciliation processes, the agreements regularly failed to hold for more than a few days, and fighting continued.

In parallel to the IGAD process, the Tanzanian Chama Cha Mapinduzi (CCM) political party opened a dialogue within the SPLM in October 2014, aimed at healing the rift among the SPLM leadership. However, by March 2015, despite provisional agreements on both negotiation tracks, the deadline for a permanent settlement passed without effect. In response, the UN Security Council warned that individuals obstructing the peace process will be targeted with sanctions.

6. Peter Martell, 50,000 and not counting: South Sudan's war dead, AFP (15 November 2014), available at <http://reliefweb.int/report/south-sudan/50000-and-not-counting-south-sudans-war-dead>; International Crisis Group, Sudan and South Sudan's Emerging Conflicts, Africa Report No 223 (29 January 2015), available at <https://www.crisisgroup.org/africa/horn-africa/south-sudan/sudan-and-south-sudan-s-emerging-conflicts>.

In response to the crisis, the African Union (AU) established the African Union Commission of Inquiry on South Sudan (AUCISS) to investigate alleged human rights violations and recommend appropriate responses. Headed by the former Nigerian president, Olusegun Obasanjo, the Commission conducted its investigations between March and September 2014. The report found evidence of gross violations of human rights, war crimes and crimes against humanity, committed by both warring parties, including mass murder, specific targeting of civilians, torture, rape, sexual and gender-based violence, looting and destruction and the forced recruitment of child soldiers. The Commission found no evidence of genocide. It also made concrete recommendations for transitional justice processes to provide accountability, truth, reconciliation and institutional reforms. Although not formally released until 27 October 2015, credible rumours of the contents of the report were circulating long before then.

In August 2015, the Government of the Republic of South Sudan, the SPLM-IO and other stakeholders signed an IGAD-brokered ARCSS in an effort to bring the conflict to an end. Despite the signing of the peace agreement, the warring parties continued sporadic fighting, violating the cease-fire arrangements in the agreement. A unilateral decree issued by His Excellency President Salva Kiir in October 2015, increasing the number of states in South Sudan from ten to 28, raised questions of compatibility with the ARCSS which was concluded on the basis of the then ten states. This continues to be a point of contention between the signatories to the agreement. On 29 April 2016, the parties formed the long-awaited Transitional Government of National Unity (TGoNU) which is responsible for implementing the provisions of the ARCSS in a 30-month transition period, culminating in elections. With the formation of the TGoNU, the transitional justice process is expected to commence.

2.3 THE CONTEXT OF TRANSITIONAL JUSTICE IN SOUTH SUDAN

Issues of transitional justice and reconciliation had barely been considered in the 2005 Comprehensive Peace Agreement (CPA), with the SPLM leadership choosing to focus on a policy of granting political amnesties instead of pursuing justice.

Only after independence was the subject raised in significant form. Vice President Riek Machar was given responsibility for developing processes of national reconciliation and dialogue. However, by 2013 such initiatives were caught up in the political tensions raised by the growing split within the SPLM, and President Salva Kiir removed responsibility for reconciliation from the Vice President. The President subsequently established the Committee for National Healing, Peace and Reconciliation (CNHPR) by decree which was unable to gain significant purchase.

However, the issues of reconciliation and, in particular, transitional justice returned to the agenda of the IGAD negotiations. Chapter I, article 12 of the ARCSS provides for judicial reforms, while the entire Chapter V provides for transitional justice and provides for three formal institutions: a Hybrid Court for South Sudan (HCSS), a Commission for Truth, Reconciliation and Healing (CTRH), and a Compensation and Reparation Authority (CRA).

The peace agreement also establishes a 30-month transitional period during which the TGoNU will institute reforms that will culminate in elections. The TGoNU's mandate includes: restoring peace, security and stability; overseeing a process of national reconciliation; overseeing the completion of a permanent constitution; instituting legal reforms; reforming public financial management, the civil service and the security sector; establishing a National Electoral Commission (NEC); and ensuring national elections within its mandated term.



2.4 THE ROLE OF CIVIL SOCIETY IN TRANSITIONAL JUSTICE IN SOUTH SUDAN

The AUCISS report emphasised the “key role” of civil society – CSOs, communities, religious organisations, and traditional authorities – in peace-making in general, and in reconciliation and transitional justice processes in particular. Further, Chapter V article 2.1.3 of the ARCSS foresees an explicit role for civil society, in conducting joint consultation with the Ministry of Justice and Constitutional Affairs (MoJCA) and other stakeholders, to inform the design of the legislation of the CTRH. Article 4.2(b)(ii) prescribes that representatives of civil society organisations, women’s groups, faith-based institutions, traditional leaders and the business community shall be part of the executive body of the CRA.

The continuing crisis demands an increase of civic engagement in peace-building, reconciliation and transitional justice processes, institutional reforms and the constitutional review process. It is now absolutely crucial to widen the space for dialogue among civil society at national and local levels throughout South Sudan and to rally the political will required to ensure a credible and effective transitional justice process.

While the political process has resulted in the formation of the TGoNU, nonetheless, as recently as 19 February 2016, a series of reports have detailed gross human rights violations, with criticism of the leaderships on both sides for the continuing violence and violations of human rights.⁷ Evidence of such violations wanes swiftly in crisis situations and civil society often play a role in documenting such incidents.

The political and security situation remains unstable and, above all, unpredictable. However, the overwhelming desire of the people of South Sudan is an end to the hostilities and a meaningful process of peace, justice and reconciliation. Civil society will play a vital role in partnership with the TGoNU and other stakeholders to sequence, design, implement and monitor the transitional justice initiatives provided by the ARCSS.

3. Objectives, Goals, Activities and Action Plan

3.1 OBJECTIVES

The TJWG has four primary objectives:

1 *To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.*

Rationale: Transitional justice in South Sudan will be a multi-level, multi-actor, multi-mechanism process. To properly fulfil its essential role alongside all other stakeholders, civil society needs to have a visible and clear presence, and a strong and coherent voice.

Description: Civil society networking for transitional justice involves establishing a coordinating mechanism for CSO voices, mapping the variety of initiatives and building linkages between them, so that civil society becomes more than the sum of its parts. It also includes the vital role of representing civil society coherently and providing a collective voice and response to State and Government institutions, including the Transitional National Legislative Assembly (TNLA), the MoJCA, the Judiciary of South Sudan (JoSS), and the successor to the National Constitutional Amendment Committee (NCAC). Finally, this also means providing significant support to traditional justice processes and actors.

7. A long series of critical reports of human rights violations were published through 2015 and into 2016 by, inter alia, UNMISS Human Rights Division, the UN Office of the High Commission on Human Rights, Human Rights Watch, Civilians in Conflict and Amnesty International.

2 *To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.*

Rationale: While transitional justice issues are being recently discussed, there is lack of clarity or consensus on the terms used in South Sudan. Additionally, after many years of silence on these issues, transitional justice is often and erroneously equated with prosecutions and criminal accountability alone. Throughout the design stage of the processes, and during their implementation, debate, dialogue, awareness-raising and civic education are vital to help citizens and key stakeholders form their opinions, express their needs, and engage effectively in the processes.

Description: This involves coordinating awareness-raising and civic education throughout the country. It also includes conducting research, stimulating discussion and debate on transitional justice at the national level, and coordinating civil society-led dialogue at the local level.

3 *To coordinate civil society support to the transitional justice mechanisms of Chapter V of the peace agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA); as well as to promote accountability, reconciliation, truth-telling and reparations processes.*

Rationale: These mechanisms, assisted and complemented by others, are key ingredients in achieving accountability, reconciliation, truth-telling and reparations. Civil society has a crucial role to play in ensuring that these mechanisms are understood and accepted by communities, so that they can resonate throughout society and become meaningful steps to a secure future. In terms of Chapter V of the ARCSS, civil society also has a specific mandate to participate in the consultative

process regarding the establishment of the CTRH.

Description: This objective involves providing a civil society perspective, including advice and support, on the design and formation of the official mechanisms, especially the joint civil society-Government consultation process regarding the design of the CTRH.⁸ It also involves monitoring the implementation of the official processes, as well as supporting parallel processes (e.g., by faith-based organisations and by traditional leaders), and offering analysis on the outcomes of the processes.

4 *To support the documentation of violations of human rights and other crimes.*

Rationale: Several accounts of victimisation, violation of human rights, human suffering and criminality are expected to emerge during the transitional justice process. These accounts can be used to advocate for a range of causes and to increase public awareness about transitional justice in South Sudan. To this effect, civil society organisations can support citizens in telling their stories for use in the transitional justice process.

Description: In this particularly sensitive dimension of work, the TJWG will support documentation by civil society and also use documentation in advocacy so as to increase public awareness on transitional justice.

8. Article 2.1.3 of Chapter V of the ARCSS reads "The Ministry of Justice and Constitutional Affairs of the TGoNU, in collaboration with other stakeholders and the civil society, shall conduct public consultations for a period not less than one (1) month prior to the establishment of the CTRH, to inform the design of the legislation referred to in Chapter IV, Article (1.1). This notwithstanding, such consultations shall ensure that the experiences of women, men, girls and boys are sufficiently documented and the findings of such consultations incorporated in the resultant legislation."



3.2 GOALS AND ACTIVITIES

Each of the four objectives will be achieved through a defined set of goals. Each goal, in turn, is broken down into activities. Each activity consists of a specific set of sub-actions.

These are detailed in the following format:

1. Objective

1.1 Goal

1.1.1 Activity

1.1.1.1 Sub-action

1.1.1.2 Sub-action

Objective 1. To act as a platform for CSOs to advocate for space for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.

Goals	1.1 Coordinate and strengthen CSO initiatives on transitional justice	1.2 Represent a unified civil society standpoint on transitional justice and provide a channel for CSOs to speak up, and facilitate civil society interactions with Government, institutions, traditional leaders, and international actors
Activities & Sub-Actions	<p>1.1.1 Carry out a comprehensive mapping of CSO transitional justice initiatives at national, state, county and payam levels; documenting experience to date; categorising them; assessing capacities; and identifying capacity-building and training needs; that is updated annually</p> <p>1.1.1.1 Design instruments such as mapping guidelines; a questionnaire; and assessment tools</p> <p>1.1.1.2 Contact all relevant CSOs and carry out the mapping exercise and capacity-building needs assessment</p> <p>1.1.1.3 Establish and maintain a database of civil society organisations engaged in the South Sudanese transitional justice process</p> <p>1.1.1.4 Review and update (repeat if necessary) the mapping exercise annually</p>	<p>1.2.1 Use the Transitional Justice Forums to discuss, form and document a collective civil society standpoint on transitional justice issues</p> <p>1.2.1.1 On a need to basis, invite non-TJWG members to join and participate in the TJF</p>



Objective 1 continued...

