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**THE PEOPLE'S FREEDOM MOVEMENT**

Party Constitution



# **THE PEOPLE'S FREEDOM MOVEMENT**

**PFM**

**THE PARTY CONSTITUTION**

*18TH DECEMBER 2021*

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### **Article 1: Name**

There shall be a political Party called, addressed, and known as **THE PEOPLE'S FREEDOM MOVEMENT (PFM)**, hereinafter referred to as “**the Party**” and its acronym shall be **PFM**.

### **Article 2: Motto**

The Motto of the Party shall be **United, we can.**

### **Article 3: Emblem**

The Emblem of the Party shall be the broken hand chains.

### **Article 4: Party Flag**

The flag of the People's Freedom Movement, PFM shall be Black, White, and Red

- Black standing for the people of this great nation — South Sudan — and indeed all people of African origin.
- White means our endless quest for peace.
- Red symbolizes the people's blood and sacrifices that cemented the cause of our struggle.
- The Yellow in the emblem represents our genuine love for our country.

### **Article 5: Slogan**

Freedom to the people, Freedom for all. Huriya le shabia, Huria le Jemi

### **Article 6: Core Values And Guiding Principles**

We, the members of the People's Freedom Movement, PFM, stand united in our mission to champion the rights and freedom of all individuals. We believe in the inherent dignity and equality of every person, and we strive to create a society where these principles are upheld and respected.

#### ***i. Freedom***

The People's Freedom Movement, PFM believes in freedom of speech, expression, movement and where every individual has the right to themselves without fear of reprisal or censorship.

#### ***ii. Equality:***



To advocate for equality in all aspects of life, regardless of gender, race, religion, ethnicity, or social status where everyone shall have equal opportunities to thrive and succeed.

**iii. Justice:**

To stand for a just and fair society where the rule of law is upheld, and justice is accessible and equally served to all anywhere, anytime and at all costs. The PFM shall strive to eradicate corruption and ensure accountability at all levels of government.

**iv. Empowerment:**

To empower South Sudanese and all individuals at levels to take control over their lives and resources, and to make a positive change in their communities. Education, Healthcare, Economic Opportunity, and Prosperity shall be readily made available and accessible.

**v. Solidarity:**

The PFM shall be driven by the power of Unity and Solidarity. To stand together to effect meaningful change and create a better future for all. The PFM shall work tirelessly towards the realization of these values and principles. The PFM shall not rest until every person is able to live a life of dignity, freedom, and equal opportunities.

**Article 7: Goal**

To build a secular society where all the rights and freedom of individuals are respected and upheld.

**Article 8: Supremacy Of The Constitution**

Without prejudice to the provisions of the Transitional Constitution of the Republic of South Sudan, 2011 (amended) or any other law for the time being in the Republic of South Sudan, the provisions of this constitution shall be supreme over any other rule and or regulations of the Party.

**Article 9: Secretariat**

The registered office of the Party shall be located at Juba, the Republic of South Sudan capital.



### **Article 10: The Character Of The Party**

- i. The Party shall be a non-tribal, non-religious and non-sexist democratic organization.
- ii. The Party shall contest all elections, drawing its support from all sections of the society.
- iii. The Party policies and programs shall be determined by its membership to which its leadership shall be accountable.
- iv. The Party shall support the upliftment and emancipation of women and youth and encouraging their representation at all levels of government.
- v. The Party shall recognize and respect the linguistic, cultural, and religious diversity of its members.
- vi. The Party shall observe and respect the principle of freedom of expression and cross- circulation of transmission of ideas and information.

### **Article 11: Aims And Objectives**

The aims and objectives of the Party shall be as follows:

- i. To create a new and shining vision and example for the people of the Republic of South Sudan.
- ii. To promote unity, peaceful co-existence and political stability among communities and the people of the Republic of South Sudan.
- iii. To promote the struggle for the protection of rights of women and children.
- iv. To respect the fundamental human rights of all and diverse.
- v. To promote constitutional democracy, rule of law, fiscal federalism, and principle of separation of power.
- vi. To sponsor eligible candidates and canvass for votes for election into elective offices in all tiers of government.
- vii. To attain political power through legitimate, democratic, and constitutional means for the purpose of establishing a government that will be based on Legitimacy, Direction, Performance, Fairness, and Accountability.



