

# NGO Forum Statutes of Operation

March 2020



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## NGOs in South Sudan Background

NGOs have been operating in South Sudan since the 1970's. 35 INGOs collaborated under the Operation Lifeline Sudan (OLS) structure between 1989-2005, prior to the signing of the Comprehensive Peace Agreement (CPA) in January 2005. NGO operations in South Sudan are regulated by the Relief and Rehabilitation Commission Act which established the Relief and Rehabilitation Commission that registers and coordinates the work of NGOs and the Non-Governmental Organisations Act of 2016. NGOs work in all sectors across relief, recovery, rehabilitation, and development. The majority deliver humanitarian and basic services including: health, nutrition, food security and livelihoods, water and sanitation, education and shelter with others working in governance, human rights, civil society, and infrastructure development.

## NGO Forum

The NGO Forum was established in Nairobi in the early 1990s as an Inter-Agency Coordination for NGOs operating under Operations Lifeline Sudan (OLS). After the signing of the CPA in 2005, many organisations relocated their South Sudan offices from Nairobi to Juba in 2006, and the Inter-Agency Coordination for NGOs began to meet monthly growing to include a wider number of INGOs and NNGOs. The NGO Forum was specifically created in 2008 when its Statutes of Operations were first developed to guide NGOs coordination and to discuss issues around programming, humanitarian financing, delivery of humanitarian aid, and access. This was a result of a capacity survey of Indigenous NGOs presence conducted by UN Habitat in 2007. It was established as a voluntary body that operated under a Terms of Reference with an annually elected Steering Committee (SC) of twelve NGOs (10 INGO and 2 NNGO seats). The NGO Forum has either observer or full member status on the Humanitarian Country Team (HCT), the Security Management Team (SMT), and all country based pooled fund Steering Committees.

In mid-2008 a Secretariat was established to facilitate the work of the Forum and Steering Committee. The Secretariat was funded by DFID, later ECHO and has been funded by SIDA and SDC to support coordination, information sharing and messaging for all NGOs in South Sudan. The Secretariat provides external stakeholders a first point of contact for inquiries on NGO activity. National and International NGO Steering Committees provide oversight of the operations of the Secretariat and Forum. The NNGO Steering Committees comprise 10 member organisations elected for 12 months by the NNGO membership at the NNGO AGM. The INGO Steering committee comprises 9 member organisations elected by the INGO membership to serve for 12 months at the INGO AGM. The Host Agency is a 10<sup>th</sup> member of the INGO Steering Committee.

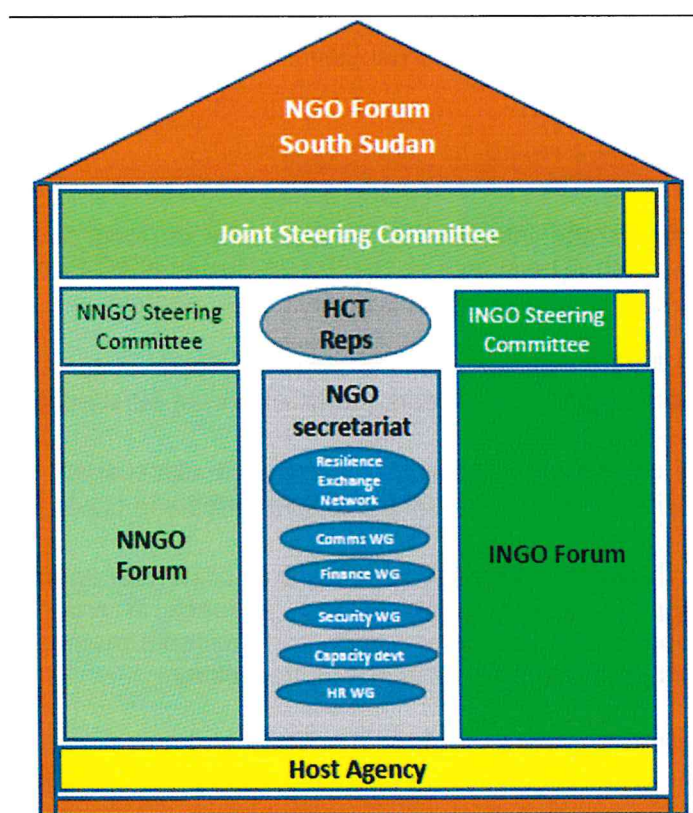
The NGO Forum does not have a distinct legal identity, it operates as a project of the Host Agency and is not registered with the RRC. The NGO Forum is currently hosted by Concern Worldwide. The opportunity to host the Forum is tendered at least every 4 years.

In 2010, the Forum established a fee-based membership system under these Statutes. In 2019, the NGO Forum had 116 registered INGO and 214 NNGO members whose active participation is crucial to the Forum's existence, structure and relevant activities.



## NGO Forum Structure

In its working architecture, the NGO Forum is comprised of two main constituencies (national NGOs and international NGOs). Each constituency has its own steering committee and these steering committees meet regularly as the Joint Steering Committee. Activities of the Forum are coordinated by the Forum Secretariat. There is a dedicated National NGO Focal Point in the Forum Secretariat, but all positions serve both the National and International NGO Groups. The Host Agency receives the funds for the Forum from the donors and is legally and financially accountable for the Forum through the Secretariat. The Forum functions under the procedures and policies of the host agency. The Host agency is a member of the INGO Steering Committee and the Joint Steering Committee.