Activities & Sub-Actions

1.1.2 Build the capacity of civil society on transitional justice

- 1.1.2.1 Design a specific training and capacity-building programme, including materials, for relevant CSO members based on the needs assessment
- 1.1.2.2 Identify and train trainers with a focus on women
- 1.1.2.3 Deliver the capacity building programme

1.1.3 Establish a monthly Transitional Justice Working Group meeting (the 'Transitional Justice Forum' (TJF)) at national and state level to share information and discuss joint responses to developments in transitional justice

- 1.1.3.1 Identify focal points in each locality to organise the Transitional Justice Forum
- 1.1.3.2 Form thematic sub-groups at national and state-level TJFs
- 1.1.3.3 Organise regional launches of the forums
- 1.1.3.4 Conduct the monthly forums and compile all state-level outcomes into one monthly TJF report for civil society

1.1.4 Establish and maintain a TJWG website

- 1.1.4.1 Create the website
- 1.1.4.2 Update the website on a monthly basis

1.2.2 Publish quarterly TJF newsletters for all stakeholders

- 1.2.2.1 Establish a standard format for the quarterly TJF newsletters
- 1.2.2.2 Develop and maintain an international network (mailing List/Contact Relations Management System) of affiliates/friends of the TJWG
- 1.2.2.3 Write the quarterly TJF newsletters
- 1.2.2.4 Print and disseminate the quarterly TJF newsletters to national and international stakeholders, and the public (hard copy and soft copy)

1.2.3 Create space for transitional justice in South Sudan

- 1.2.3.1 Develop TJWG position papers/statements etc., on transitional justice issues relevant to the dynamics in South Sudan
- 1.2.3.2 Use the position papers/statements to lobby national and international stakeholders

1.2.4 Coordinate civil society reconciliation and dialogue activities at the community level, complementing the official processes

- 1.2.4.1 Support reconciliation and peace-building process by connecting civil society organisations, faith-based organisations, traditional leaders with each other at all levels
- 1.2.4.2 Share information about activities, approaches and materials
- 1.2.4.3 Capture and document the outcomes of the activities



Objective 2. To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.

Goals	2.1 Provide civic education and awareness-raising on transitional justice: the concepts, the mechanisms, the institutions, and the processes	2.2 Stimulate dialogue and debate about issues of transitional justice at all levels in South Sudan
Activities & Sub-Actions	<p>2.1.1 Constitute sub-groups for awareness-raising and civic education within all Transitional Justice Forums</p>	<p>2.2.1 Constitute sub-groups for dialogue and debate within all Transitional Justice Forums and organise consultations and a public debate series on transitional justice</p> <p>2.2.1.1 Identify a suitable academic partner in Juba and the states and determine the programme and statements of the debate series</p> <p>2.2.1.2 Recruit speakers from academia, communities, civil society, Government, etc.</p> <p>2.2.1.3 Conduct the debate and dialogue series</p>
	<p>2.1.2 Develop education and outreach materials for different target groups (including traditional leaders)</p> <p>2.1.2.1 Develop content of the materials (print and audio) in necessary languages as well as standardised forms to capture responses to the materials⁹</p> <p>2.1.2.2 Design the print materials (e.g. using pictograms)/record the audio materials</p> <p>2.1.2.3 Print a small batch of the materials</p> <p>2.1.2.4 Pilot the materials</p> <p>2.1.2.5 If necessary, edit the materials based on lessons learned from the piloting</p> <p>2.1.2.6 Print in larger numbers</p>	<p>2.2.2 Stimulate and contribute to a national debate on transitional justice in South Sudan</p> <p>2.2.2.1 Write a monthly newspaper commentary on a topical issue related to transitional justice</p> <p>2.2.2.2 Arrange and feature on a weekly transitional justice radio programme</p> <p>2.2.2.3 Start and maintain a monthly TJWG (guest) blog</p>
	<p>2.1.3 Coordinate, through sub-groups of TJFs, a series of citizen engagement sessions using the materials</p> <p>2.1.3.1 Mobilise traditional leaders and communities</p> <p>2.1.3.2 Carry out the awareness-raising and civic education activities</p> <p>2.1.3.3 Document the responses and views of the citizens and feed this into the monthly Transitional Justice Forums</p>	<p>2.2.3 Feed community-level actions, outcomes and stories into national debates</p> <p>2.2.3.1 Collate and analyse citizens' views from all engagements</p> <p>2.2.3.2 Use the results to represent citizens' views in the national debate</p>

9. One can think of: the meaning of transitional justice; truth-telling and the different mechanisms and avenues; accountability and the different mechanisms and avenues; compensation and reparation; the role of a witness; protection of witnesses; the role of a citizen; human rights; gender sensitivity; options and institutions for psycho-social support.



Objective 3. To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA); as well as to promote accountability, reconciliation, truth-telling and reparations processes.

Chapter V mechanisms – Design and Establishment phase				
Goals	HCSS	CTRH	CRA	Design and Establishment phase
	3.1 Advocate and lobby for the establishment of the HCSS	3.2 Coordinate civil society’s role in the CTRH consultation process and assist the process of drafting legislation to establish the CTRH	3.3 Support the process of drafting the establishing legislation of the CRA and offer recommendations on issues of compensation and reparation	HCSS CTRH CRA 3.4 Monitor the establishment of the mechanisms to ensure transparency and impartiality
Activities & Sub-Actions	<p>3.1.1 Use TJWG expertise and existing literature to develop a position paper/model legislation for the HCSS</p> <p>3.1.1.1 Hold (community) consultative meetings with key stakeholders</p> <p>3.1.1.2 Conduct comparative research and write the paper/model legislation</p> <p>3.1.1.3 Print and disseminate the position paper/model legislation</p>	<p>3.2.1 Support the Ministry of Justice and Constitutional Affairs to conduct national consultation for at least one month</p> <p>3.2.1.1 Establish partnership with the MojCA</p> <p>3.2.1.2 Use the Transitional Justice Forums, public debates and the media for discussions on the CTRH consultation process</p> <p>3.2.1.3 Ensure gender-sensitivity in the CTRH by including women’s CSOs in expressing their needs and demands (liaise with Women’s Monthly Forum)</p> <p>3.2.1.4 Organise discussions with traditional leaders on their role in the consultation process</p> <p>3.2.1.5 Develop methodology and tools for national consultations</p> <p>3.2.1.6 Endeavour to support the MojCA to carry out the national consultations and draft legislation</p>	<p>3.3.1 Use TJWG expertise and existing literature to develop a position paper/model legislation for the CRA</p> <p>3.3.1.1 Hold (community) consultative meetings with key stakeholders</p> <p>3.3.1.2 Conduct comparative research and write the paper/model legislation</p> <p>3.3.1.3 Print and disseminate the position paper/model legislation</p>	<p>3.4.1 Lobby for an effective and independent appointment process of commissioners, judges and prosecutors of the HCSS, CTRH and CRA</p> <p>3.4.1.1 Draft public guidelines and criteria on appropriateness, transparency and gender-balance in the appointment of commissioners, judges and prosecutors</p> <p>3.4.1.2 Monitor the appointment using the guidelines and criteria and lobby for change where needed</p>
	<p>3.1.2 Use the position paper/model legislation to lobby for the establishment of the HCSS</p>	<p>3.2.2 Use TJWG expertise and existing literature to develop a position paper/model legislation for the CTRH</p> <p>3.2.2.1 Hold (community) consultative meetings with key stakeholders</p> <p>3.2.2.2 Conduct comparative research and write the paper/model legislation</p> <p>3.2.2.3 Print and disseminate the position paper/model legislation</p>	<p>3.3.2 Use the position paper/model legislation to lobby for the establishment of the CRA</p>	
	<p>3.1.3 Support dialogue on enabling legislation</p>	<p>3.2.3 Use the position paper/model legislation to lobby for the establishment of the CTRH based on the national consultations</p> <p>3.2.4 Lobby the TNLA to timeously enact legislation that is representative of public views and in line with international standards</p> <p>3.2.5 Support dialogue on enabling legislation</p>	<p>3.3.3 Support dialogue on enabling legislation</p>	



Chapter V mechanisms - Implementation phase			
	HCSS	CTRH	CRA
Goals	3.5 Explain HCSS mandate, processes and developments to citizens	3.6 Explain CTRH mandate, processes and developments to citizens and enable access to the CTRH	3.7 Explain CRA fund mandate, processes and developments to citizens and enable access to the CRA fund
Activities & Sub-Actions	<p>3.5.1 Monitor the HCSS proceedings and reach out to the public to raise awareness about the mandate, structure and proceedings of the HCSS</p> <p>3.5.1.1 Develop outreach materials on the HCSS (print, audio and visual)</p> <p>3.5.1.2 Monitor the proceedings, press releases, international analysis and commentary, media coverage and compile and disseminate a periodical bulletin on the HCSS</p> <p>3.5.1.3 Compile audio and video clips to illustrate news, developments, and circulate a quarterly video update and show during TJF</p> <p>3.5.1.4 Conduct outreach activities, including the organisation of a mobile cinema with films and discussions</p>	<p>3.6.1 Use TJWG expertise and existing literature to develop a position paper/model legislation for the CRA</p> <p>3.6.1.1 Develop outreach materials on the CTRH (print, audio and visual)</p> <p>3.6.1.2 Establish a continuous presence at the hearings</p> <p>3.6.1.3 Produce regular public commentary on the hearings</p> <p>3.6.1.4 Have regular engagement with the Commission</p> <p>3.6.1.5 Conduct outreach activities about (and in collaboration with) the CTRH</p> <p>3.6.2 Facilitate victims' access to the CTRH</p> <p>3.6.2.1 Map patterns of human rights violations and locations of victims</p> <p>3.6.2.2 Establish links between the CTRH and victims and support victims to access and participate in the CTRH proceedings and hearings</p> <p>3.6.3 Support in the dissemination of the CTRH's report</p> <p>3.6.3.1 Review the report, discuss it in the TJ Forums, formulate and publish a civil society response</p> <p>3.6.3.2 Develop outreach materials (print, audio, visual) in relevant languages and tailored to specific target groups (e.g. youth and women) for the key findings of the report</p> <p>3.6.3.3 Disseminate the CTRH report through established networks</p> <p>3.6.4 Liaise with traditional leaders engaged in truth-telling initiatives</p> <p>3.6.4.1 Document traditional mechanisms and proceedings</p> <p>3.6.4.2 Offer assistance to traditional truth-seeking efforts and raise awareness about human rights standards, where appropriate</p> <p>3.6.5 Liaise with and provide linkages between other reconciliation and truth-telling initiatives</p> <p>3.6.5.1 Based on the (annual) CSO mapping, carry out sub-mapping of truth-telling initiatives</p> <p>3.6.5.2 Establish linkages to share the initiatives, challenges and methods</p> <p>3.6.5.3 Document their processes, lessons learned and best practices</p>	<p>3.7.1 Monitor the CRA fund proceedings and reach out to the public to raise awareness about the mandate, structure, procedures and proceedings of the CRA fund</p> <p>3.7.1.1 Develop outreach materials on the CRA fund (print, audio and visual)</p> <p>3.7.1.2 Monitor and produce regular public commentary on the granting of compensation and reparations</p> <p>3.7.1.3 Conduct outreach activities about (and in collaboration with) the CRA fund</p> <p>3.7.2 Support victims to access the CRA fund</p> <p>3.7.2.1 Raise awareness about the criteria for eligibility of compensation and reparations</p> <p>3.7.2.2 Support victims with the procedures to apply for compensation and reparations</p>



