



**Twenty-fifth Anniversary of the  
Fourth World Conference on Women and adoption of the  
Beijing Declaration and Platform for Action (1995)**

**National Review of the Implementation of the  
Beijing Declaration and Platform for Action (1995)**

**Republic of South Sudan**

**JUNE 2019**

*“To be truly transformative, the Post 2015 development agenda must prioritize gender equality and women’s empowerment. The world will never realize 100 percent of its goals if 50 percent of its people cannot realize their full potential.” - Ban Ki-moon, UN Secretary General (1 Jan 2012 - 31 Dec. 2016).”*

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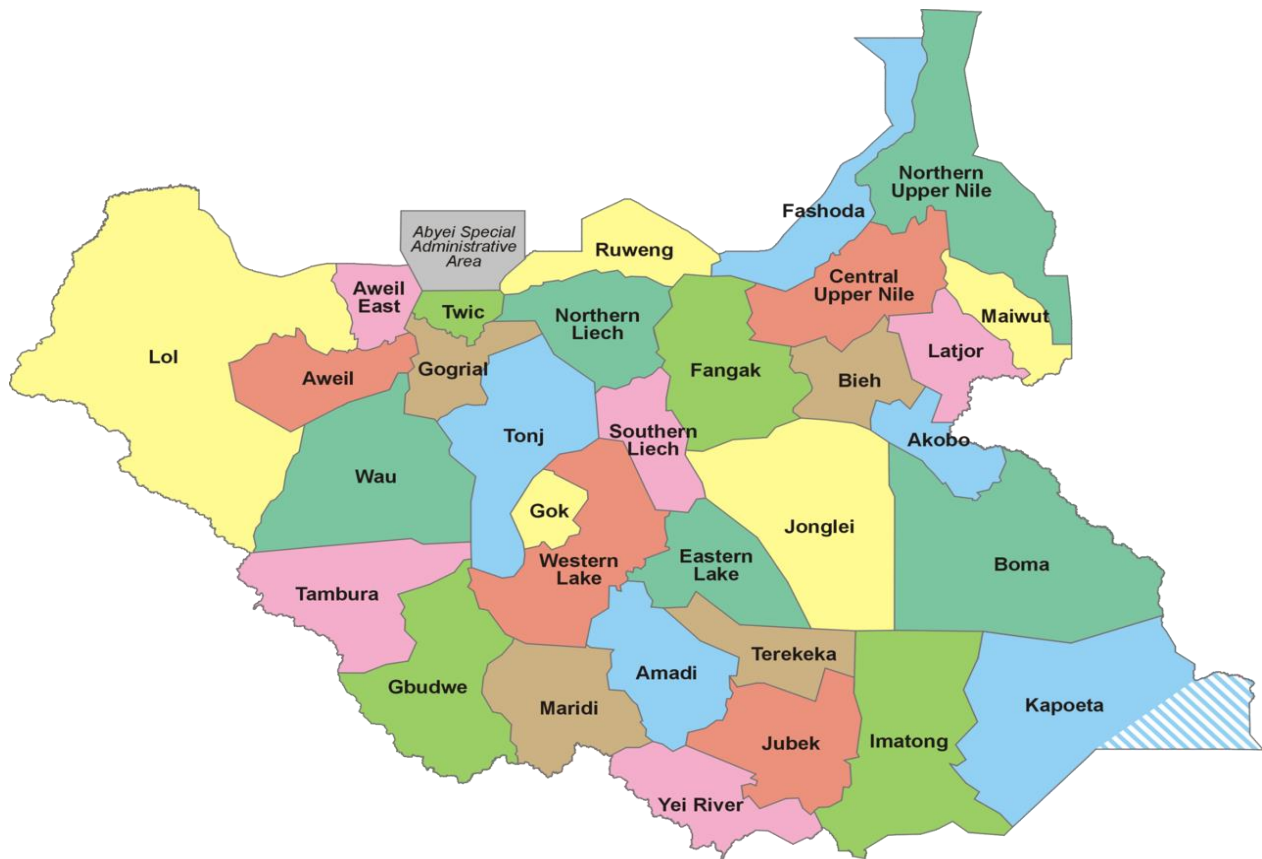
## List of Abbreviations and Acronyms

AIDS	Acquire Immune Syndrome
AEOs	Agriculture Extension Officers
AMDISS	Association of Media in South Sudan
AMWSS	Association of Women Media in South Sudan
ARCSS	Agreement of the Resolution of the Conflict of South Sudan
AU	African Union
AUCISS	African Union Commission of Inquiry on South Sudan
BRACE	Building Resilience Through Asset Creation Enhancement
BPHNS	Basic Package of Health and Nutrition Services
CEDAW	Convention on Elimination of All forms of Discrimination against Women
CFW	Cash for Work
CMR	Clinical Management of Rape
CPA	Comprehensive peace Agreement
CSOs	Civil Society Organizations
DDR	Demobilization, Disarmament
EMTCT	Elimination of Mother to Child Transmission
FFA	Food for Asset
GBV	Gender based Violence
GCF	Gender Coordination Forum
GESS	Girls Education South Sudan
GRB	Gender Responsive Budgeting
GWI	Global Women’s Institution
GWU	George Washington University
HIV	Human Immune Syndrome
HCI	Human Capital Index
HRD	Human Rights Division
INDCs	Intended National Determine
IRC	International Rescue Committee
JAM	Joint Assistance Mission
JU	University of Juba
IGAD	Inter-Governmental Authority of Development
MAFS	Ministry of Agriculture and Food Security

MGCSW	Ministry of Gender, Child and Social Welfare
NAP	National Action Plan
NDDR	National Disarmament and Demobilization Commission
NHP	National Health
NAPA	National Action Programme of Adaptation
NDS	National Development Strategy
NGO	Non-Governmental Organization
NGP	National Gender Policy
NSPPF	National Social Protection Policy Framework
PPP	Purchasing Power Parity
PSEA	Prevention of Sexual Exploitation and Abuse
PWD	People With Disability
SAF	Sudan Armed Force
SDG	Sustainable Development Goals
SNCBC	Social Norms and Community based Care
SNSDP	Safety Net and Skills Development Project
SOP	Standard Operational Procedures
SSAC	South Sudan AIDS Commission
SSHRD	South Sudan Human Rights Defenders
SSDP	South Sudan Development Plan
SSHRC	South Sudan Human Rights Commission
SPLM	Sudan Liberation Movement
SSPLA	South Sudan Liberation Army
SSDP	South Sudan Development Plan
SSNP	South Sudan National Police
SSWEN	South Sudan Women Empowerment Network
SSWLA	South Sudan Women Lawyers Association
STEM	Science, Technology, Engineering and Mathematic
TCSS	Transitional Constitution of South Sudan
UHC	Universal Health Coverage
UNICEF	United Nations Children's Fund
UNSCR	United Nation Security Council Resolution
VFC	Voice for Change

WFP	World Food Programme
WRO	Women Rights Organization
WGFS	Women and Girls Friendly Space

# MAP OF SOUTH SUDAN<sup>1</sup>



<sup>1</sup> By Aotearoa - Own work, CC BY-SA 4.0, <https://commons.wikimedia.org/w/index.php?curid=75408728>

# INTRODUCTION

This is a national review and appraisal report of South Sudan's implementation of the Beijing Declaration and Platform for Action (BPfA+25) covering a five-year period (2014-2019). It builds on the previous report (BPfA + 20), which covered the period 2009-2013. The present review takes stock of achievements, challenges and set-backs in its implementation of the BPfA and recommends strategic directions to advance gender equality and the empowerment of South Sudanese women. The report took due cognizance of the Transitional Constitution of South Sudan, National Development Plan 2011- 2016, International and national Policy and legal frameworks and South Sudan's Vision 2040 which is founded on seven pillars: educated and informed nation; prosperous, productive and innovative nation; free, just and peaceful nation; democratic and accountable nation; safe and secure nation; united and proud nation; and compassionate and tolerant nation. Its values are "Freedom, Equality, Justice, Peace and Prosperity for All." The report also took cognizance of how these core values are translated into public policy and programme initiatives to fight gender inequality in South Sudan.

The report is prepared using the Guidance note for comprehensive national-level reviews provided to Member States, took account of the five-year progress along the 12 critical areas of concern clustered into six overarching dimensions for alignment with the SDGs Agenda 2030. It has four sections: The **first section** highlights the priorities, achievements, challenges and setbacks in the implementation of the BPfA for the period under review.

**Section two** explores the measures taken by South Sudan towards gender equality in the 12 critical areas of concern, namely: women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, women and the media, women and the environment and the girl child.

**Section three** focuses the national gender machinery and its strategic plan for implementation and realization of gender equality and the empowerment of women in South Sudan, including the formal mechanisms for the participation of stakeholders.

**Section four** documents the progress made on the availability of gender data and statistics in line with Vision 2040 and Sustainable Development Goals.

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**1<sup>st</sup> July 2019**



## Section One

### Priorities, Achievements, Challenges and Setbacks

#### **1. Most Important Achievements, Challenges and Setbacks in Progress Towards Gender Equality and the Empowerment of Women over the past 5 years**

1.0. In 2014, South Sudan submitted its first evaluation report that critically assessed the progress made and challenges encountered. Over the past 5 years, South Sudan has continued to make progress and considerable efforts to overcome those challenges.

#### **1.1. Achievements**

##### **Progress in Legal and Policy Frameworks**

1.1.1. The Government of South Sudan has been unwavering in its commitment to gender equality and the empowerment of women as enshrined in the Transitional Constitution and Bill of Rights which guarantee equality and equity between women and men. This commitment has manifested in progress and improvements in legal and policy frameworks for gender equality.

1.1.2. The Government continued its effort at ensuring Women's political participation and representation at all levels of government by increasing from 25% to 35% the affirmative action contained in the Transitional Constitution. The signing of the Revitalized Agreement on the Resolution of the Conflict in September 2018 becomes the most recent legal framework guaranteeing 35 per cent women's representation across all the pre-transitional and transitional institutions.

1.1.3. South Sudan enacted a comprehensive Labour Act in 2017, which reinforced the right to equal remuneration for work of equal value as guaranteed by the constitution. The right to non-discrimination in the field of employment has been given effect by the provisions of the Labour Act of 2017. Section 6(1) of the Labour Act provides that 'No person shall discriminate, directly or indirectly, against an employee or job applicant in any work policy or practice'. Section 6(2) also forbids discrimination by any Trade Union, Employers Association or Federation. Section 6(3) defines discrimination as 'any distinction, exclusion or preference with the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation' based on a series of grounds including sex and pregnancy or childbirth.

1.1.4. South Sudan has acceded to, and domesticated a number of international and regional human rights instruments. Prominent among them is the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in September 2014. The accession to CEDAW enabled the country to address issues of customary law involving women's rights to

inherit and own productive assets, lack of voice and decision making in family and community matters, denial of the right of choice to found a family especially in rural settings<sup>2</sup>.

1.1.5. Another prominent legal instrument to which South Sudan acceded is the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in October 2017 but made several reservations to key provisions including article 6 that discourages polygamous marriages and article 14 on reproductive rights - family planning and abortion.

1.1.6. The country domesticated<sup>3</sup> the following human rights instruments to support gender equality and women empowerment: Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict; African Charter on Human and Peoples' Rights; The African Convention for Protection and Assistance of Internally Displaced Persons in Africa (The Kampala Convention).

1.1.7. The Government made efforts in bringing justice to victims of sexual violence through key measures that were undertaken within the criminal justice system. A training manual on investigation and prosecution of SGBV was developed in 2017 by the Ministry of Justice with technical support from the Ministry of Gender. Also, a Department of Women and Juvenile Justice was established under the Directorate of Public Prosecution.

1.1.8. Mobile courts have been established for quick dispensation of justice and sexual violence is among the cases it can handle. The Mobile Courts bring justice closer to the people, particularly those in remote and rural areas. The Government has also established a specialized GBV Court at the Judiciary of South Sudan. When fully operational, the GBV court will hold perpetrators of sexual violence accountable for their actions.

1.1.9. South Sudan improved the policy environment towards the attainment of gender equality. In 2014, the Government developed the Standard Operating Procedures for Prevention and Response to Sexual and Gender-based Violence (SGBV). The document sets clear systems, roles and responsibilities for all institutions involved in the prevention, protection and response to GBV in South Sudan. While in 2015, the Government of South Sudan developed the National Action Plan 2015-2020 for the implementation of the UN Security Council Resolution 1325 on Women, Peace and Security.