## Mission Statement

The NGO Forum exists to facilitate networking of NGOs to effectively operate in South Sudan and to represent the interests of its members to government at all levels and the humanitarian system with the objective to save and improve lives.

## Approach

The NGO Forum provides a platform on which NGOs, the Government of the Republic of South Sudan (GRSS), the UN, donors, and other external stakeholders can exchange information, share

expertise and establish guidelines for a more networked, efficient and effective use of aid resources in South Sudan. The Secretariat primarily focuses on information sharing, advocacy for NGOs, networking, representation and communication around safety and wellbeing and capacity building of its members especially the National NGOs.

## Mandate

The NGO Forum is an independent body of national and international NGOs that serves and facilitates the work of its members to address the humanitarian and development needs in South Sudan. The NGO Forum members work in South Sudan to save and improve lives. All member organisations agree to provide humanitarian and/or development assistance to the South Sudanese people regardless of ethnic background, political affiliation or religious belief and to abide by the humanitarian principles of humanity first, independence, impartiality and neutrality. The Forum abides by these same principles. Member organisations are non-partisan, non-proselytizing and do not participate in military activities.

## Chapter 1: Name and Core Functions

This body is non-corporate and intended to function only as long as is needed to assist the South Sudanese people. It shall be known as the **South Sudan NGO Forum**. The Forum exists as a project of the host NGO and does not have a distinct legal identity.

The South Sudan NGO Forum exists primarily to serve the needs of its members and to act in their interest to save and improve lives. To this end, the NGO Forum pursues five aims:

**Aim 1: Information sharing:** to collect, analyse and disseminate relevant information on decisions and changes that affect the operations of its members in South Sudan

**Aim 2: Safety and Security:** security advising and crisis management through safety and security information sharing, analysis, advice and guidance in order to enhance situational awareness to inform operational decision-making; and incidents management and facilitation of evacuations of members' staff from field locations as necessary.

**Aim 3: Policy function:** to ensure that formal policies and guidelines support NGO operations and service delivery to the South Sudan population based on humanitarian and development principles through the representation and communication with national authorities and members of the international community and public messaging.

**Aim 4: External engagement:** to facilitate NGOs' delivery of humanitarian and development outcomes through joint working with members, authorities, donors (including donor capitals), UN agencies and observers and by representation of members at regional and international meetings/workshops as appropriate; to advocate for and represent members' interests in policy development and coordination with UN agencies and government; to advocate for members' interests to national, state and local governments

**Aim 5: Networking and Capacity Development:** Enhancement of NGOs profile and implementation capabilities for improved and effective delivery of humanitarian and development outcomes to the people of South Sudan.



## Chapter 2: Members and Membership

The NGO Forum is composed of national and international NGOs registered with the Government of the Republic of South Sudan and that have applied and are registered with NGO Forum that operates according to the provision of the Statutes of Operations.

### Membership

Member organisations meet the mandatory membership criteria, have applied for and have had their membership approved and continue to meet membership criteria during the duration of their membership.

Member International NGOs have the right to vote in the INGO Forum through regular Country Directors' Meetings and at the INGO Annual General Meeting.

Member National NGOs have the right to vote in the NNGO Forum through regular National NGO Meetings and an annual National NGO Forum.

Failure to pay membership fees, and/or participate in at least one Country Directors' meeting or National NGO meeting each year will result in a member status being withdrawn.

Each organisation will designate two individuals (normally the Country Director/Head of Mission and deputy; National Director and deputy) – one of whom will be expected to regularly attend the Country Director's meeting or the National NGO meeting.

### Observers

Recognising that certain NGOs and other humanitarian and development actors have sensitivities and mandate requirements that preclude them from membership of the NGO Forum, any organisation can apply to the Steering Committee to join the Forum as an observer. In order to become an observer member, organisations must supply a letter of justification along with their membership form.

Observers are subject to all the same membership fees, rights and responsibilities as regular members, but will not have voting rights. While observer members are welcome to attend any NGO Forum meeting, they bear responsibility for any public comment, question or statement raised by their representative in those meetings

### Criteria for all Membership

The Member is a nongovernmental, not-for-profit, non-partisan, non-political and non-proselytizing organisation (NGO), providing humanitarian or development assistance to the vulnerable populations in South Sudan. The international NGO member must be registered in the country of origin as an NGO (or similar organisation of public interest character) and with the Relief Rehabilitation Commission (RRC). National NGOs must also be registered with the RRC.

The member must:

1. have a full-time presence in South Sudan. If the NGO has a full-time presence in South Sudan

but not in Juba, this will be noted to facilitate proxy member voting.

2. complete the NGO Forum Registration Form, which includes a description of the NGO, including background, current projects, planned projects, funding sources, statutes of operation, and organisational structure. This is to be updated annually in January at the time of membership renewals and fee payments.
3. provide documentary evidence of registration with the RRC and comply with any other registration required by the GRSS.
4. pay membership fees, due within the first two months of each calendar year. Members who join the Forum at a midpoint of any calendar year will have the fee prorated for the remaining months of that year.