Chapter V mechanisms - Implementation phase			
	HCSS	CTRH	CRA
Goals	3.8 Assist prosecutorial process	3.9 Support the provision of psychosocial support to victims	3.10 Study the impact on communities who receive reparations and compensation
Activities & Sub-Actions	<p>3.8.1 Liaise with civil society documentation initiatives to make documentation of human rights violations available to the prosecutor's office</p> <p>3.8.1.1 Establish and maintain relationship with the prosecutor's office (HCSS)</p> <p>3.8.1.2 Support civil society documentation efforts to make available CSO documentation to the prosecutor's office</p>	<p>3.9.1 Network with existing institutions and platforms engaged in the provision of psychosocial support (e.g. faith-based organisations, and social workers of state Ministries for Gender, Children and Social Development) and provide access to psycho-social support services for victims</p>	<p>3.10.1 Prepare and conduct the study</p> <p>3.10.1.1 Consult with the communities (chiefs, women's groups, youth groups)</p> <p>3.10.1.2 Design and pilot the questionnaire</p> <p>3.10.1.3 Recruit and train the enumerators</p> <p>3.10.1.4 Administer the questionnaire</p> <p>3.10.1.5 Collate and analyse the data</p> <p>3.10.1.6 Write and validate the findings and the report</p> <p>3.10.1.7 Publish and disseminate the impact study</p>
Chapter I: Judicial Reforms			
Goals	3.11 Lobby the Judiciary for judicial reforms		
Activities & Sub-Actions	<p>3.11.1 Develop position paper based on review the Judiciary Act and the Judicial Service Act</p> <p>3.11.1.1 Review Acts and organise dialogues and consultations with relevant organisations and experts</p> <p>3.11.2 Publish and disseminate position papers</p> <p>3.11.3 Use the position paper to approach decision-makers and lobby for judicial reforms</p>		

Objective 4. To support the documentation of violations of human rights and other crimes

Goals	4.1 Support the use of documentation for use in advocacy and to increase public awareness about transitional justice
Activities & Sub-Actions	<p>4.1.1 Offer support to and liaison with civil society-led documentation initiatives, INGO and UN experts, and others involved in human rights violations documentation</p> <p>4.1.1.1 Support the organisation of an international conference on the documentation of human rights violations by CSOs to learn from international experiences</p> <p>4.1.1.2 Share any documentation of human rights violation of TJWG members with civil society-led documentation initiatives</p> <p>4.1.1.3 Draw on documentation for advocacy and public awareness campaigns relating to transitional justice</p>



3.3 ACTION PLAN

The main activities presented in the preceding section have been fed into the action plan in annex A and indicative timings have been added. The objectives and goals of the strategic plan are achievable, just as its activities are eminently realistic, feasible and focused.

However, economic challenges, social underdevelopment, insecurity and the continuing sporadic violence, render a degree of long-term unpredictability that militates against full and effective strategic planning, especially over a period of five years. Of course, the instability of the current political situation¹⁰ renders strategic prediction even more troublesome. Even rapid stabilisation of institutions and formal processes will not remove the unpredictability for some time to come.

Consequently, finer details of indicators and costings will need to wait for greater stability, clarity and more confident planning. For now, cost estimates are provided.

4. Organisational Structure and Operations

4.1 MEMBERSHIP

Membership of the TJWG is open to any civil society organisation or individual whose interests and activities intersect with transitional justice issues in South Sudan. Membership is free. The acceptance of members, and their continued membership will be subject to the following documents: Criteria for Membership, and a Code of Conduct for Members.

4.2 STRUCTURE

An inception phase is foreseen, during which the TJWG will not create a new legal entity, but operate as a coalition with a small secretariat. During this initial period, administration costs will be kept to a minimum. This is to allow for time to establish the conceptual basis of the TJWG, to build its profile and its credibility, and to establish some of its key initial relationships. This is a phase designed to permit the basic groundwork to be completed – introducing the idea to stakeholders, advocating an approach in general terms to the public, establishing the final elements of the internal TJWG structures, and preparing the way for an efficient and timely engagement when all is ready – without the onerous distraction of fund-raising. The main activities during this phase will be the mapping exercises of CSO initiatives and the development of policy briefs/position papers if so required by developments. For this inception phase, the initial structure is as follows:

The core team organisations will act together as decision-maker and driver of the TJWG.

- ◆ The core team will select one of their members to act as co-ordinator for the first year. This selection will be reviewed annually over the five-year period of this strategic plan. The co-ordinator will be the organiser and administrator of the TJWG, and the first point of contact for enquiries by the public.
- ◆ The co-ordinator will have the permission of her/his organisation to devote 20% of working time to the TJWG. This will equate to about one day per week.
- ◆ The co-ordinator will be directly answerable to the core team.
- ◆ Two of the core team organisations will be responsible for any dealing with funds and communications. This selection will also be reviewed annually over the five-year period of this strategic plan.

10. As of May 2016.

◆ Thematic sub-groups will be formed among the TJWG membership, each led by one member organisation, to facilitate focused discussions of relevant transitional justice thematic areas. The initial range of sub-groups will comprise of the following:

- 】 Truth and reconciliation
- 】 Accountability
- 】 Reparation and compensation
- 】 Research
- 】 Human rights documentation
- 】 Lobbying and advocacy
- 】 Legislation
- 】 Public consultations
- 】 Memorialisation

◆ Additionally, thematic experts will be retained as needed: both national and international experts, with skills in educational resource development and with thematic expertise. They will produce or oversee a range of relevant position papers, discussion papers, and publications, according to the work of the strategic plan.

In an implementation phase, after around six months, as the TJWG gathers momentum, increases its engagement, and attracts support for its activities, the organisational structure will shift to the long-term establishment of a secretariat.

4.3 FINANCIAL MANAGEMENT

When project funding is sought for particular strands of work, an activity-based budget will identify and distribute operational and administrative costs among participating member organisations according to their share of the workload. An internal assessment of the core team membership organisations will identify which organisation is best suited to (a) lead the implementation, and (b) manage the funds. A donor, then, will provide the funding to the lead member organisation. The funds will be administered in accordance with high standards of accountability and transparency. Any member organisation that leads the implementation of a project, or manages its financial administration, remains answerable to the core team.



4.4 SWOT ANALYSIS OF THE TJWG

Environment	Helpful	Harmful
<p>Internal</p>	<p>Strengths</p> <p>The core team organisations effectively complement each other. Together, they have a track record of relevant experience that inspires credibility with South Sudanese and international actors.</p> <p>The agenda and approach of the TJWG are South Sudanese-owned and driven. Whereas transitional justice is often perceived as a construct of the international community, the TJWG has adopted contextualised and specific definitions of what transitional justice is in South Sudan, by for example increasing the emphasis on traditional justice and justice sector reforms.</p> <p>The CSOs represented in the core team have sufficient experience to contemplate meaningful cooperation and partnership (as shown in their Terms of Reference and Memorandum of Understanding).</p> <p>Together, TJWG members can share resources, allocate tasks and roles, complement each other’s strengths and compensate for each other’s weaknesses, and become a coalition greater than the sum of its parts.</p> <p>The entire membership of the core team demonstrate a strong commitment to transitional justice processes in South Sudan, and a desire to make the TJWG a ‘noble coalition.’</p>	<p>Weaknesses</p> <p>Separately, CSOs are currently small and disunited voices in the face of an ‘unlistening’ Government, weak State institutions, and a population living in fear.</p> <p>Almost all TJWG member organisations are poorly resourced in terms of staffing, finances and logistical capacity which may distract attention from strategic engagement and advocacy.</p> <p>The work the TJWG aspires to do is almost wholly (though not completely) contingent on political progress and minimal cooperation of the TGoNU.</p> <p>All core team representatives, despite their commitment to the TJWG, hold senior, full-time positions in their own organisations, and will consequently face serious time pressures in making themselves sufficiently available to the TJWG.</p>

Environment	Helpful	Harmful
<p>External</p>	<p>Opportunities</p> <p>If the core team can reach out to civic actors beyond the TJWG in a sensitive and inclusive manner, they can move towards a position where the working group substantively represents, leads and speaks for the coherent interests of civil society in South Sudan on transitional justice matters.</p> <p>If the establishment of the Chapter V institutions commence, there will be a window of opportunity for a coherent civil society voice to influence the process of their establishment. Early planning and advocacy means that concerted voices could be galvanised in advance of implementation.</p> <p>There will be a key role for a trusted and independent civil society voice to inform, explain and monitor the formal institutional proceedings.</p> <p>Development partners will greatly appreciate coherent and constructive proposals for transitional justice action made by a representative group of civil society. Development partners, Government and others will capitalise on the ability to consult civil society on transitional justice matters through a representative channel that speaks with one voice.</p>	<p>Threats</p> <p>If the TGoNU does not implement Chapter V, a Plan B will be required, for a programme of limited transitional justice activities that can be pursued in the absence of formal and national mechanisms. This will include continued advocacy at local and international levels to secure alternative reconciliation and accountability interventions. However, continued instability and insecurity might undermine or constrain those activities.</p> <p>If a formal transitional justice process commences, Government and State institutions may increase antagonism and opposition to CSOs.</p> <p>Civil society in South Sudan is at a nascent phase. While this initiative aims to bring coherence and coordination among CSOs, the members of the TJWG will have to prepare against potential rivalry, competition, jealousy, and misunderstanding.</p> <p>If CSOs remain weak and fragmented, the window of opportunity for consultation and input on the design and operation of the Chapter V institutions could pass without a robust civil society input, and the institutions might not receive local legitimacy.</p> <p>If the vital coordination role proves too complex for the TJWG, civil society will remain little more than hundreds of individual organisations clamouring for attention, and a strategic approach will be impossible to implement.</p> <p>All CSOs face immense pressures regarding their operating environment (security, as well as the narrowing of operational space e.g., with the NGO Act), which make it very difficult to maintain strategic planning.</p>



5. Monitoring, Evaluation and Risk Management

5.1 MONITORING AND EVALUATION

A fully detailed monitoring and evaluation process will be developed for specific project proposals based on the strategic plan. At that point, targets, indicators and verification means can be devised for the specific sets of objectives and goals (outlined in section 3). They will be complemented by full action plans outlining comprehensive monitoring and evaluation measures. The form they take will necessarily conform to the requirements of the specific donor, but a framework similar to the simple but powerful SMART criteria framework will be appropriate, providing indicators that are Specific, Measurable, Achievable, Relevant and Time-Bound.