1.1.10. The Government also developed a National Health Policy (2016-2026) whose health service programming is gender sensitive. In the policy, deliberate effort was made to protect the rights to healthcare of women, children, the elderly, people with special needs – the physically and mentally challenged, refugees and IDPs and all in transit populations, minority groups and the poor. In the same vein, for an effective national response to the HIV epidemic, the National HIV/AIDS Policy was finalized in 2016 and is awaiting cabinet approval, The National HIV Prevention Strategy that is inclusive of a programme on key populations (e.g. sex workers and

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<sup>2</sup> Amnesty International, 2017.

<sup>3</sup> In a letter of 31 October 2013 to the President of the UN General Assembly, South Sudan pledged to support its candidacy for election to the Human Rights Council for the term 2014-2016. The letter indicated that the Council of Ministers of South Sudan had acceded to a package of treaties and submitted them to the legislative assembly for adoption: ICCPR, ICESCR, CEDAW and its Optional Protocol, CERD, CRC, CAT and the African Charter on Human and People's Rights. The letter stressed the limited list of instruments to which South Sudan is a party indicates the young age of the country and its limited capacity is not indicative of "a lack of will to adhere to international standards

gays) was also finalized in the same year together with a revision of HIV testing services (HTS) guidelines. The Agenda for Accelerated Country Action for Women, girls, gender equality and HIV Plan was also developed and disseminated. The Adolescent Sexual and Reproductive Health strategy was finalized and is being implemented.

1.1.11. The government's commitment to integrate and mainstream gender perspectives and concerns into national environmental policies is articulated in the 2016 National Adaptation Programme of Action (NAPA) and Intended Nationally Determined Contributions (INDCs) to fight Climate Change<sup>4</sup>. The priority projects identified in these planning frameworks, if implemented, will to an extent, insulate South Sudan from the adverse impacts of climate change<sup>5</sup>.

### **Women Participation and Political Representation**

1.1.12. In the words of Ban Ki-moon, former UN Secretary General, "to be truly transformative, the Post 2015 development agenda must prioritize gender equality and women's empowerment. The world will never realize 100 percent of its goals if 50 percent of its people cannot realize their full potential."

1.1.13. True to the above statement and in the context of its commitment to gender equality, South Sudan has continued to make effort at ensuring Women's political participation and representation at all level of government by increasing from 25% to 35% the affirmative action contained in the Transitional Constitution.

1.1.14. Leaders of South Sudan signed a Revitalized Agreement on the Resolution of the Conflict in the country between President Salva Mayardit Kiir and Opposition Leader Riek Machar in September 2018- in which the African Union and the Intergovernmental Authority on Development (IGAD) were integrally involved. The Agreement provides for permanent adherence to the cease-fire and creation of structures that meet the Agreement's guarantee of 35 per cent women's representation across the Executive arm, the Council of Ministers and the pre-transitional institutions. The allocation of a 35 % affirmative action for women's representation at all levels of government raised hope and symbolizes the significance of gender perspectives in governance and democratic principles and transformations. Women's representation in decision making will contribute to gender responsive policy legislation and programs that underscore gender equality and empowerment of women in South Sudan.

1.1.15. Pertinent to recall that the idea of 35% women representation was first publicly declared in 2013 by President Salva Kiir and reiterated by Vice President Wani Igga in his September 2013 statement to the United Nations General Assembly session in New York, that "the SPLM as a ruling party would raise women's political participation from 25% in the current constitution to a minimum of 35% in the proposed permanent constitution." These developments represent major breakthroughs, if implemented, for women's participations in politics and public affairs. The 25% Affirmative Action was first incorporated in the Comprehensive Peace Agreement (CPA) of 2005 and applied in South Sudan's first political elections in 2010, including nominations to Political Party lists.

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<sup>4</sup> Republic of South Sudan National Adaptation Programme of Action (NAPA) to Climate Change 2016

<sup>5</sup> Republic of South Sudan: First State of Environment and Outlook Report 2018.

## **Institutional Development**

1.1.16. One of the key milestones that the Government South Sudan has realized in line with the BPfA is its commitment to strengthen institutions charged with the responsibility of promoting gender equality and empowerment of women and girls. With the development of the National Gender Policy of the Republic of South Sudan in 2012, the Government recognized the Ministry of Gender, Child and Social Welfare (MGCSW) as the National Gender Machinery with the mandate to promote gender equality, social justice, and safe guard the rights and welfare of women, children, persons with disability and other vulnerable groups. The scope and mandate of the Ministry covers gender and women's empowerment, child and social welfare functions and to ensure gender mainstreaming throughout all other Ministries and as part of the monitoring and evaluation of impact of both gender specific laws and policies.

1.1.17. Other government institutions that reinforce the work of the National Gender Machinery are South Sudan Human Rights Commission (SSHRC); South Sudan AIDS Commission (SSAC)<sup>6</sup>; and Anti-Corruption Commission; Public Grievances Chamber; Fiscal, Financial Allocation and Monitoring Commission; Relief and Rehabilitation Commission; De-Mining Authority; Disarmament, Demobilization and Reintegration; Peace Commission; HIV/AIDS Commission; National Bureau of Statistics; Civil Service Commission; Land Commission; War Disabled, Widows and Orphans Commission; War Veterans Commission; Bureau for Community Security and Small Arms Control; South Sudan High Elections Committee; and South Sudan Law Reform (Review) Commission. Gender Sector Working Groups work on various themes such as Gender Based Violence, Humanitarian Action and Response; and non-state actors such as South Sudan Law Society and Women's Rights Organizations (Voice for Change, SSWEN) prioritize interventions on gender equality and empowerment of women and girls.

## **Human Capital Development and Gender Perspective**

1.1.18. At independence, the Government of South Sudan developed the South Sudan Development Plan (2011–2016), focusing on governance, economic development, social and human development, and conflict prevention and security. The government has built on the development plan with the South Sudan Vision 2040. The Government of South Sudan recognizes the gender biases that create differential participation and benefits for women, men, boys, girls and persons with disabilities and have identified specific strategies and programmes to address the inequalities thereto.

1.1.19 The Government of South Sudan is strongly committed to human capital development with focus on women and the girl child in the areas of education particularly in science technology engineering and mathematics (STEM), training and health. The top priorities in the next five years will be human capital development and related areas.

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<sup>6</sup> South Sudan AIDS Commission (SSAC) produced the Country Progress Report on Global AIDS Response (GARPR, 2017) that was enriched by the voices of key populations (e.g. sex workers, gay persons) who continue to have difficulty having their needs for HIV prevention, treatment and care both recognized and addressed.

1.1.20. The Government has made efforts to improve social welfare by expanding the population's access to basic education, health, water and sanitation services that are coordinated, regulated and provided by local institutions. These are some of the priorities considered as milestones by the Government to realize gender equality and empowerment of women and girls.

### **Human Capital Development: Education and Gender Equality**

1.1.21. Quality education is key to building a peaceful and stable future in South Sudan. South Sudan's education system is characterized as a low investment, low capacity, but high demand system. The state building and peace building efforts of the national plans put high demand on the education system to expand fast, reduce inequity, and provide appropriate teaching. South Sudan's public expenditure is very low vis-à-vis other sectors. South Sudan joined the Global Partnership for Education in 2012 and received a US\$36.1 million grant from the GPE for the period 2013 to 2016<sup>7</sup>. The Global Partnership for Education Program is a major supporter of girls' education and has integrated methods to promote special support to girls in all its program activities. This support includes measures to eliminate gender-based violence and foster a gender sensitive environment in the classroom.

1.1.22. Notwithstanding, the Government focus on education as part of the transformation process, and the expressed desire for education on the part of many South Sudanese, the education sector remains highly challenged and in need of enormous resources and expertise to come close to meeting the government's objective to increase enrolment to 55 percent by 2017. It is not surprising that literacy rates are remarkably lower for girls, 40% compared to 60% for boys in 2018.

1.1.23. South Sudan has eight public Universities, with Juba University<sup>8</sup> being the largest having a student enrollment of 10,000-14,999 students. It is a coeducational higher education institution. University of Juba (JU) offers courses and programs leading to higher education degrees such as pre-bachelor degrees (i.e. certificates, diplomas, and associate or foundation degrees), bachelor degrees, master degrees, doctorate degrees in several areas of study. Majority of the student population are male, going by the primary and secondary school enrollment rates cited above.

### **Human Capital Development: Health and Gender Equality**

1.1.24. Maternal mortality, child mortality and morbidity rates are high, while child malnutrition is severe in South Sudan. The country's disease burden is high and the health care system is stretched. In addition, the health care system faces shortage of human resources for health and inadequate infrastructure. There are few public hospitals are operating in South Sudan including Juba Teaching Hospital; Malakal Teaching Hospital; Aweil and Bentiu Civil Hospitals. In the South Sudan Ministry of Health Sector Development 2012-2016 Plan, there were 189 physicians in the country with one doctor for 39,088 persons. Central Equatoria had 51% of the physicians

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<sup>7</sup> The Global Partnership for Education is the only global fund solely dedicated to education in developing countries. GPE is a multi-stakeholder partnership and funding platform that aims to strengthen education systems in developing countries in order to dramatically increase the number of children who are in school and learning.

<sup>8</sup> Other Public Universities include John Garang Memorial University of Science and Technology; University of Torit; University of Western Equatoria; University of Western Equatoria; Rumbek University; University of Northern Bahr El-Ghazal; University of Bahr El-Ghazal and Upper Nile University.

while Western Equatoria and Jonglei did not have any. With a score of 0.30, the country also ranked 156th out of 157 countries globally, in the 2018 Human Capital Index (HCI).

1.1.25. South Sudan years of conflict have eroded the already scarce physical and social infrastructure, leaving millions of South Sudanese without proper access to vital health services. The country's low health indicators highlight the importance and urgency of investing in health and overall human development outcomes in the country.

### **Human Capital Development: Access to Social Protection**

1.1.26. The Government of South Sudan developed the National Social Protection Policy Framework (NSPPF) in 2011 to 'respond to and address the multiple vulnerabilities faced by South Sudanese citizens, with a particular focus on the poorest and most excluded sectors.' It was approved by the Transitional Assembly in 2015 and launched in May 2016. The Ministry of Gender, Child and Social Welfare (MoGCSW), as the lead Ministry with mandate on social protection has been operationalizing the NSPPF with the support of partners.

1.1.27. In the context of implementing the NSPPF, the Government has redoubled its efforts to address vulnerabilities, strengthen resilience, and promote inclusion and equity through the Safety Net and Skills Development Project (SNSDP). The project focuses on systems building and public works, and is being implemented by the Ministry of Agriculture and Food Security (MAFS). To date, the project has reached close to 300,000 individuals in about 52,000 poor and vulnerable beneficiary households, of which around 72 percent are women and 30 percent are IDPs and has provided them with nearly US\$ 6 million in wages for participation in public works. There have been 175 public works activities completed, and an additional 497 public works activities are in progress. In addition, trainings in financial literacy and WASH have been provided to approximately 12,000 households. Basic operational tools have been developed for improved governance and accountability of implementation. Lastly, coordination and oversight structures within local governments have been established, which could serve as the initial pillar of a coherent national social protection system.

1.1.28. The SNSDP has not only improved the lives of the beneficiaries but has also been invaluable in strengthening community cohesion and social unity.

### **Human Capital Development: Food Security, Nutrition and Gender**

1.1.29. Agriculture constitutes 80 percent of the people's livelihoods in South Sudan and contributes 36 percent of the country's non-oil gross domestic production. This means it is a critical factor for creation of employment, ensuring a healthy nation that is food sufficient and uplifting the living standards of its people. The food security situation in South Sudan has been deteriorating since 2013 as a result of war and ongoing crises. Violent conflicts have progressively destabilized the southern regions since 2016. As the main areas of agricultural production are in these regions, food security in the country has completely collapsed. South Sudan now faces an economic crisis, food insecurity, HIV/AIDS, environmental degradation and increasing urbanization. Estimates by

United Nations<sup>9</sup>, indicate that the number of people suffering from severe malnutrition was 5.5 million in 2017. This corresponds to 47 per cent of the total population.