- viii. To cooperate and liaise with any other political party or other organizations whose aims and objectives are in conformity with those of the Party and the Transitional Constitution of the Republic of South Sudan, 2011 (amended).
- ix. To evolve, develop a practical economic policy that will ensure the steady growth of the country in terms of human capital, trade, production, distribution, and exchange.
- x. To cooperate with member nations in promoting the goals of East African Community, African Union (AU), the United Nations as well as other regional and international bodies that are in the best interest of South Sudan and the African Continent.

## **Article 12: Membership**

Membership of the Party shall be open to all South Sudanese who are of the majority age (18 years of age), not taking into consideration sex, ethnicity, religion, cultural affiliation, social or economic status. To become eligible for membership of the Party, a person shall accept the principle of the Party and undertake to abide by its constitution.

### **1. Membership Admission:**

- i. Any intending member shall register at his District of origin or where he/ she resides.
- ii. Any intending member shall pay the prescribed registration fee and other dues.

### **2. Termination of Membership:**

Membership of the Party shall be terminated on the following conditions:

- i. Where a member becomes incapacitated due sickness, or upon his death;
- ii. Where a member voluntarily resigns from the Party,
- iii. Where a member joins another party, and
- iv. Grievous misconduct involving Fraud, and or overstepping Party rules and regulations.



## **Article 13: Rights And Obligations Of Members**

### **1. Rights**

A Party Member shall have the right to:

- i. Actively participate in all constructive discussions, activities, policy formulation, and implementation of the Party programs, provided he/ she is a financial member and without prejudice to any qualification, rules, and guidelines of this constitution.
- ii. Vote and be voted for into any office or Party position in any election. This is subject to any qualification, rules, and guidelines of this constitution.
- iii. Annually renew his/ her membership upon payment of prescribed subscription fees and other dues as may be required.
- iv. Be accorded due recognition.

### **2. Obligations**

A Party member shall fulfil the under listed conditions:

- i. Accept to comply with the provisions of the Party constitution as well as the policies, and tenets of the Party.
- ii. Accept to comply with all lawful rules, regulation, restrictions, directives, and decisions of the Party.
- iii. Accept to promote the aims and objectives of the Party, exhibit loyalty, and support to the Party's tenets and never to pursue any cause that may be harmful, or hostile to the general interest of the Party.

## **Article 14: Organizational Structures**

The Party shall operate at the following levels:

- i. National government: The top level consisting of the President, Cabinet, and central Ministries.
- ii. Provinces: There shall be 22 provinces including Abyei, and Boma acting as coordinators of government programs and overseen by a governor elected by the people.



- iii. Districts: There shall be 114 districts intended to serve as engines for service delivery, economic development and prosperity, and implementing national policies and overseen by a District Commissioner.
- iv. Sectors: The 114 Districts shall be divided into sectors overseen by a Sector Administrator and coordinates local service provision.
- v. Cells: The Sectors shall be further divided into Cells to facilitate community engagement and grass root governance and overseen by a Councillor.
- vi. Villages: These shall be the lowest administrative units countrywide overseen by a village officer.

### **Article 15: Organs Of The Party**

- i. National Convention
- ii. National Executive Committee
- iii. National Board of Trustees
- iv. National Caucus
- v. National Working Committee
- vi. Provincial Congress
- vii. Provincial Executive Committee
- viii. Provincial Working Committee
- ix. District Congress
- x. District Executive Committee
- xi. Sector Congress
- xii. Sector Executive Committee

Some of the Party Organs listed above shall be composed as follows:

#### **15.1 National Convention**

- i. The National Chairperson
- ii. 1 Deputy National Chairperson
- iii. 22 National Vice Chairpersons (representing the provinces)
- iv. All National Executive Council Members of the Party
- v. All Members of the Provincial Executive Committee,
- vi. The President and Vice President produced by the Party
- vii. Governors and Deputy Governors produced by the Party
- viii. Ministers appointed from the Party