External review: an external review of the strategic plan, its milestones and activities, will be carried out at the end of the second quarter of 2018 (i.e., after two years). This review will be rigorous and impartial. There will be a similar external and comprehensive evaluation of the entire strategic plan at the end of the current five-year period (2021).

Internal review: basic narrative monitoring and review can and must be done from the outset. The following review procedure will be put in place immediately:

The TJWG will consider a quarterly progress report from the co-ordinator. This will include a narrative assessment of progress, specifically exploring the following questions:

- ◆ Has the strategic track outlined in the strategic plan been followed thus far? Are there developments which require a reorientation of our strategy?
- ◆ Have we achieved the goals set out in the strategic plan for the period in question? If so, how well? If not, why, and what do we need to do to secure them?

- ◆ Have we developed the necessary relationships to continue our progress? If not, what do we need to do differently?
- ◆ Have we the required resources to continue? If not, what action should we take to secure the funds? Can we adapt to low/no-cost work?
- ◆ Has the external environment changed? Are there positive changes, and negative changes? What is our response to these changes?

Based on this regular report, the strategic plan will be reviewed, and revised if necessary, on a quarterly basis.

5.2 RISK MANAGEMENT

Objective 1. To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.

Rationale: Transitional justice in South Sudan will be a multi-level, multi-actor, multi-mechanism process that should place the victims at its centre. To properly fulfil its essential role alongside all other stakeholders, civil society needs to have a visible and clear presence, and a strong and coherent voice.

Risks:

- ◆ Suspicion and rivalry grows among CSOs towards the TJWG.
- ◆ Tensions grow between civil society and Government/State institutions.



- ◆ The space for civil society operation continues to shrink, with more controlling policies following the enactment of a new NGO Act.
- ◆ Security issues arise for CSO personnel.
- ◆ One or more of the formal stakeholders (Government, judiciary, ministries, parliamentary committees, etc.) reject civil society intervention and advice.

Risk Mitigation:

- ◆ Transparency is essential in all dealings. The public presentation and engagements of the TJWG must be balanced and realistic, raising neither over-ambitious expectations nor unnecessary duplication of efforts. The TJWG must engage in genuine cooperation with CSOs both within and beyond its wider membership. It must maintain a constructive approach to governmental and formal institutions.
- ◆ The risks mentioned above relate to some of the most important and essential partners of the TJWG. Despite the differences of opinion and approach that may exist, it will be vital to target those potential partners for cooperation, and to aim always to turn sceptics into partners. Such conversion will depend on the TJWG offering arguments of self-interest to them. For Government and formal institutions, these arguments must demonstrate how the TJWG can share the burden of work, and assist in making institutions and formal processes known, understood and acceptable to the public. For CSOs, the TJWG must articulate its ability to create entry points and widen the operating space for other CSOs, and offer them a coordinated framework that will enable them to carry out their own work most effectively.
- ◆ It is crucial to convince Government institutions that partnership with a coordinated civil society initiative will significantly ease the transitional justice

burden for them, and increase the chances of success for their own initiatives. This complementarity must be reflected in the TJWG's approach to and engagement with Government officials.

- ◆ Civil society will find that through the voluntary coordination and cooperation of the TJWG, CSOs will become more than the sum of their parts, and increase the chances of achieving their objectives.

Objective 2. To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.

Rationale: While transitional justice issues are being widely discussed, there is lack of clarity or consensus on the terms used. Debate, dialogue, awareness-raising and civic education are vital to ensure that citizens and groups form their opinions, express their needs, and engage effectively in the transitional justice process during the design and implementation stages.

Risks:

- ◆ Differing definitions and understandings of key terms and processes prevail, reducing capacities for cooperation and cohesion within civil society.
- ◆ Unrealistic expectations of what transitional justice can deliver become or remain prevalent among the public, putting pressure on CSOs to achieve impossible goals.

Risk Mitigation: The TJWG will embark on wide consultations and discussions among CSOs and other stakeholders on terminologies and definitions, through the monthly Transitional Justice Forums and other communication channels, and continue until a degree of consensus on the terminologies are achieved.

A key aspect of civic education and awareness-raising initiatives will articulate the limitations of transitional



justice; the imperfections and shortcomings of every transitional justice process to date; and the difficulties (economic, political and logistical) of delivering full justice to all.

Objective 3. To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA); as well as to promote accountability, reconciliation, truth-telling and reparations processes.

Rationale: These mechanisms, assisted and complemented by others, are key ingredients in achieving accountability, reconciliation, truth-telling and reparations. But civil society has a crucial role to play in ensuring that these mechanisms resonate within society and become meaningful steps to a secure future.

Risks:

- ◆ The TJWG becomes perceived as too closely aligned to official processes and institutions.
- ◆ Relations with the AU are too asymmetric to achieve real dialogue and advice-sharing.
- ◆ The MoJCA treats civil society advice, and that of the TJWG, with hostility.
- ◆ The TJWG becomes caught between rival mechanisms (e.g., the CTRH and informal community dialogues).

Risk Mitigation:

- ◆ The TJWG will be transparent in all its relationships. It will operate a non-political policy that distinguishes between constructive criticism and assistance to Government, on the one hand, and uncritical allegiance on the other. It will offer a mature engagement in the public debate on justice, and aim to respect all points of view while trying to constructively bridge the space between them. It will consistently link all its activities to the broader goal of a peaceful

society that includes both the Government and the people. The TJWG will present its arguments, publications and statements with consistency and balance.

Objective 4. To support the documentation of violations of human rights and other crimes.

Rationale: Several accounts of victimisation, violation of human rights, human suffering and criminality are expected to emerge during the transitional justice process. Whether these accounts are ultimately processed in a legal system (national, international or traditional), in a public hearing such as a truth commission, or in reconciliation dialogues between communities or individuals, they need to be collected, processed and archived. In some cases, witnesses and victims will approach civil society organisations rather than more formal bodies for assistance or information. CSOs need to be prepared, equipped, and sensitised for this.

Risks:

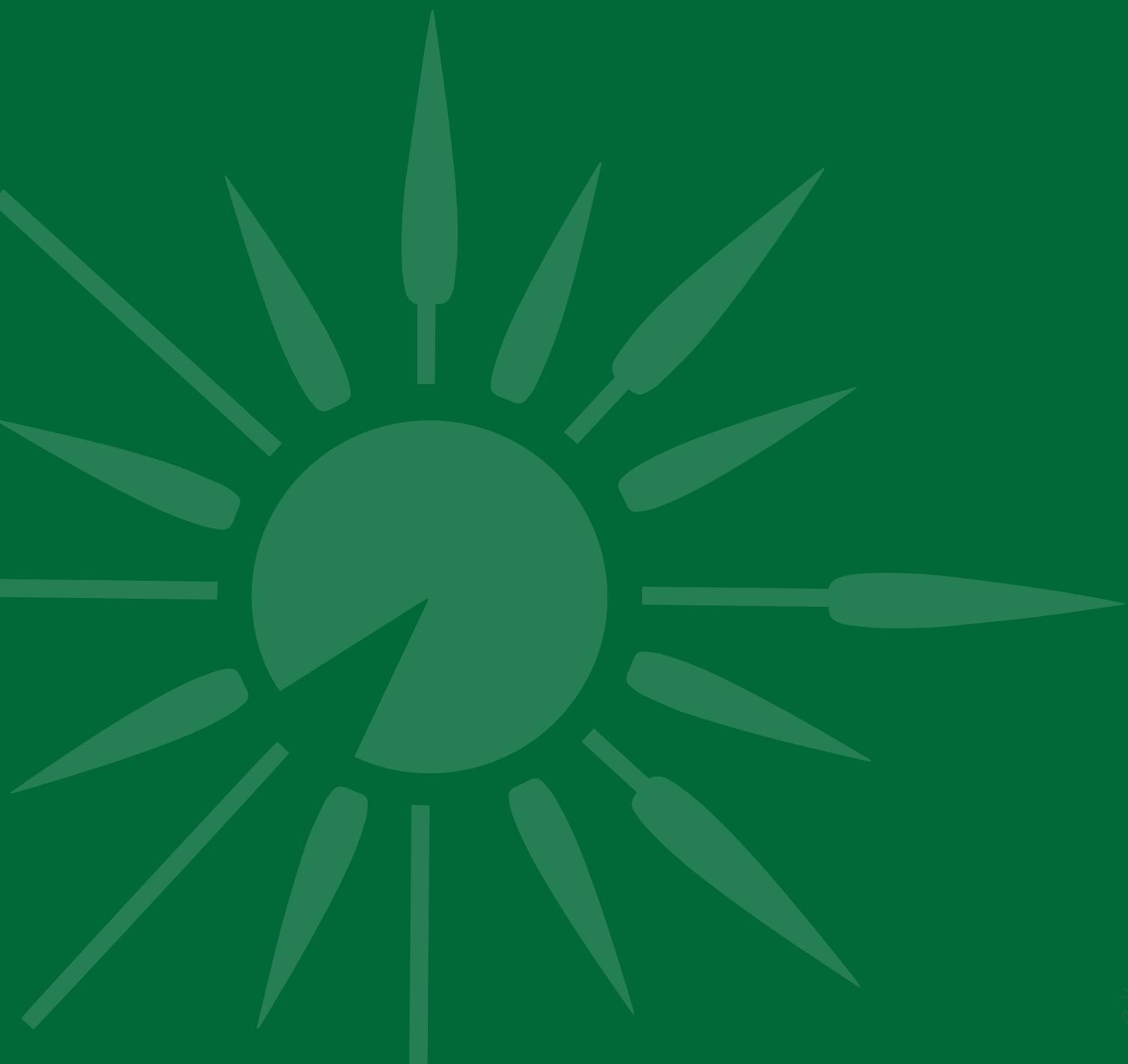
- ◆ Confidential information (regarding victims' identities and whereabouts) causes conflicts of interest for CSOs.
- ◆ CSO actors collecting and documenting information might be put at personal risk.