1.1.30. In South Sudan, women are responsible for production of 60 to 80 percent of the food. Yet, they are regarded as or assistants on the farm, and not as farmers and economic agents on their own merit. Therefore, empowering women farmers is vital to lifting rural communities out of poverty, noting that when they get opportunity to manage household finances, women are more likely than men to spend on their family's nutritional needs, healthcare, and school fees for children. Over the last five years, the people of South Sudan have benefited from Government partnership with development partners to support food security programmes in the country. Development partners are supporting a two-year project on food security and agricultural development (2017-2019) towards the direct improvement of the nutritional status of target groups; and the resumption and expansion of agricultural production<sup>10</sup>. The project raises awareness of nutrition, health and hygiene issues among parents and guardians looking after children. Humanitarian partners, on their part, have continuously focused on the humanitarian response to food insecurity in the country.

## 1.2. Challenges

### **Incomplete and Non-implementation of National Policies and Legal Frameworks**

1.2.1. During the reporting period, the 25% affirmative action to women (now increased to 35%) ensured women's political participation, however it does not avail them with the same power to make decisions on issues of national importance like their male counterparts. For example, since the establishment of South Sudan National Legislative Assembly, none of the women Members of Parliament (MPs) has been supported to sponsor a single bill that deals specifically with women's concerns and interests. There is hardly any political will or enthusiasm to appoint a woman to lead key Ministries such as the Interior, Finance or Defense since South Sudan became independent in July 2011. Instead, women are assigned service-oriented political positions and institutions that reflect their stereotypical domestic roles of caring and nurturing such as Ministry of Gender, Child and Social Welfare or Members or Deputy Chair of similar Committees in Parliament. This creates a valid argument that the affirmative action for women's representation (whether 25% or 35%) to substantively address gender inequality and women's empowerment must be accompanied by political will for effective implementation.

1.2.2. Policy implementation remains a huge challenge encountered by South Sudanese legislators, both women and men. Many bills and policies passed by the National Legislative Assembly (NLA) and signed into law by the President are not implemented. For instance, following the development of the National Gender Policy in June 2012, it took the National Gender Machinery (Ministry of Gender, Child and Social Welfare) two years to effect implementation of the policy in 2014. Other reasons why policies and legal frameworks enacted are not implemented relate to:

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<sup>9</sup> World Food Programme and UNDP, 2017

<sup>10</sup> The German Federal Ministry for Economic Cooperation and Development (BMZ) is supporting a two-year project on food security and agricultural development (2017-2019)

- Inadequate knowledge of human rights instruments (CEDAW, UNSCR 1325, Child Act, the Transitional Constitution of South Sudan (TCSS, 2011) among rule of law practitioners and policymakers. This is exacerbated by patriarchal structures in South Sudan's ethnic communities and multiple sources of law – customary law, TCSS), pose a challenge on how the legal instruments should be applied in courts and other legal systems<sup>11</sup>.
- Limited information on how the Standard Operating Procedures (SOPs) are being implemented, a situation that is made worse by lack of a budget for that purpose. This has created impunity among perpetrators of GBV among other human rights violations.
- Crisis situation. After independence (2011), the Government and Opposition developed separate strategies for addressing humanitarian priorities, including developing frameworks for the return, resettlement and reintegration of refugees and internally displaced persons (IDPs). The crisis situation limited the opportunities for implementing these strategies. Development of a 3-year national development strategy with which stakeholders are expected to align their actions started in June 2017 and is yet to be launched.
- In spite of achievements and contributions of social protection programs, national financing for social protection interventions remains a challenge. The NSPPF mandates the allocation of the 1 per cent of the annual national budget to social protection activities in the country. However, this has not yet happened, and as such, spending on social protection is negligible and inadequate.<sup>12</sup>
- Moreover, the NSPPF provides good guidance on how social protection should look like in South Sudan. However, without accompanying laws, policies, and procedures, effective application of the principles of the NSPPF remain a challenge. Similarly, Government's capacity to design, implement and coordinate an effective social protection program in South Sudan remains limited.

### **Sexual Violence against Women and Girls during Conflict**

1.2.3. Sexual violence against women and girls including rape is prevalent in the conflict in South Sudan remain a challenge as well as a setback. Many of these acts of SGBV appear to constitute national and international crimes in violation of human rights and international humanitarian law. Bringing the perpetrators to justice has been slow.

1.2.4. Weak enforcement of laws, especially those dealing with violence against women and girls has given rise to impunity. Across the country, law enforcement services remain weak and police are under-trained and under-resourced. Aside of the Police Special Protection Units (SPUs) that handle SGBV, police are given little training on how to handle cases of gender-based violence and for the most part, they have little knowledge of women's rights. Most police officers are men,

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<sup>11</sup> United Nations Mission in the Republic of South Sudan, 2014

<sup>12</sup> In fact, with on-going increases in military expenditure, the Government is spending much less on social services, i.e. health, education, and social and humanitarian expenditure make up 3.1, 6.6 and 0.9 per cent of the total 2015–2016 budget respectively, compared to 44.7 per cent for security and 14.6 per cent for rule of law.



many of whom are older, uneducated former soldiers with conservative views about women's place in society.

1.2.5. A training manual on investigation and prosecution of SGBV was developed in 2017 by the Ministry of Justice with technical support from the Ministry of Gender. Also, a Department of Women and Juvenile Justice was established under the Directorate of Public Prosecution. The Government has established GBV Court at the Judiciary of South Sudan. When fully operational, the GBV court will hold perpetrators of sexual violence accountable for their actions.

1.2.6. The Government of South Sudan continues to strongly condemn the use of rape as a weapon of war and reiterate its determination to investigate all reported cases of rape by the military and other law enforcement agencies and bring to justice all the perpetrators.

### **1.3. Setbacks to Gender Equality and Empowerment of Women**

1.3.1. The protracted conflict has resulted in killings and displacement of citizens. The cumulative effects of years of conflict, violence and destroyed livelihoods have left more than 7 million people or about two thirds of the population in dire need of some form of humanitarian assistance and protection in 2019 – the same proportion as in 2018. While the situation is no longer escalating at a rapid speed, the country remains in the grip of a serious humanitarian crisis and women and girls are disproportionately affected.

Even with the signing of the Revitalized Agreement and its requirement for women's involvement, there are continued clashes, targeting of civilians, human rights abuses, sexual and gender-based violence, food insecurity and impediments to humanitarian assistance. These undermine gender equality and empowerment of women.

1.3.2. South Sudanese women often find themselves caught up in the war and violence, as they frequently become the victims of sexual assault, lost family members or have their livelihoods destroyed during armed conflict. This diverts their focus from productive work that could contribute to the country's GDP to concentrate on unpaid work of providing security for their children and the home in general.

1.3.3. Agricultural production has been hampered by conflict, inadequate research facilities and poor infrastructure among others. The situation becomes dire when women and girls do not receive adequate education and training. Education has proven to be an important tool to increase agricultural productivity and reduce poverty and malnutrition. Girls in South Sudan often have less access to basic education while women receive only five percent of agricultural extension services.

1.3.4. Women's mobility may be constrained because they are tied to their homes and are the primary care takers of children. They may also lack access to transportation and roads. Furthermore, women may be confronted with risks to their safety, especially in conflict and post-conflict environments; violence against women is a serious problem in South Sudan.

1.3.5. Households affected by HIV/AIDS have increased vulnerability to food insecurity. Illness due to HIV/AIDS impedes a family's capacity to grow food while their nutritional needs are even more critical. Additionally, burdens on women as caretakers are increased.

1.3.6. Land is predominantly owned by men and transferred intergenerational to males. Therefore, women may lack access to land, water rights and livestock. Even when women are able to access land, lack of ownership creates a disincentive to invest time and resources into sustainable farming practices, which in turn lowers production and results in less income and food for the household.

1.3.7. Climate change and conflict have severely impact and undermine economic growth in South Sudan. Unfavourable weather conditions such as persistent droughts and annual flooding, resulting in crop and livestock losses. Droughts are also causing encroachment of the desert southwards, while floods have destroyed forests in low-lying areas. Increased deforestation and overgrazing have resulted in increased soil erosion. There is limited technical and institutional capacity to understand, predict and cope with climate variability and in all these, women are disproportionately affected.

1.3.8. Customs and traditions as practiced remain a challenge and a setback for the attainment of gender equality and the empowerment of women and girls in all aspects of life in South Sudan. In the deeply patriarchal society of South Sudan, stark inequalities between men and women persist. As heads of households, men have the decision-making power within their families and women are expected to be subservient to their husbands.

1.3.9. Gender inequality is thus linked to deep-seated cultural practices. Change will be gradual and take a long time, especially in rural areas. There must be a sustained political will and strong advocacy using culturally sensitive arguments to reform or dismantle the existing social structures and to change the attitudes regarding the role of women in the household, in political participation and in the society, as well as improved access to essential services, control over assets, and support for steps to reduce SGBV.

## **2. Top Five Priorities for Accelerating Progress for Women and Girls over the past five years through Laws, Policies and/or Programmes**

2.0. Over the past five years, the Government of South Sudan identified the following five priorities for accelerating achievement of gender equality and empowerment of women and girls:

### **2.1. *Equality and non-discrimination under the law and access to justice***

2.1.1. The Transitional Constitution of South Sudan is the supreme law of the land and provides for non-discrimination in the Bill of Rights. Section 14 of the TCSS is clear that “All persons are equal before the law and are entitled to the equal protection of the law ***without discrimination*** as to race, ethnic origin, colour, sex, language, religious creed, political opinion, birth, locality or social status. Article 16 on rights of women states in section (1) women shall be accorded full and equal dignity of the person with men. (2) Women shall have the right to equal pay for equal work and other related benefits with men. (3) Women shall have the right to participate equally with men in public life and (5) women shall have the right to own property and share in the estates of their deceased husbands together with any surviving legal heir of the deceased.

2.1.2. The Bill of Rights of the Transitional Constitution of South Sudan (TCSS) provides for equality between women and men and the preservation of human, economic, social and cultural rights including: right to life, right to find a family (Article 15), right to personal liberty (Article 12), equality under the law (Article 14), rights of the child (Article 17), right to education (Article 29), rights to public health care (Article 31), rights to ethnic and cultural communities (Article 33) and the right to own property (Article 28); policy implementation and resource allocation. The Transitional Constitution requires that at least 35% of seats in the national parliament and all other institutions of governance at all levels allocated to women.

2.1.3. South Sudan has enacted various laws, policies and initiated programmes, as well as, acceded/ratified/signed international human rights instruments that address the issues of equality and non-discrimination under the law and access to justice. The Transitional Constitution of South Sudan is the supreme law of the land and provides for non-discrimination in the Bill of Rights. The following Acts also contain non-discrimination provisions that add value to the Bill of Rights: Local Government Act, 2009; Penal Code, 2008 on Rape and Sexual Violence; and Child Act, 2008. During this reporting period, South Sudan enacted a comprehensive Labour Act of 2017.

2.1.4. The Labour Act of 2017 reinforced the right to equal remuneration for work of equal value that is guaranteed by the constitution. The right to non-discrimination in the field of employment has been given effect by the provisions of the Labour Act of 2017. Section 6(1) of the Labour Act provides that ‘No person shall discriminate, directly or indirectly, against an employee or job applicant in any work policy or practice’. Section 6(2) also forbids discrimination by any Trade Union, Employers Association or Federation. Section 6(3) defines discrimination as ‘any distinction, exclusion or preference with the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation’ based on a series of grounds including sex and pregnancy or childbirth.

2.1.5. South Sudan acceded to, and domesticated the following human rights instruments towards the implementation of gender equality and to ensure non-discrimination under the law: the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict; the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women (Maputo Protocol); the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

2.1.6. South Sudan has a good legal framework for the implementation of international legal instruments. The Bill of Rights in Article 9(3) of the Transitional Constitution states that “All rights and freedoms enshrined in international human rights treaties, covenants and instruments ratified or acceded to by the Republic of South Sudan shall be an integral part of this Bill.” It follows that all the human rights instruments listed above which were acceded to are now integral part of the Bill of Rights and enforceable in South Sudan.

2.1.7. The Government of South Sudan in partnership with Civil Society Organizations (CSOs) such as South Sudan Law Society, South Sudan Women Lawyers Association (SSWLA) give credence to article 20 of the TCSS which stated that “The right to litigation shall be guaranteed for

all persons; no person shall be denied the right to resort to court of law to redress grievances whether against government or any individual or organization.”