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- ix. Members of the National Assembly produced by the Party
- x. Provincial Chairpersons produced by the Party
- xi. The Provincial Secretaries of the Party
- xii. 5 Delegates from each District including Sector Councillors
- xiii. The Women Leader and the Youth Leader

### ***15.2 National Executive Committee***

- i. national chairperson
- ii. deputy national chairperson
- iii. 10 national vice chairpersons
- iv. national secretary
- v. deputy national secretary
- vi. national treasurer
- vii. deputy national treasurer
- viii. national organizing secretary
- ix. deputy national organizing secretary
- x. national publicity secretary
- xi. deputy national publicity secretary
- xii. national financial secretary
- xiii. deputy national financial secretary
- xiv. national legal advisor
- xv. deputy national legal advisor
- xvi. national women leader
- xvii. deputy national women leader
- xviii. national auditor
- xix. deputy national auditor
- xx. national youth leader
- xxi. deputy national youth leader
- xxii. 22 ex-officio members from each province

### ***15.3 National Working Committee***

- i. National Chairperson.
- ii. Deputy National Chairperson.
- iii. 22 National Vice Chairpersons (representing 22 Provinces).



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- iv. National Secretary.
- v. National Treasurer.
- vi. National Organizing Secretary.
- vii. National Publicity Secretary.
- viii. National Financial Secretary.
- ix. National Legal Advisor.
- x. National Women Leader.
- xi. National Auditor.
- xii. National Youth Lead.

#### ***15.4 Provincial Congress***

- i. Provincial Chairperson
- ii. Deputy Chairperson
- iii. Provincial Vice Chairpersons
- iv. The Governor and Deputy Governor (produced by the Party)
- v. Members of the National Assembly (produced by the Party)
- vi. Members of the National Executive Committee from the Province
- vii. Members of the House of Assembly (produced by the Party)
- viii. Chairperson and Secretaries of the Party in all Districts
- ix. Districts Council Chairpersons and their Deputies (produced by the Party)
- x. Two representatives

#### ***15.5 Provincial Executive Committee***

- i. Provincial Chairperson
- ii. Provincial Deputy Chairperson
- iii. Provincial Secretary
- iv. Provincial Treasurer
- v. Provincial Assistant Treasurer
- vi. Provincial Financial Secretary
- vii. Provincial Assistant Financial Secretary
- viii. Publicity Secretary
- ix. Assistant Publicity Secretary
- x. Legal Advisor



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- xi. Assistant Legal Advisor
- xii. Provincial Organizing Secretary
- xiii. Assistant Provincial Organizing Secretary
- xiv. Women Leader
- xv. Youth Leader
- xvi. National Executive Committee members of the Party from the Province
- xvii. The Governor and Deputy Governor
- xviii. The Speaker and Deputy Speaker and Majority Leader of the provincial Assembly (where the Party is in control) or Minority Leader and Whip (where the Party is not in control), including:
  - a) The Speaker and Deputy Speaker (if produced by the Party)
  - b) House Leader of the Party
  - c) Chief Whip
- xix. Chairperson of the Party in each District

### ***15.6 Provincial Working Committee***

- i. Provincial Chairperson
- ii. Deputy Provincial Chairperson
- iii. Assistant District Chairpersons
- iv. Provincial Secretary
- v. Deputy Provincial Secretary
- vi. Provincial Publicity Secretary
- vii. Provincial Organizing Secretary
- viii. Provincial Financial Secretary
- ix. Provincial Auditor
- x. Provincial Legal Advisor
- xi. Provincial Treasurer

### ***15.7 District Congress***

- i. Party Chairperson of the District
- ii. Two Vice Chairpersons
- iii. District Executive Committee Members of the Party
- iv. National and Provincial Congress Members of the Party from the District
- v. Sector Councillors produced by the Party