Prospective new member applications from INGOs will be reviewed by the INGO Steering Committee for approval by the INGO Country Directors' Meeting and applications from NNGOs will be reviewed by the NNGO Steering Committee for approval by the National Directors' Meeting. A representative of the prospective NGO must attend the appropriate Forum meeting to provide a brief presentation of the applying organisation and answer questions that may arise from the members.

Member organisations are subject to the laws of South Sudan and projects should not contravene the South Sudan Constitution.

### Application Procedures

1. Prospective members must submit a written application in the most recent version of the standard NGO Forum Registration form, which can be obtained online, or from the NGO Forum Secretariat office.
2. The application must be submitted to the NGO Forum Secretariat Office. 'The application will be completed/updated annually by each member organisation and should be submitted in electronic copy. The electronic version should be emailed to: [support@southsudanngoforum.org](mailto:support@southsudanngoforum.org) and/or [nngo-info@southsudanngoforum.org](mailto:nngo-info@southsudanngoforum.org).
3. The application will be vetted by the Secretariat to ensure that it is properly and fully completed and that NGO Forum membership criteria are met. Applicants with incomplete applications will be informed by the Secretariat.
4. NGOs satisfying the application requirements will be put forward to the respective Steering Committee for review. These will then be passed to the INGO Country Directors' Group or National NGO Forum to be approved by a simple two-thirds (2/3) majority of members in attendance, with a quorum of no less than 20 members.
5. The decision of acceptance or rejection will be communicated in writing to the applicant's organisation by the NGO Secretariat.
6. The accepted NGO will then make payment to the Secretariat of the membership fee according to the current fee scale. A member, once accepted, has two months in which to make payment before the application expires. All members are expected to make the full membership fee payment. Should an NGO be unable to make the payment they may submit a letter of explanation to the respective Steering Committee detailing the reasons why the NGO requests deferment to a specified date, or suggest a payment plan. The Steering Committee retains the right to accept or reject the request.
7. Applications will be received from 15 December to 30 March and from 15 May to 31 July each year



## Discontinuation of Membership

Membership of the NGO Forum will be discontinued if:

1. A member organisation ceases operation in South Sudan;
2. A member organisation has not paid its membership fee within two months of being accepted as a member or within three months of annual renewal of its membership;
3. A member organisation formally notifies the NGO Forum Secretariat of its intention to withdraw;
4. A recommendation by the Steering Committee to the INGO Forum or NNGO Forum that the member's activities are not in line with the Statutes of Operation or are detrimental to the overall efforts of the NGO Forum which is supported by a simple two-thirds (2/3) majority of members in attendance at a meeting of INGO Country Directors' Group or National NGO Forum, with a quorum of no less than 20 members.
5. The member organisation no longer meets membership criteria.

## Use of Membership Information

The NGO Secretariat and Steering Committees retain the right to use information submitted through the NGO Forum application process to further the aims of the NGO Forum and its individual members. This may include sharing information with external stakeholders including, but not limited to the GRSS, donors, and the UN within the following parameters:

Information that may be shared without consulting member organisations:

1. Information will be shared with other stakeholders only when the information is aggregated and not related to a specific NGO (i.e. to answer, how many NGOs are in the Forum? How many NGOs are working in food security, etc.);
2. Information will be shared with other stakeholders as to whether a specific NGO is a member of the Forum; Contact details of INGO Country Directors and NNGO Directors will be considered public and shared with external stakeholders upon request.
3. Requests for specific details about an NGO and/or their programming, funding, etc. will not be shared without consulting member organisations. Members in the NGO Forum recognise the value of increased transparency and mutual accountability through one networking body as one of the benefits of the NGO Forum.

## Chapter 3: Rights and Duties of Members

Each member has the right to ask the NGO Forum for advice and assistance in matters concerning relief and development activities, security and advocacy issues. Members are entitled to the services outlined in the Scope of Services which is reviewed annually by both Steering Committees.

Any member has the right to put forward comments to the NGO Forum on matters concerning activities, development and management of the NGO Forum.

Each member organisation will have one vote in the NGO Forum meetings.

## Chapter 4: NGO Forum Steering Committees

The NGO Forum shall have three Steering Committees. These committees are voluntary posts and members will receive no compensation for their services:

### INGO Steering Committee

1. The INGO Steering Committee shall comprise nine members elected annually by the INGO Forum AGM. The Country Director of the Host Agency will be a tenth unelected member of the Steering Committee.
2. Members shall serve from 01 January to 31 December of each year.
3. The INGO Steering Committee shall have a Chair and Deputy Chair (excluding the CD of the Host Agency) elected by the Steering Committee who will serve for 12 months of their elected year.

### NNGO Steering Committee

4. The NNGO Steering Committee shall be comprised of 10 members, annually elected by the National NGO Forum.
5. Members shall serve from 01 January to 31 December of each year.
6. The NNGO Steering Committee shall have a Chair and Deputy Chair elected by the Steering Committee who will serve for 12 months of their elected year.

### Joint Steering Committee

7. The elected representatives of the INGO Steering Committee and NNGO Steering Committee constitute a Joint Steering Committee co-chaired by the chair of the NNGO and the chair of the INGO steering committees.

The INGO and NNGO Steering Committees shall be elected annually, normally in November; either at the Annual INGO General Meeting or the Annual NNGO General Meeting (see Chapter 11) to serve in the coming calendar year.