2.1.8. South Sudan also put in place a number of policy instruments including National Gender Policy and Strategic Plan; National Health Policy (2016-2026); 2016 National Adaptation Programme of Action (NAPA) and Intended Nationally Determined Contributions (INDCs); draft National Land Policy, National Health Policy (2016-2026), National AIDS policy and National Action Plan for the implementation of UNSCR 1325 (2000) on Women, Peace and Security.

## ***2.2. Poverty eradication, agricultural productivity and food security***

2.2.1. Agriculture is a major means of survival for many people in South Sudan and almost 80% of agricultural work is done by women, with many of them involved in both subsistent and commercial farming – planting of food and non-food crops. However, majority of the farmers, both women and men, face challenges ranging from lack of modern agricultural tools and storage facilities to better roads linking centres of production with market places. Food insecurity is likely to persist due to insufficient production, limited access to humanitarian aid, and influx of South Sudanese returnees that could put a strain on already scarce resources, especially in the current year (2019). This situation emanates from the civil war since December 2013 causing lots of destruction, death and displacement.

2.2.2. By August 2017, about 1.7 million people were internally displaced, while 2.5 million were refugees in neighboring countries. A collapsing economy, reduced crop production and dependence on imports seriously undermine people’s ability to secure sufficient nutritious food all year round, putting millions of lives at risk. Famine was declared in two counties and hunger and malnutrition levels were at historic high levels. In January 2019, 6.17 million people did not know where their next meal would come from. A UN food security analysis published in February 2019 indicates that 7 million or 60% of the population will be food insecure at the height of the raining season which runs from May to July.

2.2.3. Women and girls suffer disproportionately from hunger and food insecurity. Cultural norms and decades of violence – including rape as a weapon of war – underpin deep gender inequalities. Men control most productive assets and positions of power. With 80 percent of the country’s women illiterate, domestic violence and early marriage are commonplace. Development partners have been providing life-saving support to millions of people on all sides of the conflict and in virtually all areas of the country that are accessible since independence in 2011. With a view to turning food assistance into a tool for peace building and future development, WFP is engaging grassroots CSOs and empowering communities – with a special focus on women and girls – to foster increasing resilience and self-reliance.

2.2.4. Food and nutritional security continue to be a serious challenge to sustainable development in South Sudan. Furthermore, provision of vital services such as schools, clean drinking water, and health facilities to farmers and communities emerging around farming areas is limited. The Ministry of Agriculture (renamed Ministry of Agriculture, Forestry, Tourism, and Animal Resources, and Cooperative and Rural Development in August 2013), plans to train more Agricultural Extension Officers (AEOs) to help train farmers on appropriate ways of farming,

storing and marketing their products. Also, the new agricultural technologies, such as farming tractors introduced in South Sudan should be gender-sensitive and should meet the needs of women as well.

### ***2.3. Eliminating violence against women and girls***

2.3.1. Sexual and Gender-based Violence (SGBV) is a crime and a serious violation of human rights. In South Sudan, both phases of the civil war were characterized by widespread forms of SGBV including rape as a weapon of war (which is a war crime), abduction and forced sexual favours for survival. All sides of the conflict have been accused of conflict related sexual violence. Both sides to the conflict namely, the Sudan Peoples' Liberation Army (SPLA) and the Sudanese Armed Forces (SAF) continued to have serious effects on women and girls including trauma, stigma, abandonment, death, isolation, HIV/AIDS, and unwanted pregnancies among others.

2.3.2. Quite instructive are the findings of a joint study released on 29 November 2017 by the International Rescue Committee (IRC) and the George Washington University's (GWU) Global Women's Institute (GWI) that reveals up to 65 percent of those interviewed at study sites in South Sudan had experienced either sexual or physical violence in their lifetime by an intimate partner or a non-partner, double the global average and among the highest levels of violence against women and girls in the world. The quantitative component of the study consisted of a population-based household survey administered to a representative sample of women aged 15-64 in three locations: Juba City, Rumbek Centre and Juba PoCs. Qualitative data, in the form of interviews and focus-group discussions, were also collected with community members, key stakeholders and survivors of VAWG in the three locations above plus Juba County and Bentiu PoC site. A total of 2,728 individuals were reached; 2,244 women and 481 men.

2.3.3. GBV is rooted in discriminatory social norms and power inequalities between men and women. The vast majority of women and girls will survive at least one form of gender-based violence – be it rape, sexual assault, physical assault, forced/early marriage, denial of resources, opportunities or services; or psychological/emotional abuse. GBV is often escalated in conflict situation.

2.3.4. As the conflict in South Sudan continued to escalate in 2014, GBV became a widespread concern in the country with far reaching, long-term effects which threatened to impact future generations such as children witnessing sexual violence, children being born of rape, or children's mothers disappearing or being murdered. In some instances, some families began to use gender-based violence and harmful practices such as child marriage as a coping strategy. Families often use early marriage to protect their girls in times of conflict and as a means of income generation in times of extreme poverty and food insecurity. This makes gender interventions more difficult.

2.3.5. There is no specific law against domestic violence in South Sudan and it is widely accepted by both women and men: 82% of women and 81% of men agree that 'women should tolerate violence in order to keep her family together'.<sup>13</sup> Social acceptability of domestic violence, the difficulties for women in obtaining redress, and the lack of consequences for men continue to fuel violence against women and girls in South Sudan.

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<sup>13</sup> <http://www.care.org/sites/default/files/documents/Gender%20in%20Brief%20South%20Sudan%20.pdf>

2.3.6. Nevertheless, the following legal provisions that tend to protect against sexual and gender based violence can be garnered from different laws of South Sudan: Section 247 Penal Code, 2008 on rape and sexual violence states as follows “(1) Whoever has sexual intercourse or carnal intercourse with another person, against his or her will or without his or her consent, commits the offence of rape, and upon conviction, shall be sentenced to imprisonment for a term not exceeding fourteen years and may also be liable to a fine. (2) A consent given by a man or woman below the age of eighteen years shall not be deemed to be consent within the meaning of subsection (1), above. Others legislations are section 274 which criminalize the kidnapping of persons and subjecting them to any form of harm including sexual abuse; Section 108 (5) Local Government Act, 2009; and Section 5 Child Act.

#### **2.4. Access to health care, including sexual and reproductive health and reproductive rights**

2.4.1. The Transitional Constitution of South Sudan states that ‘All levels of government shall promote public health, establish, rehabilitate and develop basic medical and diagnostic institutions and provide free primary health care and emergency services for all citizens.’ (Article 31, TCSS). Through the Ministry of Health, the Government meets its healthcare obligations and has put in place the legislative, policy and programmatic frameworks to support this constitutional requirement. They are:

(i) *National Health Policy of South Sudan (NHPSS) 2016 – 2026*

2.4.2. It focuses on realization of fundamental human rights as outlined in the TCSS, strengthening of the national health system as a prerequisite for health sector reforms; health policies, institutional structures, capacities and better health service delivery. The policy has three objectives, namely: to strengthen health service organization and infrastructure development for effective and equitable delivery of the Basic Package of Health and Nutrition Services, and Universal Health Coverage; to strengthen leadership and management of the health system and increase health system resources for improved health sector performance; and to strengthen partnerships for healthcare delivery and health systems development.

(ii) *National HIV/AIDS Policy*

2.4.3. South Sudan is committed to addressing HIV/AIDS and the gendered factors that make women and girls vulnerable to HIV infection. In 2007, a National HIV/AIDS Policy was developed to provide an enabling policy and legislative environment that supports and strengthens the HIV response in South Sudan. In addition, the First Vice President endorsed the launch of the Government of South Sudan Policy and National Strategic Framework Planning processes in June 2007. This directive resulted into the first National HIV Strategic Framework (2008-2012) which guided all HIV interventions during that period. Since then another National Strategic Plan was developed (2013 -2017).

(iii) *South Sudan AIDS Commission (2006)*

2.4.4. It was created by a Presidential Decree number 55/2006 mandated to coordinate the national HIV response as well as creation of 10 State AIDS Commissions and State HIV Action Plans. At the programmatic level, HIV interventions have focused on: prevention of new HIV infections; treatment, care, support and socio-economic impact mitigation; cross cutting issues such as gender, humanitarian contexts; and health systems strengthening for delivery of HIV services. During the reporting period, the National Strategic Plan (2013-2017) was the lead strategic document guiding

all investments within the HIV response. The document also defines and prioritizes key populations at higher risk of HIV infection, geographic locations with higher HIV prevalence and vulnerable groups.

## ***2.5. Negative Social Norms and Gender Stereotypes: Actions to prevent cultural sustaining harmful cultural practices***

2.5.1. Social and cultural norms are rules or expectations of behavior and thoughts based on shared beliefs within a specific cultural or social group. While often unspoken, norms offer social standards for appropriate and inappropriate behavior that governs what is (and is not) acceptable in interactions among people

2.5.2. Social and cultural norms are influential over individual behavior in a broad variety of contexts, including violence and its prevention, because norms can create an environment that can foster or mitigate violence and its effects.

2.5.3. Social scientists and community of practitioners believe that the social and cultural norms that lead to the tolerance of violence of any form are a result of socialization from a very early age, through witnessing violence in the family, in the media, or in other settings. Witnessing violence in childhood creates norms that can lead to the acceptance or perpetration of a multitude of violent behaviors or acts, but it also may provide a potent point of intervention for violence prevention efforts. Examples of social and cultural norms in South Sudan include acceptance of gender-based violence and forced early marriages.

2.5.4. The Government of South Sudan intervenes in social and cultural norms as captured in the Transitional Constitution of South Sudan and relate to the legal provisions discussed in the previous topic: The Child Act, 2008; (Article 14), rights of the child (Article 17), right to education (Article 29), rights to public health care (Article 31), rights to ethnic and cultural communities (Article 33) and the right to own property (Article 28). In the last five years, the Government of South Sudan partnered with Non-State Actors Sudan such as Voice for Change, UNICEF to implement a three-year project on Social Norms and Community-Based Healthcare (SNCBC) in Yei and Bor counties. The project used two approaches, namely action research and training. Other efforts to address social norms must include reconciliation and negotiation between the constitution's "Bill of Rights" and the customary law systems that promote these social norms in South Sudan by all stakeholders – women, men, traditional authorities, community elders, policy makers and civil society organizations – to develop a common ground that would be acceptable to all. Such an endeavor could only be possible through development of research-based policies and programs.

## **3. Measures to Prevent Discrimination and to Promote the Rights of Women and Girls who Experience Multiple and Intersecting Forms of Discrimination**

### ***3.1. Women Living with Disabilities***

3.1.1. Most disabilities in South Sudan are either direct or indirect consequences of conflict. Yet, disability is stigmatized in South Sudan and as a result children and adults with disabilities are

hidden and isolated. Such negative attitudes contribute to discrimination against people with disabilities in the country. This often makes them not easily accessible to social safety nets and food security schemes for persons with disabilities.

3.1.2. The Government of South Sudan is committed to improving the lives of women and girls with disabilities including their families and cares, through its disability reform agenda. The South Sudan National Disability and Inclusion Policy 2013 is the country's overarching framework for improving the lives of people with disability, including women and girls. The Strategy seeks to ensure greater collaboration and coordination by all stakeholders, industry and communities. The policy is based on five guiding principles: non-discrimination and human right based approach, affirmative action, diversity and inclusiveness, disability mainstreaming and participation. Its overall goal is to address and respond to multiple vulnerabilities faced by PWDs and promote and protect their rights and dignity in an inclusive manner. One of the priority policy areas covered by the policy is to ensure that people with disability have their rights promoted, upheld and protected. The policy acknowledges that men and women with disability face different challenges by reason of their sex and experience.

3.1.3. The Government of South Sudan is considering the signing and ratification of the Protocol to African Charter on Human and People's Right on the Rights of Persons with Disability adopted by the African Union (AU) Assembly of Heads of States and Governments in January 2018. Article 27 of the Protocol has extensive provisions on women and girls with disabilities and enjoins all State Parties to ensure that women with disabilities have full enjoyment of human rights and fundamental freedoms on an equal basis with other persons.

## **3.2. Older Women**

3.2.1. Article 30 of the TCSS on the 'Rights of Persons with Special Needs and the Elderly' states that: (a) All levels of government shall guarantee to persons with special needs participation in society and the enjoyment of rights and freedoms set out in this Constitution, especially access to public utilities, suitable education and employment. (b) The elderly and persons with special needs shall have the right to respect of their dignity. They shall be provided with the necessary care and medical services as shall be regulated by law.