- vi. Representatives elected from each Se

### ***15.8 District Executive Committee***

- i. Party Chairperson of the District
- ii. 2 Vice Chairpersons of the District
- iii. Secretary
- iv. Assistant Secretary
- v. Treasurer
- vi. Assistant Treasurer
- vii. Financial Secretary
- viii. Assistant Financial Secretary
- ix. Publicity Secretary
- x. Assistant Publicity Secretary
- xi. Legal Advisor
- xii. Assistant Legal Advisor
- xiii. Women Leader
- xiv. Youth Leader
- xv. Members of the National and Provincial Executive Committee of the Party from the District
- xvi. Chairperson and Vice Chairperson of the Sector (produced by the Party)

### ***15.9 Sector Congress***

- i. All members of the Party in the Sector

### ***15.10 Sector Executive Committee***

- i. Chairperson
- ii. Vice Chairperson
- iii. Secretary
- iv. Assistant Secretary
- v. Treasurer
- vi. Assistant Treasurer
- vii. Financial Secretary
- viii. Assistant Financial Secretary
- ix. Legal Advisor
- x. Assistant Legal Advisor



- xi. Women Leader
- xii. Youth Leader
- xiii. National, Provincial and District Executive Committee members of the Party from the Sector
- xiv. One member elected from each Cell, Village, or settlement (whichever applicable) within the Sector on the condition that such representation is enshrined by the law, procedures adopted by the Sector congress.

### **Article 16: Board Of Trustees**

There shall be a Board of Trustees of the Party which shall consist of the following:

- i. Chairperson
- ii. Deputy Chairperson
- iii. Secretary
- iv. Deputy Secretary
- v. 22 members each from all the provinces (Chairpersons of Provincial Executive Committees)

The board shall undertake the following:

- i. Be vested with all properties of the Party
- ii. Perform all other functions as they may be empowered by the Constitution of the Party, the National Executive Committee, or the laws of the Republic of South Sudan.
- iii. Any vacancy on the Board of Trustees shall be filled on the recommendation of the National Working Committee.
- iv. The Chairperson and Secretary of the Board of Trustees shall be members of the National Executive Committee
- v. A Trustee may be removed from office by a resolution of the National Convention on the advice of the Board of Trustees on health ground or on the ground of gross misconduct.
- vi. The Chairperson shall be appointed by simple majority of members of the National Executive.



## **Article 17: Functions And Powers Of Party Organs**

### **17.1 National Convention**

The Party National Convention shall be the final authority of the Party, and shall have the following powers:

- i. Formulate, approve, review, and repeal a policy guideline that governs the Party's conduct and administration.
- ii. Generate funds for the actualization of Party's registered mandate
- iii. Elect the Presidential Candidate of the Party
- iv. Elect or remove Party National Officers.
- v. Ensure using lawful, constitutional, and democratic means for the acquisition of political power by the Party through the format of the government in all three tiers.
- vi. Ensure strict adherence to Party manifesto, tenets, and general guiding principle of the Party by its members in the event the Party is in power.
- vii. In the event the party is not in power, critically examine government policies and programs and when necessary, criticize, with a view to ensuring compliance with basic cardinals of good governance for the benefit of the citizens of the Republic of South Sudan.
- viii. Take all such actions which in its opinion are in the best interest of the Party and the Country.
- ix. Amend, interpret the Party's constitution where necessary.
- x. Discipline erring members
- xi. Receive, consider, and take appropriate decisions on reports from other subordinating organs of the Party.

### **17.2 National Executive Committee**

There shall be a National Executive Committee which shall:

- i. Summon the National Convention and prepare its agenda
- ii. Carry out all functions of the Convention between meetings
- iii. Make Party rules which shall be binding on all members
- iv. Recommend membership fee and annual subscription fees payable by members

### **17.3 Provincial Congress**



The functions and powers of Provincial Congress which shall be subject to the overriding authority of the National Convention shall be:

- i. Formulate policy guidelines that will ensure the fulfilment of the aims and objectives of the Party in the Province.
- ii. To elect Provincial officers and other members of the Provincial Executive Committee of the Party.
- iii. To organize primaries for governorship elections
- iv. Receive report of the officers of the Party
- v. Ensure strict adherence to directives of the National Convention

#### ***17.4 Provincial Executive Committee***

The Provincial Executive Committee of the Party shall be vested with the following powers:

- i. Summon or convene the Provincial Congress and prepare its agenda
- ii. Carry out all functions of the Congress between meetings
- iii. Prepare annual Budget of the Party in the Province
- iv. Ensure strict adherence to directives of the Provincial Congress

#### ***17.5 District Congress***

The District Congress of the Party shall be vested with the following powers:

- i. Summon the District Congress and prepare its agenda
- ii. Carry out the functions of the Congress between meetings
- iii. Ensure the implementation of the decisions of the Congress
- iv. Nominate 5 delegates from each Sector including Councils for the National Convention

#### ***17.6 Sector Congress***

The Congress in each Sector of the Party shall be vested with the following powers. These Powers are subject to overriding authority of the aims and objectives of the District Congress.

- i. Formulate policy guidelines that will ensure the fulfilment of the aims and objectives of the Party.



- ii. To elect Sector Officers and other members of the Sector Executive Committee of the Party
- iii. Elect candidates for councillorship elections into the District Councils
- iv. Ensure strict adherence to directives of the District Congress

### ***17.7 Sector Executive Committee***

The Sector Executive Committee of the Party, which is also the principal executive organ of the Sector, shall be vested with these powers:

- i. Summon Sector Congress and prepare its agenda
- ii. Carry out all functions of the congress
- iii. Carry out the decisions of the Congress
- iv. Nominate 2 members of the party to represent the Sector at the District Congress
- v. Make input and extend idea on policies of Congress

### **Article 18: National And Provincial Caucus**

There shall exist caucus at the Provinces and National level of the Party.

#### ***18.1 Composition Of National Caucus***

- i. The Chairperson
- ii. Deputy Chairperson
- iii. National Secretary
- iv. National Legal Advisor
- v. National Officers from the Provinces
- vi. Governor
- vii. Deputy Governor
- viii. Speaker of the House of Assembly
- ix. Leader of the House of Assembly

#### ***18.2 Composition Of The Provincial Caucus***

- i. The Chairperson
- ii. Provincial Deputy Chairperson
- iii. Provincial Secretary
- iv. Provincial Legal Advisor
- v. National Officers from the Provinces



- vi. Governors
- vii. Deputy Governor
- viii. Speaker of the House of Assembly (Provincial Assembly)
- ix. Leader of the House of Assembly

### ***18.3 Powers And Functions Of National Caucus***

- i. To extend rationale for dialogue among the members of the Legislature and the Executive and the Party both at the National and Provincial level.
- ii. Deal with issues as may be referred to it by the National or Provincial Executive Committee, the National Convention or Provincial Congress.
- iii. With consideration to the powers and privileges of other organs of the Party, the Party caucus shall have powers to deal with matters as may be referred to it in the interest of the Party.
- iv. The Party caucus shall have final say and authority except were reversed by National Convention or relative higher caucus

### ***18.4 Meeting Of The Caucus***

The meeting of the Party caucus shall be scheduled and considered necessary and Caucus' decision shall be by consensus.

## **Article 19: Functions And Powers Of Party Officers**

### ***19.1 National Chairperson***

- i. Convene, summon, and preside over the meetings of the National Congress and the National Executive Committee
- ii. Be the head of the Party, provide good, effective leadership and direction for the Party.
- iii. Delegate his duties and giving lawful directives to all officers, organs, members and official at all levels of the Party and exercise a casting of votes.
- iv. Be accountable to the National Executive Committee in carrying out all functions and powers vested on him.

### ***19.2 Deputy National Chairperson***

- i. Shall perform the functions of the Chairperson during his absence



- ii. Shall act as the Chairperson pending the election of the substantive chairperson at the National Convention of the Party in the event of death, incapacitation, abdication, resignation, removal, or expulsion of the National Chairperson.

### ***19.3 National Vice Chairperson***

- i. Shall preside over Provincial meetings
- ii. Carry out all duties and functions as may be assigned by the National Chairperson.