Risk Mitigation:

- ◆ While respecting confidentiality of information, the TJWG will speak openly and calmly on the general issues and processes involved.
- ◆ The TJWG, and civil society, will make it clear from the onset that it does not wish to be a stakeholder in an official legal process. Its role, rather, is to applaud sound legal processes while always defending the victim's right to be at the heart of the transitional justice process. In addition, the TJWG will use documentation towards advocacy and to raise public awareness on transitional justice.



ANNEXES



ANNEX A – ACTION PLAN

Objective 1 To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.

Action Plan for TJWG Strategy 2016–2021

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 1.1 Coordinate and strengthen CSO initiatives on transitional justice									
1.1.1	Carry out a comprehensive mapping of CSO transitional justice initiatives at national, state, county and payam levels; documenting experience to date; categorising them; assessing capacities; and identifying capacity-building and training needs; that is updated annually	1.1.1.1	Design instruments such as mapping guidelines; a questionnaire; and assessment tools	✓					
		1.1.1.2	Contact all relevant CSOs and carry out the mapping exercise and capacity-building needs assessment	✓					
		1.1.1.3	Establish and maintain a database of civil society organisations engaged in the South Sudanese transitional justice process	✓	✓				
		1.1.1.4	Review and update (repeat if necessary) the mapping exercise annually					✓	
1.1.2	Build the capacity of civil society on transitional justice	1.1.2.1	Design a specific training and capacity-building programme, including materials, for relevant CSO members based on the needs assessment		✓				
		1.1.2.2	Identify and train trainers with a focus on women		✓	✓	✓		✓
		1.1.2.3	Deliver the capacity building programme			✓	✓	✓	✓
1.1.3	Establish a monthly Transitional Justice Working Group meeting (the 'Transitional Justice Forum' (TJF)) at national and state level to share information and discuss joint responses to developments in transitional justice	1.1.3.1	Identify focal points in each locality to organise the Transitional Justice Forum	✓				✓	
		1.1.3.2	Form thematic sub-groups at national and state-level TJFs	✓				✓	
		1.1.3.3	Organise regional launches of the forums		✓				
		1.1.3.4	Conduct the monthly forums and compile all state-level outcomes into one monthly TJF report for civil society		✓	✓	✓	✓	✓
1.1.4	Establish and maintain a TJWG website	1.1.4.1	Create the website	✓					
		1.1.4.2	Update the website on a monthly basis		✓	✓	✓	✓	✓



The main activities presented in section 3.2 have been fed into the action plan below. Indicative timings and estimated costs have been added.

	2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
	Q1	Q2	Q3	Q4														
																	FODAG	\$60,000
			✓				✓				✓				✓			
			✓				✓				✓				✓			
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
			✓				✓				✓				✓			
			✓				✓				✓				✓			
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	AMA	\$5,000

Table continued next page...



ANNEX A – ACTION PLAN

Objective 1

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 1.2 Represent a unified civil society standpoint on transitional justice and provide a channel for CSOs to speak up, and facilitate civil society interactions with Government, institutions, traditional leaders, and international actors									
1.2.1	Use the Transitional Justice Forums to discuss, form and document a collective civil society standpoint on transitional justice issues	1.2.1.1	On a need to basis, invite non-TJWG members to join and participate in the TJF		✓	✓	✓	✓	✓
1.2.2	Publish quarterly TJF newsletters for all stakeholders	1.2.2.1	Establish a standard format for the quarterly TJF newsletters		✓	✓	✓	✓	✓
		1.2.2.2	Develop and maintain an international network (mailing List/Contact Relations Management System) of affiliates/friends of the TJWG		✓	✓	✓	✓	✓
		1.2.2.3	Write the quarterly TJF newsletters	✓	✓	✓	✓	✓	✓
		1.2.2.4	Print and disseminate the quarterly TJF newsletters to national and international stakeholders, and the public (hard copy and soft copy)	✓	✓	✓	✓	✓	✓
1.2.3	Create space for transitional justice in South Sudan	1.2.3.1	Develop TJWG position papers/statements etc., on transitional justice issues relevant to the dynamics in South Sudan	✓	✓	✓	✓	✓	✓
		1.2.3.2	Use the position papers/statements to lobby national and international stakeholders	✓	✓	✓	✓	✓	✓
1.2.4	Coordinate civil society reconciliation and dialogue activities at the community level, complementing the official processes	1.2.4.1	Support reconciliation and peace-building process by connecting civil society organisations, faith-based organisations, traditional leaders with each other at all levels	✓	✓	✓	✓	✓	✓
		1.2.4.2	Share information about activities, approaches and materials	✓	✓	✓	✓	✓	✓
		1.2.4.3	Capture and document the outcomes of the activities	✓	✓	✓	✓	✓	✓
SUBTOTAL OBJECTIVE 1									





2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)	
Q1	Q2	Q3	Q4															
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO	\$15,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO	\$7,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	SSLS	\$10,000	
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	AMA	\$7,000	
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
																		\$379,000

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ANNEX A – ACTION PLAN

Objective 2 To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 2.1 Provide civic education and awareness-raising on transitional justice: the concepts, the mechanisms, the institutions, the processes									
2.1.1	Constitute sub-groups for awareness raising and civic education within all Transitional Justice Forums				✓			✓	
2.1.2	Develop education and outreach materials for different target groups (including traditional leaders)	2.1.2.1	Develop content of the materials (print and audio) in necessary languages as well as standardised forms to capture responses to the materials	✓				✓	
		2.1.2.2	Design the print materials (e.g. using pictograms)/record the audio materials	✓				✓	
		2.1.2.3	Print a small batch of the materials	✓				✓	
		2.1.2.4	Pilot the materials		✓				✓
		2.1.2.5	If necessary, edit the materials based on lessons learned from the piloting		✓				✓
		2.1.2.6	Print in larger numbers		✓				✓
2.1.3	Coordinate, through sub-groups of TJFs, a series of citizens engagement sessions using the materials	2.1.3.1	Mobilise traditional leaders and communities			✓	✓	✓	✓
		2.1.3.2	Carry out the awareness-raising and civic education			✓	✓	✓	✓
		2.1.3.3	Document the responses and views of the citizens and feed this into the monthly Transitional Justice Forums			✓	✓	✓	✓





2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
Q1	Q2	Q3	Q4														
		✓				✓				✓				✓		AMA	\$30,000
		✓				✓				✓				✓		AMA	\$10,000
		✓				✓				✓				✓			
		✓				✓				✓				✓			
			✓				✓				✓				✓		
			✓				✓				✓				✓		
			✓				✓				✓				✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	AMA	\$35,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		

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ANNEX A – ACTION PLAN

Objective 2

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 2.2 Stimulate dialogue and debate about issues of transitional justice at all levels in South Sudan									
2.2.1	Constitute sub-groups for dialogue and debate within all Transitional Justice Forums and organise consultations and a public debate series on transitional justice	2.2.1.1	Identify a suitable academic partner in Juba and the states and determine the programme and statements of the debate series	✓				✓	
		2.2.1.2	Recruit speakers from academia, communities, civil society, Government, etc.		✓				✓
		2.2.1.3	Conduct the debate and dialogue series		✓				✓
2.2.2	Stimulate and contribute to a national debate on transitional justice in South Sudan	2.2.2.1	Write a monthly newspaper commentary on a topical issue related to transitional justice	✓	✓	✓	✓	✓	✓
		2.2.2.2	Arrange and feature on a weekly transitional justice radio programme	✓	✓	✓	✓	✓	✓
		2.2.2.3	Start and maintain a monthly TJWG (guest) blog	✓	✓	✓	✓	✓	✓
2.2.3	Feed community-level actions, outcomes and stories into national debates	2.2.3.1	Collate and analyse citizens' views from all engagements	✓	✓	✓	✓	✓	✓
		2.2.3.2	Use the results to represent citizens' views in the national debate	✓	✓	✓	✓	✓	✓
SUBTOTAL OBJECTIVE 2									



2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
Q1	Q2	Q3	Q4														
		✓				✓				✓				✓		DRI	\$35,000
			✓				✓				✓				✓		
			✓				✓				✓				✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO	\$5,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO	\$10,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
																	\$125,000

Table continued next page...



ANNEX A – ACTION PLAN

Objective 3 To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the Hybrid Court for South Sudan (HCSS); the Commission for Truth, Reconciliation, and Healing (CTRH); and Compensation and Reparation Authority (CRA) and to promote accountability, reconciliation, truth-telling and reparations processes.