3.2.2. The Government of South Sudan is considering the signing and ratification of the Protocol to African Charter on Human and People's Right on the Rights of Older Persons adopted by the African Union (AU) Assembly of Heads of States and Governments in January 2017. Article 9 of the Protocol contains provisions on Protection of Older Women prohibits violence, sexual abuse and discrimination based on gender, as well as abuses related to property and land rights. The Protocol enjoins States Parties to enact appropriate legislation to ensure towards this end.

3.2.3. The Government of South Sudan provides an enabling environment for CSOs to contribute to reduced vulnerable people's hunger, build their long-term resilience and help them claim their human rights. They protect older people who are displaced within South Sudan by improving their nutrition and access to food. This is done through distribution of cash vouchers to vulnerable older women for them to spend on what they need most, including food. Kitchen gardening groups are trained and given seeds to grow vegetables, which helps to improve nutrition and gives households



the opportunity to earn an income selling surpluses. GOAL is helping in setting up village loan and saving associations, which farmers can use to get cash to support their agricultural production.

### **3.3. *Women in Humanitarian Settings***

3.3.1. Women, children and girls are frequently and increasingly targeted in the conflict in South Sudan. They are subjected to various forms of violence and abuse ranging from arbitrary killings, torture and sexual violence such as rape and defilement, domestic violence and trafficking. Protracted conflicts have shattered many traditional norms, changing the roles traditional roles of women and militarized the conflict. This made women become not only “collateral damage” but as legitimate targets, both for sexual and other types of violence.

3.3.2. The Gender Machinery in South Sudan is monitoring the implementation of the National Action Plan on UNSCR 1325 on women, peace and security as well as the Standing Operating Procedures (SOPs) on gender-based violence (GBV) among other human rights violations. The challenge is inadequate budgets for the implementation.

## **4. Humanitarian Crises and the Implementation of the BPfA**

4.1.1. Since the last BPfA report, human-induced and conflict-driven humanitarian crises have increased the vulnerabilities of South Sudanese women in adapting to the adverse effects of climate change and in coping with the destructive consequences of armed conflict. The security challenge has continued to impact on the number of refugees and IDPs in the country as evidenced by the increasing number of people fleeing from their regular area of residence. According to December 2017 figures, 4.5 million out of a population of 12.2 million<sup>14</sup> have been displaced internally or are seeking asylum in neighboring countries, with up to 85 percent estimated to be children and women.

4.1.2. Ultimately, conflict-driven humanitarian crises have impacted negatively on the implementation of the BPfA and setback to gender equality and women empowerment. More resources are allocated to defense and security than to human capital development that will benefit more women and girls, thereby accelerating the implementation of the BPfA.

4.1.3. Women are intricately linked to and are part of many of the drivers and manifestations of communal conflict in South Sudan. Not only are women and children more likely to be victims of violence, but issues closely related to women are among the most prominent drivers of inter-communal violence in the country today, such as cattle raiding to pay for high dowries, land disputes around inheritance laws that prohibit the passage of land to women, and tensions surrounding marriage. Despite this, women remain under-represented and removed from peace building efforts and peace processes at the community level, and this lack of engagement demonstrates a clear failure to recognize their roles in contributing to violence and peace.

4.1.4. The current conflict has made South Sudan a dangerous place to be a woman or a girl. More than half of young women aged 15-24 years have experienced some form of gender-based

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<sup>14</sup> According to December 2017 figures from OCHA and UNHCR

violence<sup>15</sup>. Most women in South Sudan are affected as they are often harassed in many different ways - touched, beaten, sexually abused. The report indicates that 475,000 women and girls are at risk, which is why the Government of South Sudan is determined to redouble its efforts to address gender-based violence as part of mental health and psychosocial support programmes, particularly for women displaced by the three-year conflict. This is particularly important as violence can affect women's physical, mental, sexual and reproductive health, and may increase vulnerability to HIV. These and other factors pose a challenge to the participation and representation of women in gainful activities such as leadership and entrepreneurship that could contribute to their empowerment and enable them claim their space in the public sphere.

## **5. Top Five Priorities for Accelerating Progress for Women and Girls for the coming Five Years through Laws, Policies and Programmes**

5.0. The Government of South Sudan is strongly committed to human capital development with focus on women and the girl child in the areas of education, STEM, training and health. The top priorities in the next five years will be human capital development and related areas discussed below:

### **5.1. *Quality Education, Training and Life-long Learning for Women and Girls***

5.1.1. Quality education is key to building a peaceful and stable future in South Sudan. Improved education outcomes, especially for women and girls will continue to be a top priority for the Government, as the legal and policy environment exist already. The right to education without any discrimination is guaranteed by the Transitional Constitution. Article 6(C) of the Education Act stipulates that 'education shall promote gender equity throughout the primary, secondary and other institutions of learning; and sub-section 'd' provides that 'education shall inculcate in the individual awareness and respect for life, human dignity in general and human rights in particular, especially the child rights'. While Article 7 (C) also states that one of the goals of education is the achievement of equity, the promotion of gender equality and the advancement of the status of women.

5.1.2. The Government of South Sudan is determined to improve the literacy level in the country and to eliminate the gender gaps in education in line with SDGs 4 and 5 and AU Agenda 2063. In seeking to redress the huge gaps in educational attainment between men and women, the Ministry of Education will scrupulously implement the comprehensive National Girls' Education Strategy for 2018–2022.

5.1.3. In this context, Government of South Sudan will expand and continue the implementation of the Girls' Education South Sudan (GESS) Project. Under the project, Government funds capitation grants to about 4,000 not-for-profit schools which include government, community and faith-based schools to help reduce running cost and improve learning environment, thereby encouraging parents to send their children to school. GESS works to increase the number of educated girls in South Sudan by giving more girls access to quality education.

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<sup>15</sup> According to UNDP and IOM (2018)

5.1.4. The high level of illiteracy and youth unemployment has necessitated the urgent need for massive vocational training programme opportunities in the country. There is a South Sudan Vocational Training Policy aimed at giving direction for implementation of vocational training programme. The policy addresses graduates of primary/secondary schools, adults, employees, unemployed and under-employed, entrepreneurs, informal apprentices, ex-combatants, IDPs, returnees, premature leavers/drop-outs and marginalized populations such as street children including girls. Apart from private ones, there are six government owned vocational centers in the country and a women's Vocational Training Institute. Government will ensure the implementation of the Vocational Training Policy.

5.1.5. The Government of South Sudan will continue to support the GoGirls ICT Initiative, which is an organization founded by young South Sudanese women that aims to engage, educate and empower women and girls in science, technology, engineering and mathematics (STEM) based fields through trainings and mentorship. The GoGirls have taken their "Time-To-Shine" ICT programme into schools, working with headmasters and teachers to bring their unique curriculum to students during short class sessions. Their school mentorship programme is now reaching approximately 60% girls and 40% boys.

## ***5.2. Poverty eradication, agricultural productivity and food security***

5.2.1. Women are the primary breadwinners for most homes in South Sudan, as 58% of households are headed by women<sup>16</sup>. Economic spaces such as markets are critical areas to engage women. However, as inter-tribal relationships deteriorate, women often retreat from engaging in trade and other economic activities with groups other than their own, reducing opportunities for constructive inter-group collaboration and exchange. There is a strong correlation between the number of interactions between tribes and levels of inter-communal trust. The more often those communities interact, the more likely there will be higher trust between groups. Economic and livelihood interventions can be a unifying force. RABITA is a group of women community members in Gudele Bloc 4, Joppa, and Kabo near Juba town, who provide training to women from different tribal groups on farming and gardening and on women-specific issues related to health and hygiene. In another example, women's local "federations" that were established during South Sudan's independence movement and comprised women and young girls across tribal lines later went on to conduct activities that directly benefited women, including building women's centres, education support, self-help groups, agriculture and craft initiatives, and employment placements at local hotels and restaurants. Such models can empower women to come together and build relationships across dividing lines, focused on shared interests.

5.2.2. The Government of South Sudan will partner with private sector to strengthen the capacity of women and girls in entrepreneurial skills with the objective of introducing them to new ways of doing non-labour-intensive enterprises such as green –houses. This model will incorporate opportunities for starting savings and credit facilities and women's cooperatives.

## ***5.3. Eliminating Violence against Women and Girls***

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<sup>16</sup> Gaby Rojas Pérez, "Conflict in South Sudan: How Does It Affect Women?" Humanitarian Aid Relief Trust, (6 May 2014).

5.3.1. The laws of South Sudan prohibit rape and other sexual based violence. Rape is prohibited by law. This means that a person should not have sexual intercourse with another without his or her consent. Persons under the age of 18 years are presumed not to be capable of giving consent to sex. It follows that having sexual intercourse with a person under the age of 18 years amounts to a statutory rape, since the person is not capable in law of giving consent. However, section 247 of the Penal Code states that “Sexual intercourse by a married couple is not rape, within the meaning of this section. This means that sexual intercourse between a man and his wife will not amount to rape even where there is lack of consent or one of the spouses is below the age of 18 years. This is inconsistent with the provisions of the Transitional Constitution, the Child Act and Local Government Act, which protect children from under aged sex, harmful traditional practices and early and forced marriage. Since these legislations came into effect after the Penal Code, they must be deemed as overriding section 247 of the Penal Code. While the Child Act and the Penal Code were passed in the same year, the Child Act came into effect after the Penal Code. Further, the Transitional Constitution is the supreme law of the land and any legislation or law (past, present or future) that is inconsistent with the Constitution is void and of no effect.

5.3.2. Recent years have shown an increased awareness that violence against women is not only physical violence since stalking and psychological violence can be equally invasive and degrading. Regardless of how or against whom violence takes place, targeted action is necessary to create an equal and respectful society in which everyone feels secure both inside and outside their homes. Consequently, the Government of South Sudan will develop new measures and to generate new knowledge in order to prevent violence against women.

#### ***5.4. Access to Affordable Quality Healthcare, including Sexual Reproductive Health & Reproductive Rights***

5.4.1 The Government of South Sudan is committed to Universal Health Care (UHC) for all its citizens and ensuring that no one is left behind. Through UHC, the Government hopes to provide access to affordable quality healthcare including sexual reproductive health and reproductive rights. The legal and policy framework already exists and Government is determined ensure progress in implementation.

5.4.2. The right to life and human dignity is guaranteed by Sections 11 of the South Sudan Transitional constitution. The duty to provide ‘maternity, child and medical care’ as well as free primary health care and emergency services (which invariably is an affirmation of the right of women to access medical services) is imposed by the constitution on government at all levels by Articles 16 (c) and 31 respectively.

5.4.3. The National Health Policy (NHP) 2016-2026 is designed to provide the overall vision and strategic direction for health sector response. The NHP is being implemented through two five-year strategic plans: 2016-2021 and 2021-2026. It draws its mandate from the Transitional Constitution (2005), Vision 2040, the South Sudan Development Plan (SSDP), and the Sustainable Development Goals (SDGs) Agenda 2030. The overall goal of the NHP is a strengthened national health system and partnerships that overcome barriers to effective delivery of the Basic Package of Health and Nutrition Services (BPHNS).

5.4.4. A most serious concern of government is the persistent high rate of maternal mortality among South Sudanese women and worse among adolescent between the ages of 14 and 19. HIV/AIDS is another major health challenge for South Sudanese that disproportionately affect women and girls, in spite of efforts to, and progress towards reduction. There are clear gender differences in the HIV epidemic: More females are getting infected and are more at risk of dying than males.

5.4.5. In implementing the aforementioned laws, policies and programs, South Sudan, with the support of partners has developed the following policy document that are currently being used to guide maternal health response across the country: Road Map for Maternal Deaths Surveillance & Response; Standard & minimal package and the Training Kit for Provision of Youth friendly SRH; Family planning policy and training handbook; Comprehensive Emergency Obstetrics & Neonatal Standards, Protocols and Guidelines; Gender mainstreaming strategy for Health sector (RH); comprehensive sexuality education curriculum and Comprehensive Reproductive Health Policy and Strategy among others.

5.4.6. There is stiff resistance to contraceptive usage among South Sudanese women. Rumours and misconceptions about contraceptives are widespread, and many men are opposed to family planning. The Government is committed to removing institutional and social-cultural barriers to sexual and reproductive health for all and to improve availability and access to family planning information and services; to increase modern contraceptive prevalence rate among married women from 5% (2016 FPET estimate) to 10% by 2020; and to reduce maternal mortality ratio by 10% by 2020.