### ***19.4 National Secretary***

- i. See to the daily management of the Party's administration
- ii. Ensuring the conduct of the correspondences of the Party and cause to be issued notices of meeting of, National Convention, national Executive Committee, National Caucus, and the National Working Committee
- iii. Keep up-to-date record of all the proceedings at the National Convention and National Executive Committee.
- iv. Render a written annual report of the Party's activities to the national Executive Committee and a written report to the National Convention.
- v. Ensuring the implementation of the decisions of the National Congress and National Executive Committee
- vi. Carry out all other duties as may be assigned by the National Executive Committee.

### ***19.5 Deputy National Secretary***

- i. Perform the functions of the National Secretary in his absence.
- ii. Shall act as the National Secretary pending the election of the substantive National Secretary at the National Convention of the Party in the event of death, incapacitation, abdication, resignation, removal, or expulsion of the National Secretary.

### ***19.6 National Treasurer***

- i. Ensure that all monies received on the Party's behalf are promptly paid into Party's accounts and keep all cheque books and other banking documents of the Party.



- ii. Prepare and submit a yearly statement of accounts to the National Executive Committee of the Party.
- iii. Advise the National Executive Committee on Financial Matters.
- iv. Keep general impress account to the limit as directed by the National Executive Committee.
- v. Pay all monies that accrue to the Party in appropriate Party account.

#### ***19.7 Deputy National Treasurer***

- i. Assist the Treasurer in the performance of his duties
- ii. Act as Treasurer in the event of the Treasurer's absence

#### ***19.8 National Financial Secretary***

- i. Collect and record all dues, donations, subscription made to the Party.
- ii. Pay all such monies to the Treasurer within 24 hours of collection
- iii. Prepare and submit proposal for raising of funds and investment to generate income for the Party.
- iv. Putting in place internal control mechanism to protect asset of the Party.

#### ***19.9 Deputy National Financial Secretary***

- i. Assist the Financial Secretary and act for him during his absence.
- ii. Carry out all duties assigned by the National Financial Secretary.

#### ***19.10 National Publicity Secretary***

- i. Coordinate and oversee the Party's information and public relations.
- ii. Coordinate and oversee the activities of the Provincial Publicity Secretaries.
- iii. Be the Chief image maker of the Party.

#### ***19.11 Deputy National Publicity Secretary***

- i. Assist the Publicity Secretary and act for him during his absence.
- ii. Carry out all duties as may be assigned by the National Publicity Secretary.

#### ***19.12 National Organizing Secretary***

- i. He is the Chief Mobilizer of the Party as he initiates programs and plans for general mobilization and recruitment of new members.
- ii. Coordinate all field activities of the Party.



- iii. Liaise with the National Women and Youth leaders for conformity of programs to attain Party's electoral victory.
- iv. Organize seminars, workshop, rallies, and campaign programs to achieve Party's objectives.

#### ***19.13 Deputy National Organizing Secretary***

- i. The Deputy National Organizing Secretary shall assist the National Organizing Secretary in the discharge of his duties and carry out any other duties as may be assigned by the National Organizing Secretary.

#### ***19.14 National Auditor***

- ii. Audit the Party routine's books and submit reports to the National Executive Committee.
- iii. Present audited account of the Party annually to the National Convention of the Party.
- iv. Carry out any other function as they may be directed by the National Executive Committee.

#### ***19.15 Deputy National Auditor***

- i. Assist the National Auditor and act for him during his absence.
- ii. Carry out all duties as may be assigned by the National Auditor.

#### ***19.16 National Legal Advisor***

- i. Be responsible for extending legal advice to the Party
- ii. Arrange for the conduct of litigation and defence of the Party including its organs, officers where the Party's interest is concerned.
- iii. Interpret the laws, regulations and guidelines and Constitution of the Party in case of ambiguity.

#### ***19.17 Deputy Legal Advisor***

- i. Assist the Legal Advisor and act on his behalf in his absence
- ii. Carry out all duties as may be assigned by the National Legal Advisor.

#### ***19.18 National Women Leader***

- i. Shall be responsible for mobilizing and organizing women.



- ii. Evolve and implement Party specific programs that will commend the Party to the women.
- iii. Coordinate the activities of the District and Provincial Women Leaders.

#### ***19.19 Deputy National Woman Leader***

- i. The Deputy National Women Leader shall perform duties and functions as may be assigned to her by the National Woman Leader and act on her behalf in case of her absence.