When a Country Director or Executive Director leaves the organisation or South Sudan, the CD's or ND's successor will replace him/her without election. In the case of a vacancy on either Steering Committee because the elected member organisation is no longer a member of the Forum, an election will be held at the next monthly INGO or NNGO Forum meeting.

The Secretariat Director or Deputy will attend the Steering Committee meetings. The Chair of the Steering Committee may require the secretariat staff to leave the meeting when issues relating to Secretariat staff are discussed.

## Roles of the Steering Committees

The role of the Steering Committees is to provide leadership on strategy and policy, by ensuring principled organisational buy-in, commitment from member agencies, external influence and oversight of the Secretariat Director. The Steering Committees may delegate authority to a sub-committee or working group comprised of one or more members of the committee. Any such sub-committee shall have the full power and authority of the Steering Committee, subject to the terms of the particular Committee's delegated authority.



## Specific Responsibilities of the Steering Committees

The Steering Committees have the following set of defined responsibilities:

### INGO and NNGO Steering Committees joint and shared responsibilities

1. Ensure that the NGO Forum maintains its integrity, stays true to its mission and mandate, and realizes its strategic objectives.
2. Gather and represent the interests of the Forum members to the Secretariat.
3. Support the development of technical standards for members where needed and appropriate.
4. Facilitate coordination and harmonisation of technical initiatives.
5. Contribute resources and expertise to the development of content of NGO Forum training modules
6. Peer review NGO Forum products developed by the Secretariat.
7. Encourage members' compliance with best practices and ways of working in delivering humanitarian and development assistance.
8. Support NGO Forum communications strategic messaging and roll out, ensuring harmonization of messages between members.
9. Represent the NGO Forum at international, regional and national levels including within their own organisations.
10. Oversee and review the hosting agreement with the NGO Forum's host agency once every year; voice and elaborate any concerns and improvements for the host agency
11. Annually review the continuation of the host agency
12. Ensure the financial integrity of NGO Forum and approve annually the financial statement of the Secretariat
13. Supervise the Secretariat's Director and approve the Secretariat Director's international travel

### Responsibilities of the INGO Steering Committee Chair

The INGO Steering Committee Chair shall be elected by the members of the INGO steering committee. The Chairperson shall be responsible for:

1. NGO Forum Leadership: Preside at all meetings of the Steering Committee, INGO Forum meetings, and the AGM as well as special meetings of the NGO Forum; assist the Secretariat Director in preparation of the above meetings' agendas; call for special meetings of the Steering Committee; follow up with the Secretariat Director on implementation of Steering Committee decisions.
2. NGO Forum Representation: Represent the NGO Forum at special functions and meetings; represent the NGO Forum to the GRSS, UN, donors, inter-governmental agencies, organisations that represent the South Sudanese people and refugees in South Sudan and other parties with which the NGO Forum engages.
3. Ensure NGO Forum Authority & Representation at key meetings and committees
4. NGO Forum Secretariat Supervision:
  - a. Directly supervise and provide advice to the Secretariat Director on professional duties undertaken.
  - b. maintain an overview of Secretariat processes and seek member feedback and input on maintaining an effective and responsive Secretariat
  - c. With the agreement of the Host Agency, sign all binding documents of the NGO

Forum which have been approved by the Steering Committee.

5. With the chair of NNGO steering committee conduct the Secretariat Director's annual performance evaluation process
6. Maintain an overview of Secretariat processes and seek members' feedback and input on maintaining an effective and responsive Secretariat
7. With the Chair of the NNGO Steering committee and the Host Agency, oversee the recruitment processes of a new Secretariat Director when necessary.

### Responsibilities of the INGO Steering Committee Deputy Chair

The Deputy Chair shall:

1. Deputise for the Steering Committee Chair as required. If the Chair should vacate the office before the end of his/her term, the Deputy Chair will hold the position of Chair until the Steering Committee elects a new Chair.

### Responsibilities of the NNGO Committee Chair

The NNGO Steering Committee Chair shall be responsible for:

1. National NGO Forum Leadership: Preside at all meetings of the National Directors' Steering Committee, NNGO meetings, and the Annual General Meeting of the NNGO Forum as well as special meetings of the NGO Forum; assist the NNGO Focal Point in preparing relevant meeting agendas; call for special meetings of the Steering Committee; follow up with the NNGO Focal Point on implementation of Steering Committee decisions.
2. NNGO Forum Representation: Represent the NNGO Forum at special functions and meetings; represent the NNGO Forum to the GRSS, UN, donors, inter-governmental agencies, organisations that represent the South Sudanese people and refugees in South Sudan and other parties with which the NNGO Forum engages.
3. NGO Forum Authority & Representation: With the Host agency, sign all binding documents of the NGO Forum which have been approved by the Steering Committee.
4. NGO Forum Secretariat Supervision: supervise and provide advice to the Secretariat Director on duties undertaken.
5. With the chair of INGO steering committee conduct the Secretariat Director's annual performance evaluation process
6. Maintain an overview of Secretariat processes and seek members' feedback and input on maintaining an effective and responsive Secretariat
7. With the Chair of the INGO Steering committee and the Host Agency, oversee the recruitment processes of a new Secretariat Director when necessary.