Chapter V mechanisms: Design and Establishment phase

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 3.1 Advocate and lobby for the establishment of the HCSS									
3.1.1	Use TJWG expertise and existing literature to develop a position paper/model legislation for the HCSS	3.1.1.1	Hold (community) consultative meetings with key stakeholders	✓	✓				
		3.1.1.2	Conduct comparative research and write the paper/model legislation	✓	✓				
		3.1.1.3	Print and disseminate the position paper/model legislation		✓	✓			
3.1.2	Use the position paper/model legislation to lobby for the establishment of the HCSS			✓	✓	✓	✓		
3.1.3	Support dialogue on enabling legislation			✓	✓	✓	✓		





	2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)	
	Q1	Q2	Q3	Q4															
																		SSLS / HURIDO	\$10,000
																		SSLS / SWEN	\$5,000
																		SSLS / HURIDO	\$10,000

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ANNEX A – ACTION PLAN

Objective 3

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 3.2 Coordinate civil society's role in the CTRH consultation process and assist the process of drafting legislation to establish the CTRH									
3.2.1	Support the MojCA to conduct national consultation for at least one month	3.2.1.1	Establish partnership with the MojCA	✓	✓				
		3.2.1.2	Use the Transitional Justice Forums, public debates and the media for discussions on the CTRH consultation process	✓	✓				
		3.2.1.3	Ensure gender-sensitivity in the CTRH by including women's CSOs in expressing their needs and demands (liaise with Women's Monthly Forum)	✓	✓				
		3.2.1.4	Organise discussions with traditional leaders on their role in the consultation process	✓	✓				
		3.2.1.5	Develop methodology and tools for national consultations	✓	✓				
		3.2.1.6	Endeavour to support the MojCA to carry out the national consultations and draft legislation	✓	✓				
3.2.2	Use TJWG expertise and existing literature to develop a position paper/model legislation for the CTRH	3.2.2.1	Hold (community) consultative meetings with key stakeholders	✓					
		3.2.2.2	Conduct comparative research and write the paper/model legislation	✓					
		3.2.2.3	Print and disseminate the position paper/model legislation	✓	✓				
3.2.3	Use the position paper/model legislation to lobby for the establishment of the CTRH based on the national consultations			✓	✓				
3.2.4	Lobby the TNLA to timeously enact legislation that is representative of public views and in line with international standards			✓	✓				
3.2.5	Support dialogue on enabling legislation			✓	✓				



ANNEX A – ACTION PLAN

Objective 3

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 3.3 Support the process of drafting the establishing legislation of the CRA and offer recommendations on issues of compensation and reparation									
3.3.1	Use TJWG expertise and existing literature to develop a position paper/ model legislation for the CRA	3.3.1.1	Hold (community) consultative meetings with key stakeholders	✓	✓				
		3.3.1.2	Conduct comparative research and write the paper/model legislation		✓				
		3.3.1.3	Print and disseminate the position paper/ model legislation		✓	✓			
3.3.2	Use the position paper/ model legislation to lobby for the establishment of the CRA				✓	✓	✓		
3.3.3	Support dialogue on enabling legislation				✓	✓	✓		
GOAL 3.4 Monitor the establishment of the mechanisms to ensure transparency and impartiality									
3.4.1	Lobby for an effective and independent appointment process of commissioners, judges and prosecutors of the HCSS, CTRH and CRA	3.4.1.1	Draft public guidelines and criteria on appropriateness, transparency and gender-balance in the appointment of commissioners, judges and prosecutors	✓					
		3.4.1.2	Monitor the appointment using the guidelines and criteria and lobby for change where needed		✓	✓	✓		



2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)	
Q1	Q2	Q3	Q4															
																	HURIDO	\$10,000
																	HURIDO	\$1,000
																	HURIDO	\$10,000
																	SSWEN	\$5,000

Table continued next page...



ANNEX A – ACTION PLAN

Objective 3

Chapter V mechanisms: Implementation phase

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 3.5 Explain HCSS mandate, processes and developments to citizens									
3.5.1	Monitor the HCSS proceedings and reach out to the public to raise awareness about the mandate, structure and proceedings of the HCSS	3.5.1.1	Develop outreach materials on the HCSS (print, audio and visual)					✓	
		3.5.1.2	Monitor the proceedings, press releases, international analysis and commentary, media coverage and compile and disseminate a periodical bulletin on the HCSS					✓	✓
		3.5.1.3	Compile audio and video clips to illustrate news, developments, and circulate a quarterly video update and show during TJF					✓	✓
		3.5.1.4	Conduct outreach activities, including the organisation of a mobile cinema with films and discussions					✓	✓
GOAL 3.6 Explain CTRH mandate, processes and developments to citizens and enable access to the CTRH									
3.6.1	Monitor the CTRH hearings and reach out to public to raise awareness about the mandate, structure and proceedings of the CTRH	3.6.1.1	Develop outreach materials on the CTRH (print, audio and visual)		✓				
		3.6.1.2	Establish a continuous presence at the hearings			✓	✓	✓	✓
		3.6.1.3	Produce regular public commentary on the hearings			✓	✓	✓	✓
		3.6.1.4	Have regular engagement with the Commission			✓	✓	✓	✓
		3.6.1.5	Conduct outreach activities about (and in collaboration with) the CTRH			✓	✓	✓	✓
3.6.2	Facilitate victims' access to the CTRH	3.6.2.1	Map patterns of human rights violations and locations of victims	✓	✓	✓	✓	✓	✓
		3.6.2.2	Establish links between the CTRH and victims and support victims to access and participate in the CTRH proceedings and hearings			✓	✓	✓	✓





	2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)	
	Q1	Q2	Q3	Q4															
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	SSLS / SSWEN	\$200,000
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	✓	✓																FODAG	\$200,000
	✓	✓																	
	✓	✓																	
	✓	✓	✓																
	✓	✓																SSLS / HURIDO	\$500,000
	✓	✓																	
	✓	✓																DRI	\$100,000
	✓	✓																	

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ANNEX A – ACTION PLAN

Objective 3

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
3.6.3	Support in the dissemination of the CTRH's report	3.6.3.1	Review the report, discuss it in the TJ Forums, formulate and publish a civil society response						
		3.6.3.2	Develop outreach materials (print, audio, visual) in relevant languages and tailored to specific target groups (e.g. youth and women) for the key findings of the report						
		3.6.3.3	Disseminate the CTRH report through established network						
3.6.4	Liaise with traditional leaders engaged in truth-telling initiatives	3.6.4.1	Document traditional mechanisms and proceedings	✓	✓	✓	✓		
		3.6.4.2	Offer assistance to traditional truth-seeking efforts and raise awareness about human rights standards, where appropriate			✓	✓	✓	✓
3.6.5	Liaise with and provide linkages between other reconciliation and truth-telling initiatives	3.6.5.1	Based on the (annual) CSO mapping, carry out sub-mapping of truth-telling initiatives	✓					
		3.6.5.2	Establish linkages to share the initiatives, challenges and methods	✓	✓				
		3.6.5.3	Document their processes, lessons learned and best practices		✓	✓			

2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
Q1	Q2	Q3	Q4														
			✓													AMA	\$200,000
				✓	✓	✓	✓										
				✓	✓	✓	✓										
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	AMA	\$200,000
																AMA / SSWEN	\$5,000

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ANNEX A – ACTION PLAN

Objective 3

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017				
				Q3	Q4	Q1	Q2	Q3	Q4	
GOAL 3.7 Explain CRA fund mandate, processes and developments to citizens and enable access to the CRA fund										
3.7.1	Monitor the CRA fund proceedings and reach out to public to raise awareness about the mandate, structure, procedures and proceedings of the CRA fund	3.7.1.1	Develop outreach materials on the CRA fund (print, audio and visual)					✓		
		3.7.1.2	Monitor and produce regular public commentary on the granting of compensation and reparations					✓	✓	
		3.7.1.3	Conduct outreach activities about (and in collaboration with) the CRA fund					✓	✓	
3.7.2	Support victims to access the CRA fund	3.7.2.1	Raise awareness about the criteria for eligibility of compensation and reparations					✓	✓	
		3.7.2.2	Support victims with the procedures to apply for compensation and reparations					✓	✓	
GOAL 3.8 Assist prosecutorial process										
3.8.1	Liaise with civil society documentation initiatives to make documentation of human rights violations available to the prosecutor's office	3.8.1.1	Establish and maintain relationship with the prosecutor's office (HCSS)					✓	✓	
		3.8.1.2	Support civil society documentation efforts to make available CSO documentation to the prosecutor's office	✓	✓	✓	✓	✓	✓	
GOAL 3.9 Support the provision of psycho-social support to victims										
3.9.1	Network with existing institutions and platforms engaged in the provision of psycho-social support (e.g. faith-based organisations, and social workers of state Ministries for Gender, Children and Social Development) and provide access to psychosocial support services for victims			✓	✓	✓	✓	✓	✓	



2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)	
Q1	Q2	Q3	Q4															
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO	\$200,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	HURIDO / FODAG	\$200,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	SSLS / DRI	\$200,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	AMA	\$100,000

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ANNEX A – ACTION PLAN

Objective 3

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017				
				Q3	Q4	Q1	Q2	Q3	Q4	
GOAL 3.10 Study the impact on communities who receive reparations and compensation										
3.10.1	Prepare and conduct the study	3.10.1.1	Consult with the communities (chiefs, women's groups, youth groups)							
		3.10.1.2	Design and pilot the questionnaire							
		3.10.1.3	Recruit and train the enumerators							
		3.10.1.4	Administer the questionnaire							
		3.10.1.5	Collate and analyse the data							
		3.10.1.6	Write and validate the findings and the report							
		3.10.1.7	Publish and disseminate the impact study							
Chapter I: Judicial Reforms										
GOAL 3.11 Lobby the Judiciary for judicial reforms										
3.11.1	Develop position paper based on review the Judiciary Act and the Judicial Service Act	3.11.1.1	Review Acts and organise dialogues and consultations with relevant organisations and experts	✓	✓					
3.11.2	Publish and disseminate position papers				✓					
3.11.3	Use the position paper to approach decision-makers and lobby for judicial reforms				✓	✓	✓	✓	✓	
SUBTOTAL OBJECTIVE 3										





2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
Q1	Q2	Q3	Q4														
		✓														HURIDO / DRI	\$150,000
		✓															
			✓														
			✓														
			✓														
				✓													
				✓	✓												
✓	✓	✓														HURIDO	\$1,000
																	\$2,616,000

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ANNEX A – ACTION PLAN

Objective 4 To support the documentation of violations of human rights and other crimes.

Act. No.	Activities	Sub Act. No.	Sub-actions	2016		2017			
				Q3	Q4	Q1	Q2	Q3	Q4
GOAL 4.1 Support the use of documentation for use in advocacy and to increase public awareness about transitional justice									
4.1.1	Offer support to and liaison with civil society-led documentation initiatives, INGO and UN experts, and others involved in human rights violations documentation	4.1.1.1	Support the organisation of an international conference on the documentation of human rights violations by CSOs to learn from international experiences		✓				
		4.1.1.2	Share any documentation of human rights violation of TJWG members with civil society-led documentation initiatives	✓	✓	✓	✓	✓	✓
		4.1.1.3	Draw on documentation for advocacy and public awareness campaigns relating to transitional justice	✓	✓	✓	✓	✓	✓
SUBTOTAL OBJECTIVE 4									
TOTAL									



2018				2019				2020				2021				Responsible Lead (2016 - 2017)	Estimated Budget (USD)
Q1	Q2	Q3	Q4														
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	SSLS / HURIDO	\$250,000
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
																\$250,000	
																\$3,370,000	

Table ends.