5.4.7. The Government of South Sudan is committed to upholding family planning as a human right, and to have families exercise this basic human right to determine freely and responsibly the number and spacing of their children. The Government is also committed to the implementation of the FP2020 initiative adopted at the London Family Planning Conference in 2017.

5.4.8. The setting up of the South Sudan Parliamentary Network on Population and Development (SSPNPD) in July 2018, further demonstrates and reflects these commitments. The SSPNPD brings together and empower legislators to address population and development issues through advocacy, resource mobilization and evidence-based policy making and legislation. The aim of the network is to prioritize reproductive health, including family planning, prevention of HIV and Sexually Transmitted Infections (STIs), and prevention of harmful practices such as child marriage and gender-based violence as they review and pass inclusive laws; approve, appropriate and monitor implementation of national budgets; including oversight and accountability in implementation of policies and programmes for national development.

## ***5.5. Political Participation and Representation***

5.5.1. The presence of substantial number of women in parliament and other government institutions have ushered in changes in the culture of government institutions towards women's role in politics and public affairs. Women are now better able to articulate issues and are deemed to be more effective in applying regulations than men. With the signing of the Revitalized Agreement on the Resolution of the Conflict in September 2018 and which substantively

guaranteed 35 per cent women's representation across the pre-transitional institutions, South Sudanese women leaders have more doors open for them to contribute to nation building.

5.5.2. Moving forward, the Government of South Sudan should encourage women leaders to expand their educational and professional prowess through mentorship programmes to prepare them for leadership. A key area to be grounded in, is the language of parliamentary expression now that the official language of South Sudan is English. Consideration should be given to the use of local languages in official documents particularly at the state and local levels.

## **5.6. *Gender Responsive Budgeting***

5.6.1. Gender-responsive budgeting (GRB) is becoming an increasingly popular tool to support progress towards gender equality across the world. It is particularly important given that national budgets tend to fail to consider the fact that men and women have different resources, roles and responsibilities, which perpetuate gender discrimination and inequality. GRB asks how public budgets impact upon or advance gender equality, and it involves a range of activities aimed at correcting the discriminatory gendered dimension of development policies. The main objective of GRB activities is to facilitate a change in the government budget to improve the allocation of resources to women and other vulnerable groups. The highest priority sectors – such as roads, for example – are often considered to have limited gender relevance, yet in reality, access to roads and transport can be a key determinant in supporting women's economic empowerment.

5.6.2. In conflict and post-conflict contexts such as South Sudan, women suffer the effects of fighting disproportionately due to their disadvantaged situation, their distinctive social obligations and responsibilities as well as their exposure to gender-based violence and exploitation. Women are more likely to be excluded from the benefits of recovery, despite the significant role they play in state-building and peace-building efforts. As such, the objectives of GRB can be categorized into three main (and often interlinked) goals: to raise awareness and understanding of gender issues in budgets and policies; (2) to foster governments' accountability for their gender equality commitments; and (3) ultimately to change budgets and policies in the light of the assessments and accountability effected. This is especially important in post-conflict contexts as national planning frameworks guide reconstruction and development efforts by prioritizing and funding policy objectives. If gender priorities are not recognized at the beginning of the planning process, it is unlikely that their importance will be recognized over time, resulting in fewer resources being allocated to programmes on women and girls. The Government of South Sudan will engage development partners and Non-State actors to ensure they finance the felt needs of women and girls. Key areas where budgets should focus include health, vocation and tertiary skills training. GRB will ensure accountability at all

## **5.7. *Changing Negative Social Norms and Gender Stereotypes***

5.7.1. One of the key efforts to be made by the Government of South Sudan to ensure gender equality is to break down and eliminate gender stereotypes and unconscious bias and practices based on socialization that one category of people is more superior to the other. Social and cultural structures often inhibit women and girls as well as men and boys from living a life in freedom, thus creating a negative impact on society since resources and talents are not utilized optimally.

5.7.2. The Government of South Sudan will continue the work to reduce gender stereotypes and biases in education and the labour market and to encourage fathers to take parental leave, whether on salaried jobs or self-employment to promote the proportion of women in management.

## Section Two

### Progress Across the 12 Critical Areas of Concern

6.0.0. This section covers progress across the 12 critical areas of concern of the Beijing Platform for Action (BPfA) and are clustered into six overarching dimensions. National initiatives to address the 12 areas of concern highlight the government's commitment to secure equality, development and peace for South Sudanese women. These national initiatives align with the 2030 Agenda for Sustainable Development (SDGs), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the National Action Plan for the implementation of UNSCR 1325 (2000) on Women, Peace and Security (2015).

6.0.1. In spite of the economic, political and security challenges, since 2015, the government of South Sudan has undertaken further initiatives to advance the rights of women in the critical areas of concern. While there are reported improvements or some progress contributing to the desired outcome indicators, there remain challenges towards achieving desired results. There are also emerging issues along these concerns that warrant appropriate interventions.

#### **Overarching Dimension 1: Inclusive Development, Shared Prosperity and Decent Work**

6.0.2. South Sudan is expansive, largely rural, yet widely depopulated. Almost 83% of the population resides in rural areas. Poverty is endemic and widespread with at least 80 percent of the population defined as income-poor. According to the National Bureau of Statistics (2010) 51% of the population of South Sudan live below the poverty line and women make up 51.6% of the poor. The South Sudan Development Plan (SSDP) 2011-2013 extended to 2016) acknowledges the high prevalence of female households which make up a big number of rural and urban poor.<sup>17</sup> Industry and infrastructure are severely underdeveloped while unemployment rate is about 11.50%. Unemployment rate in South Sudan averaged 12.01% from 1991 until 2017<sup>18</sup>.

6.0.3. The Gross Domestic Product per capita in South Sudan was last recorded at 1569.89 US dollars in 2016, when adjusted by purchasing power parity (PPP). GDP per capita PPP averaged 2610.29 USD from 2008 until 2016, reaching an all-time high of 3789.90 USD in 2010 and a record low of 1550.27 USD in 2012.<sup>19</sup>

6.0.4. Real GDP contracted by an estimated 3.8% in 2018, following a contraction of 6.3% in 2017, supported by a slight recovery in global oil prices. On the supply side, the oil sector continued to be the main contributor to growth, accounting for about 70% of GDP in 2017, followed by agriculture (10%), manufacturing (7%), and services (6.1%). On the demand side, public consumption was the main contributor, following the 2017 56% increase in public salaries. The current account turned to an estimated deficit of 12.7% of GDP in 2018, from a surplus of

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<sup>17</sup> National Gender Policy, 2012: 20, 21

<sup>18</sup> Trading Economics, National Bureau of Statistics, South Sudan (2018), South Sudan Unemployment Rate, available online: <https://tradingeconomics.com/south-sudan/unemployment-rate>

<sup>19</sup> National Bureau of Statistics, South Sudan. GDP growth rate: -13.8% (2016 source WB).



1.7% in 2017, due to a decline in exports, and continued to stymie growth. Income tax increases, high inflation, internal conflicts, disruptions to oil production, a fall in oil prices, and weak agricultural production were the main drivers of the decline in GDP. The resulting fiscal deficit was an estimated 1.5% of GDP in 2018, down from a surplus of 5.8% in 2017.

6.0.5. The poor economic performance aggravated by lingering security challenges in South Sudan has and continues to impact the labour market negatively. With a high level of non-literate population, ‘unemployment rate in South Sudan remained unchanged at 11.50% since 2016. An estimated 11.6% male population and 13% female population are unemployed in South Sudan<sup>20</sup>. In all, 84% of those employed are in non-wage work either for their family (43%), for others (5%) or on their own account (37%). At the same time, the agriculture sector accounts for 63% of all employment. Those in non-wage employment in the agriculture sector (i.e., the overlapping group) account for 61 percent of the employed. Only a minority of workers enjoys formal salaried employment (13%) or employment in the tertiary sector (19%). These patterns are especially pronounced for rural dwellers (90% are in non-wage work, 69% are in agriculture and 67% are in both) and the poor (93% are in non-wage work and 75% in agriculture)<sup>21</sup>.

## **6. Actions taken to Advance Gender Equality in Relation to Women’s role in Paid Work and Employment**

6.0.6. Concrete measures have been taken in the last few years to advance gender equality in relations to women’s role in paid work and employment including:

### ***6.1. Strengthened/ enforced laws and workplace policies and practices that prohibit discrimination***

6.1.1. The legal and policy environment for gender equality and equal opportunities for women and men in the world of work is progressive. The Government passed the Labour Act of 2017, which has further reinforced and added value to existing legal provisions.

6.1.2. The Government of South Sudan has ratified CEDAW and the International Discrimination (Employment and Occupation) Convention, 1958 (No. 111) *in 2015*. There is a gender machinery in place leading government response to the promotion of gender equality in the country.

6.1.3. The right to equal opportunities in the field of employment for women and men is guaranteed by the Transitional Constitution of South Sudan, 2011. Specifically, Article 16 guarantees women’s right to full and equal dignity of their person with men, the right to equal pay for equal work and other related benefits with men as well as the right to participate equally with men in public life. Also, the Civil Service Act (2011) of South Sudan (Section 19(b)) also provides for equal rights for women and men in recruitment, promotion and remuneration.

6.1.4. The right to equal remuneration for work of equal value that is guaranteed by the constitution and the Civil Service Act is further protected by Section 8 of the Labour Act of 2017.

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<sup>20</sup> L. Guarcello S., Lyon F. C. and Rosati (2011) Labour market in South Sudan Country Report December 2011, Understanding Children’s Work (UCW) Programme, [http://www.ucw-project.org/attachment/30052016798Labour\\_market\\_in\\_South\\_Sudan.pdf](http://www.ucw-project.org/attachment/30052016798Labour_market_in_South_Sudan.pdf)

<sup>21</sup> *ibid*

The right to non-discrimination in the field of employment has been given effect by the provisions of the Labour Act of 2017. Section 6(1) of the Labour Act provides that ‘No person shall discriminate, directly or indirectly, against an employee or job applicant in any work policy or practice’. Section 6(2) also forbids discrimination by any Trade Union, Employers Association or Federation. Section 6(3) defines discrimination as ‘any distinction, exclusion or preference with the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation’ based on a series of grounds including sex and pregnancy or childbirth.

6.1.5. Article 16 (4) (c) of the Transitional Constitution places responsibility on all levels of government to provide maternity and child care and medical care for pregnant and lactating women.

6.1.7. One of the special measures put in place to make the legal provision highlighted above real in the lives of women, is the entitlement of 90-day maternity leave and the guarantee of retaining a job position after returning from leave. These are provided for in Section 64 of the Labour Act, sub-Section 1. By this law, a female employee is entitled to a 90-day maternity leave with full pay on each occasion she is pregnant; and 45 days for breastfeeding while working for half day as stipulated in Sub-section 7.

6.1.8. The law (Section 65) also provides for two weeks of paternity leave and full pay for men whose wife is pregnant, following the birth of his child or immediately following miscarriage by his wife and without losing the position that he was before going on leave. However, this entitlement is not extended to partners of unmarried pregnant women. While this provision is being implemented in the private sector, it has not taken effect in the public sector

6.1.9. Section 68 (3) of the Labour Act forbids an employer from requiring or permitting an employee who is pregnant or who has recently given birth to perform night work during the eight weeks leading up to the anticipated date of childbirth and the eight weeks immediately following childbirth or any other period specified by a medical certificate from a government hospital or clinic or private clinic stating that night work may endanger the health of the employee or her child.

6.1.10. Similarly, by virtue of Sub-section 9, an employee who is pregnant or nursing a child is protected from being told to perform work that is hazardous to her health or the health of her child. An employee who has a miscarriage or a stillborn child, is also entitled to leave for six weeks after the miscarriage or stillbirth.

6.1.11. Other entitlements for a nursing mother, within six months upon return from maternity leave are: (a) two breaks of thirty minutes each during working day; (b) a reduction of sixty minutes from her daily hours of work or (c) provision of a clean space for baby-sitters in workplace for lactating mothers to breastfeed their babies regularly (although there is currently no such facility within the Federal Secretariat). In addition, Sub-section 8 of Section 64 also allows all periods of rest that a nursing mother may enjoy to be considered as working time with pay accordingly.