### Responsibilities of the NNGO Steering Committee Deputy Chair

In addition the NNGO Steering Committee Deputy Chair shall:

1. Deputise for the Steering Committee Chair as required. If the Chairperson should vacate the office before the end of his/her term, the Deputy Chairperson will hold the position of Chairperson until the Steering Committee elects a new Chairperson



## Conduct of the Steering Committees

In Steering Committee business, each member has one vote. In case of a tie, the vote of the Chairperson will be decisive.

On behalf of the NGO Forum, Steering Committee members shall maintain good, ongoing, constructive relationships with government ministries, departments and commissions, UN agencies, donors, other NGOs and any other relevant bodies as a means to strengthen representation and collaboration.

Steering Committee members are required to represent the view of the NGO Forum in policy and discussions and are obliged to ensure the efficient flow of information to Forum members and other stakeholders. Steering Committee members are required to declare, or recuse themselves from discussions or decisions on external oversight bodies in which their own organisation has a financial or reputational stake. Steering Committee members are required to attend and represent the Forum when attending meetings as Steering Committee members and not their individual organisations. Steering Committee members commit to share all relevant information received as a Steering Committee member with the Steering Committee and the Forum Secretariat to ensure that all member benefit from the same information.

The Steering Committee has the right to establish working groups to deal with specific issues where there is a demand and to dissolve these working groups upon completion of their tasks.

## Responsibility of Joint Steering committee

The Joint Steering Committee shall be responsible for the general guidance of the NGO Forum and shall represent it when necessary. The Joint Steering Committee is co-chaired by the Chair of the INGO Steering Committee and the NNGO Steering Committee. The Joint Steering Committee will normally meet once every two months.

1. Approval of the Forum's Annual Plan and Strategic Plan
2. Overall programmatic supervision of the Forum Secretariat
3. Make recommendations to the INGO CD Group and National ND Group for improvement of Secretariat structure, funding, critical issues, strategic plans
4. Receive and approve an updated financial report from the host agency in each of its regular meetings
5. Receive and approved the audited accounts
6. Ensure the financial integrity of NGO Forum and support the NGO Forum in acquiring the necessary resources to accomplish its objectives
7. Facilitate and participate in strategic planning, programme development and fundraising to benefit the NGO Forum and ensure that programmatic and financial demands are met;
8. Enhance INGO/NNGO collaboration and effective networking
9. Establish and carry out an effective system of governance.
10. Establish, approve and ensure compliance with the NGO Forum's Statutes of Operations
11. Define and support the definition of Forum's annual priorities.
12. Representation and lobbying on wider NGO concerns that affect both national and international NGOs

13. The two Chairs, with the Host Agency, recruit, supervise and evaluate the Secretariat's Director. If required, recommend to the host organisation the suspension or termination of the Director's contract
14. The Joint Steering Committee should commission an external evaluation of the NGO Secretariat function at least once every two years.

In the Joint Steering Committee business, each member has one vote. In case of a tie, the vote of the INGO Chairperson will be decisive.

The Joint Steering Committee and/or Steering Committee Chairs, Deputy Chairs, or Secretariat Director are authorised to make public statements regarding critical issues or commitments (written or oral) on behalf of the NGO Forum. When these statements are made, they will then be circulated to the Steering Committees and/or members. Should public statements be required by the NGO Forum that are not covered by guiding documents, they must be approved by a simple majority in the Joint Steering Committee in advance.

### Termination of membership of Joint Steering Committee

A member of the Steering Committee will resign when:

1. the membership of the organisation in the NGO Forum is terminated;
2. the organisation has failed to attend at least 50% of the meetings in a quarter (Steering committee meetings, CD Meeting, Joint Steering Committee meetings);
3. it is decided at a meeting of the Country Directors or National Directors by simple majority vote with a quorum of at least 20 members that the organisation has not acted in the interests of the members of the Forum;

### Meetings

The INGO and the NNGO Steering Committees normally meets twice each month. The Chairperson or any three members of the Steering Committee reserve the right to call additional meetings. The quorum for a Steering Committee is 5 or more members.

A Joint Steering Committee shall meet at least six times per year. The quorum will be at least 5 members of the INGO Steering Committee and at least 5 members of the NNGO Steering Committee. The meeting will be co-chaired by the Chairs of the NNGO and INGO Steering Committees.

Agendas and minutes of INGO, NNGO and Joint Steering Committee meetings will be taken and distributed by the Secretariat Director, or delegated to Steering Committee members. Steering Committee meeting minutes are available to any Forum member upon request.

## Chapter 5: The NGO Forum Secretariat

The purpose of the NGO Forum Secretariat is to deliver the mandate of the Forum. The NGO Secretariat function is 'hosted' by a member NGO which provides for the operational (legal, logistical, financial, human resource support and administrative) needs of the NGO Secretariat.



The NGO Forum Secretariat shall not make any decision that increases the host NGO's reputational, financial or legal risk of liability, without the host NGO's prior knowledge and written agreement. The terms of arrangement with the host NGO will be defined in an operational agreement that is developed between the Secretariat Director and the host NGO and approved by the Joint Steering Committee. The host NGO is entitled to be recompensed for the operational management of the Secretariat by allocation of a percentage of the overall NGO Forum budget as determined by the Joint Steering Committee.

The NGO Forum Secretariat including the Secretariat Director is composed of the senior salaried staff of the Forum and the staff employed on consultancy contracts. The Steering Committee shall employ a full-time Secretariat Director who will manage the day-to-day activities of the Secretariat according to the Statutes of Operation. He/she is responsible for all staffing within the Forum.