Terms of Reference of The Transitional Justice Working Group

This is an organic document, which will be reviewed, along with the entire strategic plan, at regular intervals in the light of emerging developments.

SOUTH SUDANESE CIVIL SOCIETY TRANSITIONAL JUSTICE WORKING GROUP (TJWG) TERMS OF REFERENCE

1. BACKGROUND

In December 2013, political disagreements resulted in armed conflict, which escalated across ethnic lines and several states in South Sudan. The fighting has displaced over two million people, including 1.66 million internally displaced persons (IDPs) and 645,992 refugees.¹ More than 100,000 of these IDPs are being housed in UNMISS protection of civilian (PoC) sites. There are no reliable figures regarding the number of people killed as a result of the large-scale violence that erupted in December 2013, but estimates are as high as 50,000.²

Though triggered by politics, the speed and intensity with which the conflict spread points to a number of underlying problems, including the failure to separate the military from politics, the inability to transform South Sudan's oil wealth into tangible benefits for the majority of its people, the fragility of political governance, ethnic fault lines, the underlying lack of nationally driven social cohesion, and the legacy of decades of violence and trauma from past wars. The 2013 conflict is the

latest chapter in a long history of conflicts in South Sudan, and the legacy of violence in the country has been left largely unaddressed. Unresolved grievances linked to decades of civil war, a culture of impunity in the political and military class, the silence and denial that accompany mass human rights abuses, and the mental health consequences of decades of trauma are among the many factors driving the conflict in the country.

The normative corrections to be expected from an effective governance structure that can respond to political and/or violent crisis through constitutional – and rule of law – means is weak and incoherent resulting in a crisis of political governance. Furthermore, there has been only limited outreach to the local level to strengthen existing capacities for conflict prevention, despite numerous community driven dialogues and local efforts in conflict resolution. As a result, reconciliation and accountability mechanisms are unable to respond effectively to localized or national conflicts. The crisis suggests a need to support an increased civic engagement in peace, reconciliation and transitional justice processes, institutional reforms and the constitutional review process. It is crucial to widen the space for dialogue among civil society at national and local level throughout South Sudan.

In response to the crisis, the African Union established a commission of inquiry (AUCISS) to investigate alleged human rights violations and recommend appropriate responses.

1. United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), South Sudan Humanitarian Bulletin (1 December 2015), available at South Sudan, http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA_SouthSudan_humanitarian_bulletin_1Dec2015.pdf

2. International Crisis Group, Sudan and South Sudan's Emerging Conflicts, Africa Report No 223 (29 January 2015), available at <https://www.crisisgroup.org/africa/horn-africa/south-sudan/sudan-and-south-sudan-s-merging-conflicts>



The report found gross violations of human rights and gave concrete recommendations for transitional justice processes including accountability, truth, reconciliation and institutional reforms.³ In August 2015, the Government of the Republic of South Sudan (GRSS), Sudan People's Liberation Movement-in-Opposition and other stakeholders signed an Agreement on the Resolution of Conflict in the Republic of South Sudan (ARCSS) in an effort to bring the conflict to an end. Chapter V of the agreement provides for transitional justice and establishes three national level institutions: a Hybrid Court for South Sudan (HCSS), a Commission on Truth, Reconciliation and Healing (CTRH), and a Compensation and Reparations Authority (CRA). The peace agreement also establishes a 30 month transitional period during which the Transitional Government of National Unity (TGoNU) will institute reforms that will culminate in elections.

Having regard to the importance of civic engagement in national dialogue, civil society groups met on several occasions as a loose coalition since 2014. Through an inception meeting conducted by Human Rights Development Organization (HURIDO) and the Dialogue Research Initiative (DRI), they resolved to formalize a civil society Transitional Justice Working Group (TJWG) based on the following terms of reference. The TJWG will form as platform to support implementation of the peace agreement and provide interface between national and international transitional justice stakeholders and the official transitional justice processes. The TJWG will further engender consensus and conceptual clarity around the meaning, content and mechanisms for peace and reconciliation including transitional justice, and further, the sequencing or concurrent implementation of the processes.

2. PURPOSE

The TJWG was established as a platform to support the implementation of Chapter V of the ARCSS, and to provide an interface between national and international transitional justice stakeholders and the official transitional justice processes. The TJWG aims to promote dialogue and national ownership of the transitional justice process; ensure a strengthened civil society voice regarding the design and implementation of transitional justice processes; and coordinate a complementary civil society role within those processes, including support to the documentation of human rights violations.

3. OBJECTIVES

The objectives of the TJWG are the following:

1. To act as a platform for CSOs to advocate for transitional justice and support implementation of the transitional justice provisions in the peace agreement, and to provide interface between civil society and national and international transitional justice stakeholders.
2. To promote understanding, consensus and clarity about the terms, procedures, impacts and expectations of processes of transitional justice, through dialogue, debate, research and civic education.
3. To coordinate civil society support to the transitional justice mechanisms of Chapter V of the Peace Agreement: the HCSS; the CTRH; and the CRA; as well as to promote accountability, reconciliation, truth-telling and reparations processes.
4. To support the documentation of violations of human rights and other crimes in South Sudan.

3. African Union Commission of Inquiry on South Sudan (AUCISS), Sudan and South Sudan's Emerging Conflicts, Africa Report No 223 (29 January 2015), available at <https://www.crisisgroup.org/africa/horn-africa/south-sudan/sudan-and-south-sudan-s-emerging-conflicts>



4. GUIDING PRINCIPLES

The principles guiding the TJWG are:

1. Victim-centeredness: The TJWG is committed to supporting transitional justice processes which prioritize the interests of victims and their families.

2. Transparency: The TJWG will openly communicate its work to the public. The work of the group, its administration and its financial management will be conducted according to transparent and accountable procedures.

3. Inclusivity and diversity: All activities of the TJWG will be inclusive, and will reflect the diversity of South Sudan, including especially women, youth, and other marginalised groups. The TJWG will champion truth-telling, fairness and justice for all people, regardless of status, language, ethnicity, gender, religion, political affiliation, or creed.

4. Impartiality and independence: The operations of the TJWG will be devoid of political interference. The TJWG will remain objective and impartial in conducting its daily business, keeping at the heart of its mission the goal of providing accurate and independent information to officials, civil society and citizens.

5. Gender-sensitivity: The TJWG will ensure gender mainstreaming in its processes and activities, and pay particular attention to the participation of women and girls in the processes of transitional justice.

6. South Sudanese-owned and driven: The TJWG will strive for a transitional justice process that is South Sudanese-owned and driven. This means that time and resources must be invested into civic engagement and public consultations and that outreach to the grassroots level must be continuous.

5. RELATIONSHIP WITH OTHER COORDINATING BODIES AND NETWORKS

The TJWG shall work with other coordinating bodies and networks as follows:

1. The TJWG shall link and coordinate with relevant government stakeholders in the implementation of Chapter V of the peace agreement, including collaborating with the Ministry of Justice and Constitutional Affairs and all transitional justice institutions established under the peace agreement.

2. The TJWG shall coordinate with CSOs, the NGO Forum and other forums, platforms, initiatives and networks in order to obtain a critical mass at all levels to ensure that the public and victims are involved in the process of transitional justice and informed about the process.

3. The TJWG shall use its networks and focal persons to coordinate activities at state level.

4. The TJWG shall undertake exchange visits to countries with similar experiences to learn from best practices.

6. MEMBERSHIP AND STRUCTURE OF THE TJWG

1. The membership of the TJWG shall be composed of the following:

a. CSOs as may be determined from time to time

b. Transitional justice experts

c. Representatives of women's groups and faith-based organisations.

2. The TJWG will be composed of a core team of a maximum of seven organisations complementing each other in their respective organizational strengths related to transitional justice.



3. The initial core team will consist of the founding members of the TJWG namely, Human Rights Development Organization (HURIDO), Dialogue and Research Initiatives (DRI), Foundation for Democracy and Accountable Governance (FODAG), South Sudan Law Society (SSLS), South Sudan Women Empowerment Network (SSWEN), Assistance Mission for Africa (AMA) and Solidarity Ministries Africa for Reconciliation and Development (SMARD).

4. The composition of the core team will be reviewed on an annual basis. Changes to the composition of the core team will be subject to two-thirds majority vote. A quorum of two-thirds of the membership of the TJWG should be present during the vote.

5. The core team will coordinate the transitional justice activities and act as a central information sharing and focal point of the members of the TJWG. The core team will have a secretariat composed of:

- a. A coordinator chosen by at least five members of the core team of the TJWG on a rotational basis for a period of one-year. Each organisation represented in the core team shall have one vote regarding the selection of the coordinator.
- b. Two of the core team organisations to be responsible for any dealing with funds and communications respectively. This selection will be reviewed annually by the core team.

6. The TJWG shall establish the following thematic sub-groups, each led by a member of the TJWG:

- a. Truth and reconciliation
- b. Accountability
- c. Reparations
- d. Research
- e. Human rights documentation
- f. Lobby and advocacy
- g. Legislation
- h. Public consultations
- i. Memorialisation
- j. Other thematic areas as may arise.

7. OBLIGATIONS OF MEMBERS OF THE TJWG

Members of the TJWG shall have the following obligations:

- 1. To attend all meetings and actively participate in the proceedings.
- 2. To provide monthly reports and updates on their activities.
- 3. To effectively participate and contribute to the implementation of the strategic plan of the TJWG.
- 4. To volunteer for public consultations and commit to the activities of the TJWG.

8. DECISION-MAKING

Decisions by the TJWG shall be made by simple majority.

9. FREQUENCY OF THE MEETINGS

- 1. The TJWG will meet on a monthly basis.
- 2. The core team will meet on a monthly basis and as deemed necessary.

10. REVISION

The terms of reference may be altered by two-thirds of the members of the TJWG core team subject to two-thirds approval of the TJWG. Members of the TJWG may propose amendments to the TJWG core team.

11. TIMEFRAME FOR THE TJWG

The document comes in force upon finalization and adoption by members of the TJWG.



Partnership Strategy

To implement its objectives, the TJWG will need to reach out to a broad range of stakeholders and potential partners. This will include new actors and stakeholders (commissions, organisations, committees, etc.) that will be established as a result of developments in the transitional justice process as well as existing actors. The

table below contains existing actors with whom contact has already been established during the development of the strategic plan as well as institutions that are yet to be established. This list is not exhaustive and will continue to be developed throughout the implementation of the strategic plan.