6.1.12. In promoting inclusiveness in the world of work, there is also a National Disability and Inclusion Policy (2013) which seeks among other things to address and respond to multiple vulnerabilities and discriminations faced by Persons With Disabilities (PWDs); and to promote and protect their rights and dignity in an inclusive manner. One of the key priority areas of the policy is economic empowerment and improved livelihood for PWDs. Some of the strategies for achieving this include the implementation of a range of safety net programmes; promotion of affirmative action for employment of people with disabilities and scale-up/implementation of vocational skills training and development programme for PWDs.

6.1.13. Section 70 of the Labour Act enjoins the Minister to make regulations that can offer protection to apprentices, and employees with special needs. The provision applies to both male and female citizens.

## **6.2. *Strengthened Land rights and Tenure Security***

6.2.1. The Constitution also states that every person shall have the right to acquire or own property as regulated by law (Article 28.1). The Land Act (2009), which regulates land ownership in South Sudan, ensures equal rights to acquire or own land (Article 5.b). Article 13.1 of the act further states that the right to land shall not be denied by the Government of Southern Sudan, State Government or community on the basis of sex, ethnicity or religion. According to the Land Act, women have equal rights to men to access to land for housing, cultivation, pasture, grazing, or fishing (Article 14.2). Women also have equal access to land for investment purposes under this Act (Article 13.3).

6.2.2. The Land Act states that women shall have the right to own and inherit land together with any heirs of the deceased. Moreover, Women's right to own property and inherit their husbands' estates are guaranteed by the Transitional Constitution (2011: Article 16.5). However, the Constitution and Land Act have no provisions to take care of joint land titling in case of informal unions.

6.2.3. In reality, women's land rights are highly insecure<sup>22</sup> and limited by patriarchal customary laws.<sup>23</sup> Under customary law, women's right to access and use land is connected to their husbands and male family members<sup>24</sup>. Similarly, customary laws dictate that women cannot keep their own income.<sup>25</sup> The National Gender Policy (2012) states that the Land Act (2009) does not adequately address issues of land rights for women.<sup>26</sup>

6.2.4. It is acknowledged that dispossession of widows, daughters, and divorced women is common.<sup>27</sup> Widowed women face barriers when trying to claim inherited leasehold rights from the government<sup>28</sup>, leaving abandoned women destitute.<sup>29</sup> The enforcement and implementation of

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<sup>22</sup> The IS academy and the Royal Tropical Institute KIT, 2013: 5

<sup>23</sup> OXFAM Canada, 2013: 1

<sup>24</sup> OXFAM Canada, 2013: 7

<sup>25</sup> Human Security Baseline Assessment 2011, p.6

<sup>26</sup> National Gender Policy, 2012: 20, 21

<sup>27</sup> OXFAM Canada, 2013: 7

<sup>28</sup> USAID, 2010

<sup>29</sup> Human Security Baseline Assessment, 2012: 6

land legislation is largely weak. In general, institutions developed to deal with land rights often lack clear mandates, regulatory frameworks, necessary levels of funding, and the human capacity for their own establishment and effective operation.<sup>30</sup> This environment puts women at a further disadvantage.

### **6.3. *Financial Inclusion and Access to Credit including for self-employed Women***

6.3.1. Men and women are afforded equal rights to open a bank account or obtain credit at formal financial institutions.<sup>31</sup> Married women do not require permission from their husbands to open an account<sup>32</sup>. Approximately, 1% of households in South Sudan have a bank account<sup>33</sup>.

6.3.2. The National Gender Policy, Agriculture Strategy, National Cooperative Strategy and South Sudan Development Plan have several programme priorities that are instrumental to ensuring women's economic empowerment. One of the strategies proposed for advancing women's economic opportunities gender policy is the establishment of a Women's Bank and a Women's Empowerment Trust Fund, as well as, the strengthening of other financial services such as Village Savings and Loan Associations/schemes (VSLAs) with a view to eliminating gender inequalities in access to capital, credit and other financial services.

6.3.3. Article 7 of the Agreement on the Resolution of Conflict in the Republic of South Sudan (ARCSS), 2015 addresses the establishment of an Enterprise Development Fund and specifically Article 7.1.5 is focused on women entrepreneurs, which states "... establish<sup>34</sup> a Women Enterprise Development Fund for provision of subsidized credit for women-based enterprise development and capacity building of women entrepreneurs..." (ARCSS, 2015)<sup>35</sup>.

6.3.4. Although not realized yet, Article 4.15 of the newly signed Revitalized Agreement (September, 2018) commits government to the creation of enterprise development funds including a Women Enterprise Development Fund (Article 4.15.1.5). Major steps have been taken by government towards implementing this. A study aimed at determining the appropriate model for South Sudan has been conducted and report submitted in December 2018. This is awaiting a final decision for implementation to commence.

6.3.5. In response to some of the financial credit issues, a Youth Business Start-up Program supported by the World Bank offered new opportunities for selected youth beneficiaries in South Sudan in 2015. The program offered a local currency equivalent grant of USD 1,000 to about 1,200 youths (60% of whom are women).

6.3.6. With the Government support, Women are also organizing by forming business-related associations. A pioneering example is the Southern Sudan Entrepreneurs Association (SSWEA), which perceives women entrepreneurs as catalyst to the development process in South Sudan. The

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<sup>30</sup> The IS academy and the Royal Tropical Institute KIT, 2013: 7

<sup>31</sup> International Bank for Reconstruction and Development/The World Bank, 2015

<sup>32</sup> International Bank for Reconstruction and Development/The World Bank, 2015

<sup>33</sup> OXFAM Canada, 2013: 5

<sup>34</sup> The Transitional Government of National Unity (TGONU) is required by the ARCSS to establish such a Fund.

<sup>35</sup> Inclusion of this provision in the ARCSS is largely attributed to the tireless lobbying efforts a group of women who were actively involved in the negotiation of the ARCSS in Addis Ababa, Ethiopia.

Association supports women entrepreneurs through capacity building, Village Savings and loans schemes etc.

6.3.7. There are 427 registered cooperative societies in South Sudan with most of them engaged in diary, poultry and vegetable production. There is cooperative Bank in the country, with 49 % of its shares owned by government.

6.3.8. Several NGOs, some with the support of UN Agencies and other international organizations are also providing support and opportunities for women to access finance especially for small businesses. There are several agencies involved in cash programming. The WFP/FAO supported over 50 NGOs through different cash programs.

6.3.9. In 2016, ACTED trained more than 400 women in Wau on how to start Savings and Loans Associations. ACTED also continues to provide savings and loans support to 39 Village Savings Loans Associations in the Upper Nile region. A total of 859 persons (835 women, 24 men) were trained on record keeping and financial literacy in 2018.

## **7. Actions taken to recognize, reduce and/or redistribute unpaid care and domestic work**

### ***7.1. Invested in time- and labour-saving infrastructure, such as public transport, electricity, water and sanitation, to reduce the burden of unpaid care and domestic work on women***

7.1.1. For most part of South Sudan, there is absence of basic services and social determinants of health, including portable water, electricity; health care, food and nutrition security, as well as inadequate access to education and feelings of isolation.

7.1.2. Most South Sudanese women spent more time on care work and unpaid domestic work in addition to time spent on the farm or in paid employment. Modern childcare services are largely private and unaffordable to most working women.

### ***7.2. Conducted campaigns or awareness raising activities to encourage the participation of men and boys in unpaid care and domestic work***

7.2.1. South Sudan's legal framework does not contain specific articles or provisions regarding the responsibilities and rights in the household. The Child Act (2008) guarantees men and women the same rights to be legal guardians of their children in marriage (Article 40). Article 40.1 states that both parents have parental responsibility for the child and neither the father nor the mother of the child has a superior right or claim against the other in the exercise of such parental responsibility. Where a child's father and mother were not married to each other at the time of the child's birth, but have subsequently married each other, the above applies too. The article does not mention the responsibilities of both parents to children with regard to informal unions.

7.2.2. In what might be considered as unpaid domestic work, the law (Section 65) provides for two weeks of paternity leave and full pay for men whose wife is pregnant, following the birth of his child or immediately following miscarriage by his wife and without losing the position that he was before going on leave. It is expected that the men will help in domestic work during the paternity leave period. However, the entitlement of paternity leave is not extended to partners of unmarried pregnant women.

7.2.3. The Government of South Sudan has not yet developed family laws or policies that clearly define women's rights within the household. The Constitution (2011) guarantees the rights of every citizen to freedom of movement and the liberty to choose his or her residence (Article 27.1). Gender roles and positions are clearly defined and strictly enforced in South Sudan. Cultural and traditional perceptions relegate women to the private sphere. In the private sphere women are assigned time-consuming household responsibilities. Traditionally, women are not only expected to be subservient to their husbands but also to other men in their family. Customary practices of the various ethnic communities in South Sudan attach great social and economic importance to dowry payment which is connected to a husband's rights over his wife. The perception is that once dowry is paid, a woman is the property of her husband and his family.

7.2.4. The Government of South Sudan, through its Gender Machinery is trying to change this perception. In collaboration with development partners and civil society organizations the Government is focused on gender equality and empowerment of women and girls in the country and continues to create public awareness on issues of gender in governance at all levels, as well as roles sharing at family level. Although patriarchy is still entrenched in most communities in South Sudan, majority of the people are aware, with a few having started to embrace the message. During one of the gender training in Mapel in 2016, a 75-year old man asked why the trainers took long to come to save him from overworking his wife who had since died. This sentiment goes a long way to say that the old man was ready to advise others to embrace gender roles sharing in the family.

### ***7.3. Introducing Legal Changes regarding division of Marital Assets after Divorce***

7.3.1. In South Sudan, issues of marriage are largely regulated by customary law which is patriarchal. In essence, the rights and responsibilities are often not equal. Customary law permits a man to 'discipline' his wife and this often promotes domestic violence. This is not in line with the intent of the Constitution which seeks to promote women's full and equal dignity of women with men (Article 16). There is no explicit mentioning of divorce rights in the Transitional Constitution and other legal provisions.

7.3.2. Nevertheless, either party to a marriage can seek divorce in South Sudan. Divorce proceedings differ from place to place in the country, whereas some couples have to appear before the customary courts, others can divorce by agreement and without a court process. However, under the customary law, the finalization of the divorce is only when the bride price has been returned to the husband and his family. Often times, it is practically impossible for the bride price to be returned as it would have been shared among the wife's family members. This requirement thus makes it extremely difficult for many women to secure a divorce even in the face of unprecedented levels of sexual and gender-based violence.

7.3.3. Hence, there is no legal requirement regarding the division of marital assets or pension entitlements after divorce that acknowledge women's unpaid contribution to the family during marriage.

## **8. Introduction and Impact Assessment of Austerity/Fiscal Consolidation Measures, such as Cuts in Public Expenditure or Public Sector Downsizing**

### **8.1. *Impact Assessment***

8.1.1. With the resumption of conflict, South Sudan's economy has been contracting with budget deficits and the reintroduction of austerity measures that was relaxed in 2014. Real GDP is projected to further contract by 3.5 percent in FY2018, following the contraction of about 6.9 percent in FY 2017. Monetization of the fiscal deficit led to strong money growth and high inflation, although there are indications that borrowing from the Bank of South Sudan had been limited in the second half of 2017. The spread between the official and the parallel market exchange rates remains wide, despite the recent exchange rate appreciation. About 82 percent of South Sudanese were living under the international poverty line in 2016. High inflation, disrupted trade flows, and conflict continue to expose many households to food insecurity and displacement.

8.1.2. South Sudan's cabinet approved the general budget for fiscal year 2018/19, which increased by about 60 percent to reach 584 million USD up from 366 million USD in FY17/18. It remains unclear how South Sudan will finance the budget, given its struggling economy amidst the ever-rising inflation and conflict.

8.1.3. Spending continues to be skewed toward defense at the expense of poverty reduction. Extra-budgetary expenditures are not specifically reported but it is assumed that large amounts are being spent on security related matters. Further it is assumed that a high level of debt and arrears were accumulated outside of the normal budgeting process, but the amount remains unknown.<sup>36</sup>

8.1.4. The impact assessment of these measures has not been officially conducted but the following are obvious:

8.1.5. High inflation puts households in both urban and rural areas in a difficult situation. The cost of the minimum expenditure basket, which measures what a household requires to meet basic needs, increased from 5,370 SSP in May 2016 to 31,632 in May 2018. The sharp increase was mainly driven by high prices in food items.