#### ***19.20 National Youth Leader***

- ii. Be responsible for the Mobilization and sensitization of Youth for the purpose of achieving Party's objectives.
- iii. Evolve and implement Party specific programs that will recommend the Party to the youth.
- iv. Coordinate the activities of the District and Provincial Youth Leaders.

#### ***19.21 Deputy National Youth Leader***

- i. The Deputy National Youth Leader shall perform duties and functions as may be assigned to him by the National Youth Leader and act on his/her behalf in case of his absence.

### ***19A. OFFICERS AT OTHER LEVELS***

- Subject to the provisions of the Constitution, all other officers at the Provinces, Districts, Sectors levels shall have the same powers and functions as their corresponding National Officers.
- The Executive Committee at all levels shall have power to set up Committees where necessary and shall assign to them such powers and functions as may be deemed fit.

### ***19B. REMOVAL OR RESIGNATION***

- vii. In the event of his removal or resignation from office, a Party officer shall immediately hand over to the Chairperson or Chairperson's nominee, all Party properties in his possession. In the case of the Chairperson, he shall hand over to the National Secretary.



## **Article 20: Disciplinary Actions**

### **A. Offences**

- i. Any breach of this Constitution.
- ii. Acts, conducts or utterances likely to bring the Party into disrepute.
- iii. Refusal to carry out lawful directives of the Party or any organ of the Party.
- iv. Engaging in antiparty activities.
- v. Belonging to any group within the Party under whatever name(s) other than as provided for in the Constitution.
- vi. Engaging in dishonest practices, defrauding the Party, its members, or officials.

### **B. Disciplinary Procedure**

- i. Subject to the provisions of this Article and the Principle of natural justice, there shall be Disciplinary Committee of seven (07) members at every level of the Party, appointed by the appropriate Executive Committee.
- ii. The Working Committee at any level may after preliminary hearing suspend a member from the Party for a period not exceeding one month within which he/ she shall not lose his/ her right to contest any election. He/ she shall be referred to the appropriate disciplinary committee within this period.
- iii. The Disciplinary Committee shall inform the member(s) in writing concerning the allegations and the place and time of hearing the case against him/ her.
- iv. Parties before a Disciplinary Committee shall be given an opportunity to represent to represent their case orally or in written either in person or through a Counsel of his/ her choice and call witness.
- v. The Executive Committee of the Party at the appropriate level shall stipulate a time limit within which the disciplinary committee shall complete its work which shall in any case not be more than 14 days.

### **C. Punishment**

Any member of the Party found guilty of the offences disclosed under Article 20 (A) shall be liable to any of or combination of the following punishments:

1. Fine
2. Removal from Office



3. Reprimand- Warning
4. Debarment from holding any Party Office
5. Suspension from the Party
6. Expulsion from the Party
7. Censure

Subject to the provisions of this Article, the Executive Committee at any level of the Party shall have power to decide on any of the disciplinary measures against any member at that level.

Notwithstanding, any other provision of the Constitution relating to discipline where it is proposed to expel or remove a member of the National Executive Committee, public office holder such a proposal shall be subjected to the National Executive Committee which shall refer the same to its Disciplinary Committee.

The National Executive Committee shall, on receipt of the report of the Disciplinary Committee, decide on the matter within fourteen days.

A decision to expel a member of the Party whether an office holder or not, taken or confirmed by the National Executive Committee shall become effective upon ratification by the National Convention.

#### ***D. Appeal***

Any Party member who is aggrieved by the decision of any of the organs of the Party shall have the right to appeal within 14 days of the decision to the immediate higher organ of the Party.

An appeal shall be determined by the appropriate appeal body within 21 days from the date of receipt of the appeal by the Executive Committee concerned.



## **Article 21: Registration**

### **21.1 Register Of Members**

A register of members shall be kept and maintained at the National Secretariat of the Party

### **22.2 Foreign Chapters**

- i. Subject to the approval of the National Executive Committee of the Party who resides in the countries having diplomatic relations with South Sudan, not being less than 50 in number, may establish chapters of the Party in their places of residence.
- ii. They shall be established in the National Secretariat the Office of Coordinator of Foreign Chapters who shall be responsible for coordinating the activities of the Foreign Chapters and who shall be answerable to the National Secretary.