Partner	Specific Contact	Partner's Influence	Engagement Strategy
GOVERNMENT: NATIONAL			
Judiciary of South Sudan	Chief Justice Deputy Chief Justice Dept. of Research and Training Individual justices interested in research	High	Close, long-term relationship
Law Reform (Review) Commission	Chairperson and commissioners	Medium	Working relations, lobbying
Local Government Board	Chairperson and members	Medium	Long-term working relations
Ministry of Justice and Constitutional Affairs	Minister Deputy Minister Undersecretary Director of Public Prosecutions	High	Long-term working relations
GOVERNMENT/COMMISSIONS: STATE			
Office of the Governor	Governors Legal advisors	High	Mutual cooperation
County Commissioners	County Commissioner	High	Mutual cooperation
Legal Administration Offices	Head of Legal Administration State Attorneys	High	Mutual cooperation
State Ministries for Gender, Children and Social Development	Minister	Medium	Mutual cooperation
State Peace Reconciliation Commissions	Chairperson	Medium	Working relations
County Police Commissioners	County Police Commissioner	Medium	Mutual cooperation

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Partner	Specific Contact	Partner's Influence	Engagement Strategy
PARLIAMENT			
Transitional National Legislative Assembly	Key Members of Parliament and parliamentary committees including Specialised Committee on Justice and Legislation	High	Long-term relations
Political parties	Chairpersons and key members	Medium	Mutual awareness
Regional parliaments	Key members	Medium	Mutual cooperation
OTHER NATIONAL			
Council of Traditional Leaders	Chairperson and members	High	Close working relationship
CRA Executive and staff	TBA	High	Close, long-term relationship
CTRH Commissioners and staff	TBA	High	Close, long-term relationship
National Constitutional Amendment Committee	Chairperson and commissioners	High	Working relations, lobbying
Peace and Reconciliation Commission	Chairperson and commissioners	Medium	Working relations
CIVIL SOCIETY: NATIONAL			
CSO Human Rights Documentation Initiative	Chairpersons and Executive Directors	High	Close working relations, membership ties
NGO Forum	Chairperson	Medium	Membership
TJWG Member Organisations	Personnel and members	High	Membership ties
Other CSOs and existing coalitions and networks	Chairperson	High	Close working relations, membership ties
ACADEMIC, POLICY			
Centre for Peace and Development Studies, Juba University	Vice Chancellor (Academic), Dean of Faculty, Director of Centre	Medium	Organisation of debates, conducting research, policy papers Memorandum of Understanding
College of Law, Juba University	Vice Chancellor (Academic), Dean	Medium	Organisation of debates, conducting research, policy papers Memorandum of Understanding
Ebony Centre	Executive Director	Low	Memorandum of Understanding Organisation of debates, conducting research
Institute of Applied Research and Community Outreach Catholic University of South Sudan	Director and researchers	Medium	Organisation of academic debates, conducting research Memorandum of Understanding
Institute for Justice and Reconciliation (IJR)	Executive Director	Medium	Regional cooperation, technical assistance and learning opportunities
Refugee Law Project (RLP)	Executive Director	Medium	Regional cooperation, sharing best practices and learning opportunities
Rift Valley Institute	Executive Director	Low	Organisation of debates, conducting research, working with traditional leaders
SUDD Institute	Executive Director	Medium	Organisation of debates



Partner	Specific Contact	Partner's Influence	Engagement Strategy
MEDIA			
The Association for Media Development In South Sudan	Executive Director	High	Close working relations
Eye Radio	Executive Director	Medium	Regular cooperation
National radio stations	Director	Medium	Regular cooperation
Radio Miraya	Director	Medium	Regular cooperation
Radio Bakita	Director	Medium	Regular cooperation
State radio stations	Director	Medium	Regular cooperation
FAITH-BASED ORGANISATIONS			
Churches	Bishops and relevant clergy	High	Close working relations
Muslim Council	Relevant cleric	Medium	Close working relations
South Sudan Council of Churches	Chairperson	High	Close working relations
COMMUNITY LEVEL			
Traditional leaders	Paramount chiefs, chiefs, headmen,	High	Close cooperation
Political Party Leagues	Women, Youth	Medium	Mutual cooperation
Women's Groups	Relevant representative	High	Close cooperation
Youth Groups	Relevant representative	High	Close cooperation
CIVIL SOCIETY: INTERNATIONAL			
Amnesty International	Relevant representative	Medium	Lobbying and advocacy (HCSS)
Civilians in Conflict	Relevant representative	Medium	Lobbying and advocacy (CRA)
Enough Project	Relevant representative	Medium	Lobbying and advocacy
International Center for Transitional Justice	Executive Director of relevant representative	Medium	Technical assistance and learning opportunities
Justice Africa	Relevant representative	Medium	Learning opportunities and financial support
Norwegian People's Aid	Relevant representative	Medium	Learning opportunities and financial support
Public International Law & Policy Group	Relevant representative	High	Close working relations: financial support, technical assistance and learning opportunities
System to Uphold the Credibility and Constitutionality of Elections in South Sudan	Relevant representative	High	Financial support
United States Institute for Peace	Relevant representative	Medium	Financial support

Table continued next page...



Partner	Specific Contact	Partner's Influence	Engagement Strategy
DEVELOPMENT PARTNERS			
Donor Working Groups on Reconciliation and Rule of Law	Chairpersons: European Union and The Netherlands Relevant representative	High	Financial support, lobby and advocacy and political pressure
Department for International Development	Country representative	High	Financial support, lobby and advocacy and political pressure
Netherlands, The	Relevant representative	High	Financial support, lobby and advocacy and political pressure
Norway	Relevant representative	High	Financial support, lobby and advocacy and political pressure
Switzerland	Relevant representative	High	Financial support, lobby and advocacy and political pressure
United States Agency for International Development	Relevant representative	High	Financial support, lobby and advocacy and political pressure
TRANSNATIONAL			
African Union	Office of the Legal Counsel The Commission Liaison Office in South Sudan	High	Mutual cooperation, lobbying and advocacy
European Union	Relevant representative	Medium	TBD
United Nations Development Programme	Country Director Technical staff	High	Close working relations: (core) financial support, technical assistance and learning opportunities
United Nations Children's Emergency Fund	Country Director	Medium	Funding support, technical assistance for child-sensitive approach to transitional justice, involvement of youth
UNMISS: Human Rights Division, Civil Affairs Division, Political Affairs Division	Director Technical staff	Medium	Mutual cooperation, technical support, lobbying and advocacy, operational support
UN Office of Legal Affairs	Relevant representative	Medium	Lobbying and advocacy
UNWOMEN	Relevant representative	High	Funding support, technical assistance for gender-sensitive approach to transitional justice, involvement of women and girls

Table ends.



ANNEX D

Resource Mobilisation Strategy

The TJWG will commence its programme with an inception phase, during which limited funding will be required for minimal running costs. This is a conscious decision to ensure that the whole project remains a 'noble' one, and that with time, resources will serve activities, rather than the other way round. For this reason, the main activities of the inception phase, which will last up to six months, will involve a mapping of the transitional justice CSO landscape, the formulation of a monthly discussion space (the civil society Transitional Justice Forum), a series of introductory, relationship-building meetings with key partners (Government, donors, etc.) and the development of policy briefs/position papers.

The inception phase is designed to permit the basic groundwork to be completed without the onerous

distraction of fund-raising. However, a further task of this phase will be the development of a business plan for the TJWG. After the inception phase, the very active implementation phase will undoubtedly require resources, both for administration and management costs, and for activity costs. These will be defined more clearly in the business plan, and constituent parts of the objectives, goals and strategies outlined in section 3 will be developed into specific project proposals for fund-raising, with detailed costings, monitoring and evaluation processes and resource requirements.

Sustainable funding is the goal of the TJWG's financial strategy. This will be achieved with time. The TJWG will develop quality proposals that will be anchored on this plan, so as to secure funding to support relevant transitional justice interventions.

ANNEX E

Communication Strategy

A wide range of media channels will be employed for both general publicity purposes and to target specific messages at specific audiences. In keeping with the light-footprint and low-budget management structures of an initial phase, only free or very low-cost methods will be used to begin with:

Website: The TJWG will create its own website, managed and updated by one of the core team members. The website will contain:

- ◆ A full description of the TJWG, its aims, membership, etc.
- ◆ Key organisational documents: Strategic Plan, Terms of Reference, Criteria for Membership, Code of Conduct, etc.
- ◆ Simple definitions of terms and issues around transitional justice



- ◆ Updates on the TJWG’s work: forum meetings, publications, activity reports, etc.
- ◆ Regularly updated information and commentary on transitional justice developments in South Sudan
- ◆ Messages from communities about transitional justice

Social media: (Facebook, Twitter, etc.) will be actively used.

Media outlets: newspapers, radio, on-line sites, talk shows, etc., will be used within the limits of low or no-cost channels (public service announcements, press releases, blogging, etc.).

Email Update/Newsletter: This will be compiled and sent regularly to a wide mailing list (CSOs, Government and institutional actors, internal and external partners, donors, INGOs, thematic experts, etc.) regularly, highlighting news and developments in the transitional justice field, both of a general nature and regarding the TJWG’s work. Initially a quarterly update/newsletter, it may transform to monthly updates if activity levels significantly increase.

The Transitional Justice Forums will be an essential monthly exchange of news and information throughout South Sudan.

The NGO Forum and other coalitions and networks will be a close partner in disseminating the TJWG’s work and building CSO partnerships for implementation.

A **‘One Minute Message’** of the TJWG’s work will be agreed upon by the core team, for use in all commentaries, meetings and explanations of the TJWG’s work.

Launch of the TJWG: A public launch of the TJWG, with publication of this strategic plan, will be used to announce the TJWG’s arrival and to raise its profile. By the time of the launch, the co-ordinator would have been chosen.

Introductory meetings: An early series of introductory meetings will be held with key partners, to explain in detail the TJWG’s role and aims, to discuss what it can offer in the specific partnership, and to begin or strengthen the relationship-building process. Similar introductory meetings will be sought with donors interested in the area of transitional justice to raise its profile and explain the TJWG’s plans.

Public Statements: The co-ordinator will be the first port of call for all enquiries. However, the making of public statements will be assigned to the most relevant core team organisation. The core team will, as far as possible, try to coordinate public statements in advance, and take collective responsibility for them. However, any public statement made, must provide clarity as to whether it is being made by an individual, by an individual organisation, or on behalf of the TJWG.

**TRANSITIONAL JUSTICE
WORKING GROUP**
SOUTH SUDAN