The Secretariat is dedicated to supporting the operations of NGO Forum to deliver its mission and objectives. The Secretariat provides guidance and technical leadership in the provision of services to the members. The secretariat engages with relevant stakeholders including donors and government authorities to represent members' interests. The Secretariat ensures coordination and harmonisation of initiatives, the maintenance of high technical standards and field linkages where possible and appropriate.

The activities of Secretariat staff shall be governed by job descriptions as prepared by the Secretariat Director and approved by the INGO and NNGO Steering Committees.

The Secretariat Director or delegate attends all INGO and NNGO Steering Committee Meetings without voting rights. The National NGO Focal Point or delegate attends all NNGO Steering Committee Meetings without voting rights.

The Chair of the INGO steering committee or the NNGO steering committee may ask secretariat staff to leave the meeting when issues relating to secretariat staff are to be discussed.

The Joint Steering Committee invests authority in the Secretariat Director to take responsibility for all operational aspects of the Secretariat office. The day-to-day operations are delegated to the Secretariat Director.

The annual Work Plan and Budget should be prepared by the Secretariat Director in time for the Joint Steering Committee annual planning.

## Specific Responsibilities of the Secretariat

The NGO Forum Secretariat:

1. Is responsible for the implementation of the overall strategy and work plan for the NGO Forum agreed by the Steering Committees and the Host Agency.
2. Represents the NGO Forum to the donors, Heads of Mission, Government and other relevant stakeholders.
3. Mobilises resources from donors and other stakeholders to support the functions of the NGO Forum.
4. Attends and participates in Steering Committees' meetings and the Forum's meetings.
5. Ensures that technical tasks and services to members are attended to and delivered.

6. Manages the process for renewal of membership of the Forum for new members and members renewing their membership
7. Organizes membership events, as well as ad-hoc face-to-face meetings.
8. Supports the Steering Committees by organizing meetings of the Steering Committees, Working Groups, Security Advisors, Country Directors and AGMs
9. Provides direction, facilitation, and funding (where possible) to support work on identified technical themes.
10. Liaises with donors, Heads of Mission and UN and relevant government authorities on issues affecting the work and operations of NGOs.
11. Represent the NGO Forum at relevant meetings nationally, regionally and internationally as needed and engages external resources to support the technical facilitation of the NGO Forum technical team.
12. Engage in WGs established by the NGO Forum
13. Carries out any function that may be asked of it by the SCs.
14. Day to day management of secretariat staff
15. Management of the Forum Budget, to complete objectives within agreed budget
16. Foster collaboration between NNGO and INGO members
17. The Secretariat Director should provide regular updates on the Secretariat's activities to the Steering Committees.

### Specific Responsibilities of the Host INGO

1. Holds legal responsibility for NGO Forum Secretariat
2. To receive funds from donors on behalf of the NGO Forum and manage the funds and advises the NGO Forum on donor rules, regulations and conditions with respect to submission of proposals and implementation of contracts
3. Responsible for all formal communications with the donors for the NGO Forum projects
4. Submits concept notes, proposals and reports to the donors.
5. To issue contracts to all national NGO Forum employees
6. To issue consultancy contracts to all international members of the NGO Forum secretariat
7. Provide finance, logistical and HR support to the NGO Forum Secretariat in the delivery of NGO Forum objectives and priorities

## Chapter 6: Finances

The fiscal year of the NGO Forum is from the 1<sup>st</sup> January to the 31<sup>st</sup> December. However, funding through donor agreements will dictate audit times, based on the particular funding cycles. Membership fees are paid on a calendar year basis, by the end of February each year.

During the fiscal year no revision may be made in the current year's budget without prior approval by the Joint Steering Committee. Within the budget, however, savings to one expenditure component may be transferred to any other budget line provided this is in accordance with donor regulations and endorsed by the Host Agency and the Steering Committee.

If the transfer of savings in certain budget line would augment or decrease any other budgeted expenditure component by more than 15%, prior approval must be obtained from the Joint Steering Committee.



The expenses of the NGO Secretariat shall be financed from yearly membership fees and/or from other funding sources. The Joint Steering Committee will propose the minimum required membership fees and will present this amount for approval at the INGO and NNGO Forum AGMs.

The Secretariat Director and the Joint Steering Committee are responsible for soliciting funds from as wide a base of donors as possible and to ensure neutrality of the organisation. The Chairperson and/or Deputy Chairperson of the INGO and NNGO Steering Committees are expected to be in close contact with donors and advocate for NGO Forum Secretariat funding.

The NGO Forum Secretariat shall work with the host organisation to provide regular financial reports, to meet budget requirements and cash accounting with copies being distributed to the Steering Committees by the Secretariat Director.

## Chapter 7: Working Groups

The purpose of working groups is to more fully inform the work of the NGO Forum and Steering Committee. Working groups should be formed in accordance with current NGO Forum objectives.

Working groups may be established by any group of members after consulting the Secretariat Director and shall be open to all members. The Secretariat Director should confer with the Joint Steering Committee on the establishment of new groups, or closure of existing groups.

Each working group will complete a Terms of Reference which will be submitted to the INGO or NNGO Steering Committee following the first working group meeting. Included will be meeting frequency and identified regular reporting mechanism to the appropriate Steering Committee.