## **Article 22: Tenure Of Office**

- i. All National, Provincial, District, Sector, and Cell Officers of the Party shall hold office for a period of four years and shall be eligible for re-election at the appropriate Convention or Congress for a second term only.
- ii. Should a vacancy occur in any of the Party offices, the appropriate Executive Committee shall appoint a substitute from the District where the former office holder originated pending the conduct of election at the next Congress or Convention.
- iii. Any officer may be removed during his/ her tenure of office through a vote of no confidence against him/ her passed by two thirds of the members present and voting at the appropriate Congress of Convention.

## **Article 23: Prohibition From Holding Dual Offices**

Subject to the provisions of the Party's Constitution, any member holding a Party Office at any level shall be deemed to have resigned that position if he assumes any public office, either in elective or appointed capacity.

## **Article 24: Part Finance**

The Party shall derive its funding from:



## THE PEOPLE'S FREEDOM MOVEMENT

### Party Constitution

- i. Membership fees, levies, etc.
- ii. Proceeds from investments
- iii. Subventions and donations
- iv. Borrowing as approved by the National Executive Committee
- v. Gift and grant by individuals, groups as allowed by law
- vi. Any other lawful means

### **Article 25: Bank Accounts**

The Party shall maintain bank accounts at the city/ town where the National Secretariat/ Party Headquarters is located.

### **Article 26: Common Seal**

There shall be a common seal of the Party, which shall be in custody of the Secretary of the Board of Trustees.

### **Article 27: Amendment**

- i. No amendment to the Party Constitution shall be valid except made at the National Convention
- ii. The Party shall have the power to amend the constitution at the National Convention, when 2/3<sup>rd</sup> (two-third) majority of the members present cast their votes in approval.
- iii. Notice for amendment which shall contain clear statements of the amendment sought and the reason for same shall be submitted to the National Secretary of the Party in writing at least two months before the date of the National Convention. The National Secretary shall in turn cause same to be circulated to the respective Provincial branches for publication at least one month before the date of the Convention.

### **Article 28: Contractual Liability**

Only National Officers of the Party shall have the authority to enter any bidding legal relationship of the Party.



### **Article 29: Oath Of Office**

Every person elected or appointed as an officer of the Party shall subscribe to Oath of Office in the language that he understands before a Commissioner for Oaths or Notary Public.

### **Article 30: Staff Rules**

- i. All employees of the Party shall be bound by the Constitution, rules and regulation of the Party and the decisions of the National Executive Committee and other Party organs. A person who is in the employment of the Party shall be deemed to be a member of the Party.
- ii. No employee of the Party shall seek nomination to enable him to contest any election unless he resigns his appointment with a notice of not less than one month to the date of election.
- iii. The remuneration and other condition of service of employees shall be determined by the recommendation of the National Executive Committee.

### **Article 31: Rules Of Conduct Of Meetings**

- i. The proceedings of any Party meeting at all levels shall be conducted in English language or any language understood by most members present.
- ii. All party meetings shall be chaired by the Chairperson of his/ her Deputy. In the event of the absence of chairperson and his Deputy, members present shall elect a member from amongst themselves to preside over such meeting.
- iii. The National Executive Committee reserves the right to amend rules and regulations governing the conduct of meetings from time to time.



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**THE PEOPLE'S FREEDOM MOVEMENT**

Party Constitution

**COMMENCEMENT AND CITATION**

This Constitution shall be cited as the CONSTITUTION OF THE PEOPLE'S FREEDOM MOVEMENT, PFM, and shall take effect from this 18<sup>th</sup> DAY OF DECEMBER 2021

**DECLARATION**

We hereby declare that this Constitution of the People's Freedom Movement, PFM, was ratified by the National Convention held in Juba on 18<sup>th</sup> of December 2021.

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**FEEL FREE**

*National Chairperson*

**ADV. JOHNSON MAJAK**

**DENG**

*National Secretary*