Non-NGO Forum Members may attend working groups on pre-approved invitation only.

Whenever possible, the Secretariat Director, or delegate, will attend each working group to ensure/facilitate regular feedback.

## Chapter 8: Other Coordination Mechanisms/Groups

Any number of other coordination meetings will take place in South Sudan be they geographically focused (NGO state coordination, etc.); topically focused (sector/cluster working groups; Health Forum; etc.); or led by external stakeholders (UN OCHA EP&R meeting etc.). Members in the NGO Forum are welcome to attend, lead and form other coordination groups.

However, no other coordination body than those stated in these Statutes will be led or facilitated by the Steering Committee, or the Secretariat, without the express permission of the Joint Steering Committee.

Other coordination groups should refrain from identifying themselves with the South Sudan NGO Forum unless they are explicitly mentioned in these Statutes or have the express approval of the Joint Steering Committee.

## Chapter 9: INGO Forum / NNGO Forum, Meetings, and Annual Forums

The INGO and NNGO Forum Directors' meetings are the governing bodies of the NGO Forum.

### INGO Forum Directors' meeting

INGO Country Directors' Meetings are held monthly and open to all Country Directors of international NGOs. It is a closed meeting restricted to membership alone, however representatives of non-NGO Forum members, GRSS, or the international community may be invited. No members from the press are permitted and questions from external stakeholders should be directed to either the Steering Committee Chair or Secretariat Director and not fielded by member organisations individually.

Any member of the INGO Forum may request an extraordinary meeting to the Steering Committee Chair. The request must be submitted in writing at least a week in advance of the expected extraordinary meeting, and must be endorsed by at least 20 other members.

Each member of the INGO Forum is expected to send one representative to the regular monthly meeting and to have one representative at the AGM. Representatives sent to the INGO Forum meetings should be the Country Director or equivalent or his/her deputy. All representatives must be employees of the member organisation. Only one representative is vested with voting rights in each meeting.

Each member organisation is required to sign the attendance sheet at each meeting of the INGO Forum.

The minutes from each INGO Forum meeting will be taken by the Secretariat Director, or delegate, and circulated within one week of each meeting. The agenda for each INGO Forum meeting will be determined by the Steering Committee and circulated at least two days prior to the INGO Forum meeting.

All meetings are conducted according to the generally accepted rules of order.

All meetings, and written communications, related to the NGO Forum will be in English.

### Voting

While most decisions are taken by consensus, should an issue require a vote this will be conducted at the request of the Steering Committee Chair and done through a simple count and raising of hands. The Secretariat Director will tabulate the number and divide by those present to determine if a two-thirds majority has been reached. An organization has only one vote irrespective of the number of its employees present in a meeting.

Any member is able to raise an issue to the Steering Committee Chair and request that it be voted upon.

Any member may request that a vote be conducted by secret ballot by alerting the Steering



Committee Chair to the issue in advance of the INGO Forum meeting. The Secretariat Director shall be responsible for managing the ballot process.

Proxy voting is not permitted unless agreed beforehand by the Steering Committee (i.e. an NGO does not maintain a presence in Juba and is unable to travel to Juba to vote).

### Annual General Meeting

While regular INGO Forum meetings take place monthly the AGM is held instead of the monthly meeting on an annual basis (normally in the 4<sup>th</sup> Quarter). This meeting will include special items and presentations including, but not limited to:

1. A report on NGO Forum activities from the previous year as prepared by the Secretariat Director;
2. A presentation of the accounts of the Forum
3. Information on NGO Forum strategic plans, priorities and budget for the coming year;
4. Election of the Steering Committee;

### Steering Committee Election

The INGO Steering Committee is comprised of 9 elected member INGOs and the Host Agency. There are two officers, the Chair and Deputy Chair.

Member NGOs will be asked for self-nominations to the Steering Committee one month in advance of the election at the AGM. Those nominated organisations will then be asked to prepare a three-minute presentation to be made at the AGM.

If the organisation nominated is a current member of the Steering Committee, the Secretariat Director will provide details of meeting attendance in their previous term.

The INGO Forum will elect the Steering Committee at the AGM. The NGO Secretariat has overall responsibility for the election process as follows:

1. The names of all nominees will be emailed to the membership prior to the AGM. Should less than 12 organisations, including the Host Agency, self-nominate, the Steering Committee will determine whether the size of the Steering Committee should be reduced or if additional organisations should be approached for nomination;
2. Each member organisation may submit their votes online (if the organisation is not based in Juba) or at the AGM;
3. Each member organisation may select 9 NGOs from the list
4. The ballots will then be submitted to the Secretariat Director who will tabulate the number of votes received by each nominated organisation.
5. The organisation with the most votes will be on the Steering Committee and so on in descending order of votes until the 9 spaces are filled plus the Host Agency.
6. In the event of a tie for the final seat, a ballot will be conducted between those members who have tied.

### NNGO Forum

NNGO Forum meetings are held monthly and open to all Directors of National NGOs, and members of the Secretariat. It is a closed meeting restricted to membership, however representatives of non-

NGO Forum members, GRSS, or the international community may be invited. No members from the press are permitted and questions from external stakeholders, should be directed to either the Steering Committee Chair or Secretariat Director and not fielded by individual member organisations.

Any member of the NNGO Forum may request an extraordinary meeting to the Steering Committee Chair. The request must be in writing, must be submitted at least a week in advance of the expected special meeting, and must be endorsed by at least 20 other members. Each member of the NNGO Forum is expected to send one representative to the regular monthly meeting and the NNGO Annual General Meeting. If there is a vote only one representative is vested with voting rights.

Representatives sent to the NNGO meetings must be the National Director or equivalent or his/her deputy. All representatives must be employees of the member organisation.

Each member organisation is required to sign the attendance sheet at each NNGO Forum meeting.

The minutes from each NNGO meeting will be taken by the NNGO Focal Point, or delegate, and circulated within one week of each meeting. The agenda for each NNGO meeting will be determined by the National Directors' Steering Committee and circulated at least two days prior to the NNGO meeting.

All meetings are conducted according to the generally accepted rules of order.

All meetings, and written communications, related to the NGO Forum will be in English.

## Voting

While most decision are taken by consensus, should an issue require a vote this will be conducted at the request of the Steering Committee Chair and done through a simple count and raising of hands. The Secretariat Director will tabulate the number and divide by those present to determine if a two-thirds majority has been reached. An organization has only one vote irrespective of the number of its employees present in a meeting.

Any member is able to raise an issue to the Steering Committee Chair and request that it be voted upon.

Any member may request that a vote be conducted by secret ballot by alerting the Steering Committee Chair to the issue in advance of the NGO Forum meeting. The Secretariat Director shall be responsible for managing the ballot process.

Proxy voting is not permitted unless agreed beforehand by the Steering Committee (i.e. an NGO does not maintain a presence in Juba and is unable to travel to Juba to vote).

## National NGO Annual General Meeting

While regular NNGO meetings take place monthly the NNGO Annual General Meeting is held instead of the monthly meeting on an annual basis (normally in October). This Forum will include special items and presentations including, but not limited to:

1. A report on NGO Forum activities from the previous year as prepared by the Secretariat Director;



2. A presentation of the accounts of the Forum
3. Election of the Steering Committee;
4. Information on NGO Forum strategic plans, priorities and budget for the coming year;
5. Information on NGO Secretariat structure.

### Steering Committee Election

The NNGO Steering Committee is comprised of 10 NNGOs. There are two officers, the Chair and Deputy Chair.

Member NGOs will be asked for self-nominations to the Steering Committee one month in advance of the election at the NNGO Annual General Meeting. The nominated organisations will be asked to prepare a three-minute presentation to be made at the AGM.

If the organisation nominated is a current member of the Steering Committee organisation, the NNGO Focal Point will provide details of meeting attendance in their previous term.

The NNGO Forum will elect the Steering Committee at the NNGO Annual General Meeting (usually held in the 4<sup>th</sup> quarter). The NGO Secretariat has overall responsibility for the election process as follows:

1. The names of all nominees will be emailed to the membership prior to the NNGO Annual General Meeting. Should less than 12 organisations self-nominate, the Steering Committee will hold an extraordinary meeting to determine whether the size of the Steering Committee should be reduced or if additional organisations should be approached for nomination;
2. Member organisation that do not have an office in Juba and cannot attend the AGM may submit their votes by email to the Chair of the Steering Committee and Secretariat Director;
3. The NNGO Focal Point will bring election forms to the NNGO Annual General Meeting to facilitate organisations with limited internet connectivity;
4. Each member organisation may select 10 NGOs from the list;
5. The ballots (emailed or paper) will then be submitted to the NNGO Focal Point, who will tabulate the number of votes received by each nominated organisation.
6. The organisation with the most votes will be on the Steering Committee and so on in descending order of votes until the 10 spaces are filled.

## Chapter 10: Adoption and Effect Date of these Statutes of Operation

The Statutes of Operation will be approved by the Joint Steering Committee and be presented to the INGO Forum and NNGO Forum meetings for approval by a 2/3 majority of not less than 20 members. A "no objection" response from the members will be considered a vote of endorsement of the Statutes.

These Statutes of Operation take precedence over all past decisions and modalities utilised by the NGO Forum.

## Chapter 11: Changes to the Statutes of Operation and Liquidation

Changes to the Statutes of Operation can be made by a two-thirds majority vote of the membership of the INGO and NNGO Forum. A response of "no objection" shall be considered a vote of endorsement of the Statutes.

If NGO Forum is dissolved, or liquidated for any reason whatsoever, the Joint Steering Committee will determine how the funds of the NGO Forum will be liquidated in line with any NGO legislation that exists, donor regulations, and in coordination with the NGO providing operational host support to the Secretariat.

In order to dissolve the NGO Forum as an entity, a two-thirds majority vote at two consecutive INGO Forum and National Directors' meetings is required, of which the second will be extraordinary and must take place not later than two weeks after the first meeting.

Recommended by the NGO Forum Joint Steering Committee on \_\_\_\_\_

Approved by the INGO Forum on

Chair of INGO Steering Committee

Signature

Alexander Davey  
20/4/20

Approved by the National NGO Forum on

Chair of NNGO Steering Committee

Signature

Riyah Manyok  
21/4/2020

Juba, South Sudan

Approved by the Host Agency of the NGO Forum on 21/4/2020

Country Director of the Host Agency

Signature

Aine Fan

Juba, South Sudan