8.1.6. Expenditures continue to be skewed toward defense at the expense of poverty reduction. Security and accountability/public administration and rule of law spending have accounted for over 70 percent of the total budget over the past three fiscal years. By contrast, education and

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<sup>36</sup> According to the recent released Open Budget Survey 2017, South Sudan has a score of 5 out 100 in terms of the Transparency Open Budget Index, while the global average is 42. Available at: <https://www.internationalbudget.org/open-budget-survey/results-bycountry/country-info/?country=ss>.

health sectors were the only sectors which underspent their original budgets in the past fiscal year (around 6 percent of total government spending). Social services are currently severely underfunded and even more dependent on donor-funded development projects.

8.1.7. Salary arrears prevent the effective functioning of the Government. The central Government has sought to honor wage payments, transfers to state levels, and security-related expenditures, but even limited to those categories, existing expenditures commitments far exceed available resources thus leading to continuous cash rationing during budget execution. As of late 2017, there were significant salary arrears for several months, despite the fact that for most staff, the value of individual salaries has greatly eroded. There is anecdotal evidence that non-payment of salaries has increased absenteeism of civil servants.

8.1.8. Phasing out fuel subsidies has its impact. Fuel prices paid by consumer have continued to increase over the past months and the value of subsidies kept increasing in real term due to the deteriorating exchange rate. Following the deteriorating macro-fiscal situation, the South Sudanese Council of Ministers has officially approved the removal of fuel subsidies in May 2018. In a briefing to the media, the Deputy Information Minister informed that the government will no longer allocate funds to the national oil company, Nilepet, to import fuels for sale at a reduced price to the public. Also, the Ministry of Finance has been instructed to redirect these funds and prioritize the payment of civil servants' arrears. Removal of fuel subsidies has impact severely on women and men with a multiplier effect on the cost of transportation, food, electricity among others.

8.1.9. Many households continue to face severe food insecurity, including potentially large-scale child malnutrition and stunting. High inflation continues to put many households in both urban and rural areas in difficult situations as they remain unable to afford the minimum food basket. Crisis (IPC Phase 3) and Emergency (IPC Phase 4) persist in all regions of South Sudan, though assistance is preventing more extreme outcomes in several counties. Many households have depleted their food stocks and are reliant on wild foods and fish, which will become less available over the coming months. In the continued absence of all forms of humanitarian assistance, an estimated 7.1 million people (63 percent of the population) would face Crisis (IPC Phase 3) or worse acute food insecurity, of which 155,000 are estimated to be in Catastrophe (IPC Phase 5) and 2.3 million are estimated to be in Emergency (IPC Phase 4) by May–July 2018. According to the latest World Bank Poverty Assessment for South Sudan, malnutrition amongst children is particularly worrisome, with some 1.1 million children under five expected to be acutely malnourished and almost 300 thousand severely malnourished.

8.1.10. Poverty, food insecurity, displacement and related factors have combined to make South Sudan one of the poorest countries in the world with more than 4 out of 5 people living under the international poverty line in 2016<sup>37</sup>. The protracted impact of the conflict and the recent macroeconomic crisis have driven poverty rates to unprecedented levels which places South Sudan amongst the poorest countries in the world. Currently, South Sudan ranks 181 out of 188 countries in the Human Development Index with a life expectancy of only 56 years.

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<sup>37</sup> World Bank (2018), "Impact of Conflict and Shocks on Poverty – South Sudan Poverty Assessment 2017".



## **Overarching Dimension 2: Poverty Eradication, Social Protection and Social Services**

### **9. Actions Taken to Reduce/Eradiate Poverty among Women and Girls**

#### **9.1. *Promoted Poor Women's Access to Decent Work***

9.1.1. The Government of South Sudan has been promoting women's access to decent work through appropriate legal and policy environment. The South Sudan Development Plan provides a medium-term framework for achieving security, development, economic growth and poverty reduction. It is a pro-poor and gender sensitive plan that has meaningful impact on the poor and vulnerable people especially women and children; and to ensures that public policies, programmes and resource allocations are gender responsive.

9.1.2. The National Gender Policy and the South Sudan Development Plan advocate for a pro-poor approach in delivery of basic services to meet the need of the most vulnerable group including the women. The Transitional Constitution and the Land Act single out very clearly, the right of women to acquire property and land for economic development and right to equal opportunity by women and men, girls and boys.<sup>38</sup>

9.1.3. The Government enjoys enormous support from partners in creating non-formal employment opportunities for women. The Ministry of Gender, Child and Social Welfare has implemented a Gender Support and Development Project (GSDP) funded by the World Bank to the tune of \$10 million, a project which promotes employment and economic empowerment of women. There are three main components to the project including: the economic empowerment of women through the provision of start-up assistance grants of up to \$50,000 to 108 local organizations and associations benefiting female beneficiaries.

9.1.4. The Government with support of partners has also embarked on an initiative aimed at restoring livelihoods through small-scale business development. Beneficiaries are being trained on food processing, entrepreneurship and business management, thereby helping to set up small-scale enterprises that can be replicated in other regions of the country, including communities hosting IDPs, and create business points for customers

#### **9.2. *Training and skill development***

9.2.1. Hundreds of women farmers and members of women-run cooperatives located in several counties have been trained by government and its partners. Over 100,000 internally displaced women and girls have benefitted from vocational and literacy skills training through humanitarian

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<sup>38</sup> Republic of South Sudan National Evaluation Report on the Implementation of the Beijing Declaration and Platform for Action. Pg. 21-22

assistance, and it is reported that the beneficiaries have used their new skills to produce a variety of marketable products, in the process improving their livelihoods.

9.2.2. Two empowerment centres in the Juba ‘Protection of Civilian Sites’ and over 10 other ‘Women empowerment centres’ have been established in different counties. These have provided safe spaces for women and girls to meet and support capacity strengthening for prevention of violence and referral for sexual and reproductive health services. This improved quality of life of the beneficiaries, against the background of widespread challenges related to VAWG.<sup>39</sup>

9.2.3. A project on building resilience to climate extremes and disasters in rural communities for women and girls was implemented to develop new skills and resources to adapt, anticipate and absorb climate change related shocks and stresses. This will be through improved agriculture and diversified livelihoods, social protection mechanisms (rural level microfinance), adaptation and disaster management planning etc. The programme was designed to reach 204,967 beneficiaries by year 2018. Rural women have produced enough crops for consumption and sale – facilitating savings, credit access and business. New vegetables and crop varieties introduced have brought nutrition and food security benefits.<sup>40</sup>

9.2.4. Through the Ministry of Agriculture, the government also initiated projects geared towards the development and implementation of gender responsive agricultural policies and enhancement of economic livelihoods, that targeted one thousand women (1,000).

9.2.5. In order to increase employment opportunities and income to rural women, the government, extended credit facilities to 4,000 poor rural women in South Sudan with a cumulative disbursement of close to \$10.8 million; this also covers over 500 benefiting from skills training, agriculture inputs and credit facility.<sup>41</sup>

### ***9.3. Supported Women’s Entrepreneurship and Empowerment***

9.3.1. To economically empower women in various sectors, the Government of South Sudan through the Ministry of Gender implemented the Safety Nets and Skills Development Project (SNDP). Grants were given to 109 women, who started small businesses. Through the project, a women’s vocational training institute was launched, the first of its kind in South Sudan.<sup>42</sup>

9.3.2. Civil Society Organizations supported rural women in South Sudan to boost food production. The programme was a 15-month project that reached 43,000 rural women. The women received cereal and vegetable seed, tools, training, small livestock and nutrition interventions to boost food production at household level. The programme economically empowered rural women, some of the beneficiaries were from the Upper Nile state counties and proceeds from their farms were used to feed their families, send their children to school, and meet other basic needs.<sup>43</sup>

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<sup>39</sup> UN Women South Sudan Country Office Mid-Term Programme Evaluation Report by Stephen Chipika & Agnes Bayoa, July 2016.

<sup>40</sup> Progress Overview of BRACED: Building Resilience and Adaptation to Climate Extremes and Disasters – Improving resilience in South Sudan, 2018.

<sup>41</sup> Republic of South Sudan National Evaluation Report on the Implementation of the Beijing Declaration and Platform for Action. Pg. 18

<sup>42</sup> United States Institute of Peace Special Report; Gender and State Building in South Sudan. Pg. 6

<sup>43</sup> CARE supporting rural women in South Sudan to boost food production, October 2018. <https://www.care-international.org>

## 10. Actions Taken to Improve Access to Social Protection for Women and Girls

10.1.1. The Government of South Sudan developed the National Social Protection Policy Framework (NSPPF) in 2011 to ‘respond to and address the multiple vulnerabilities faced by South Sudanese citizens, with a particular focus on the poorest and most excluded sectors.’ It was approved by the Transitional Assembly in 2015 and launched in May 2016. The Ministry of Gender, Child and Social Welfare (MoGCSW), as the lead Ministry with mandate on social protection has been operationalizing the NSPPF with the support of partners.

10.1.2. Formal social protection in South Sudan largely takes the form of non-contributory safety net support financed by donors as humanitarian food assistance. Beyond food assistance, efforts are being made to implement projects such as Building Resilience Through Asset Creation and Enhancement (BRACE) II and the Food for Asset (FFA) and Cash for Work (CFW) which are providing safety net support to poor and vulnerable households in South Sudan.

10.1.3. The Government has redoubled its efforts to address vulnerabilities, strengthen resilience, and promote inclusion and equity through the Safety Net and Skills Development Project (SNSDP). The project focuses on systems building and public works, and is being implemented by the Ministry of Agriculture and Food Security (MAFS). To date, the project has reached close to 300,000 individuals in about 52,000 poor and vulnerable beneficiary households, of which around 72 percent are women and 30 percent are IDPs and has provided them with nearly US\$ 6 million in wages for participation in public works. There have been 175 public works activities completed, and an additional 497 public works activities are in progress. In addition, trainings in financial literacy and WASH have been provided to approximately 12,000 households. Basic operational tools have been developed for improved governance and accountability of implementation. Lastly, coordination and oversight structures within local governments have been established, which could serve as the initial pillar of a coherent national social protection system.

10.1.4. The SNSDP has not only improved the lives of the beneficiaries but has also been invaluable in strengthening community cohesion and social unity. Cash transfers have increased purchasing power for basic necessities such as food, clothes, and medicines, as well as home improvements. This has also allowed households to pay for school fees and uniforms, and thereby has likely contributed to improved education outcomes. Enhanced community assets, such as better road networks and drainage systems, have contributed to increased access to services and mobility, as well as reduced crime and incidents of communicable diseases. In addition, WASH trainings have led to better health outcomes. Moreover, cash transfers, coupled with financial literacy trainings, have also empowered beneficiaries to engage in small scale income generating activities. Beneficiaries in rural areas have been engaged in small scale agricultural activities, which is expected to contribute to enhanced food security. Most importantly, engagement in public works has provided a platform for greater interaction and dialogue in Juba, contributing to local level peace building and stabilization efforts by creating a sense of unity and social cohesion among the diverse ethnic groups.

10.1.5. These successes notwithstanding, there are challenges. The current deteriorating economic situation and market conditions greatly limit the longer-term benefits that can be achieved through

social protection interventions, as the net value of social protection interventions, particularly cash transfers, continues to shrink. Even when transfers are being used to create productive assets, the current market environment makes sustaining such assets very difficult.

10.1.6 National financing for social protection interventions remains a challenge. The NSPPF mandates the allocation of the 1 per cent of the annual national budget to social protection activities in the country. However, this has not yet happened, and as such, spending on social protection is negligible and inadequate.<sup>44</sup>

10.1.7. Moreover, the NSPPF provides good guidance on how social protection should look like in South Sudan. However, without accompanying laws, policies, and procedures, application of the principles of the NSPPF remain a distant reality.

10.1.8. Similarly, Government's capacity to design, implement and coordinate an effective social protection program in South Sudan remains limited. The MGCSW with primary responsibility for social protection continues to work strategically at the national and local levels to formulate and advance social protection policy. However, the Ministry requires further support from partners to strengthen its administrative and financial capacity to enable it to successfully undertake its role and responsibilities, including ensuring alignment of social protection programs to the NSPPF.<sup>45</sup>

## **11. Actions Taken to Improve Health Outcomes for Women and Girls**

11.0.1. The right to life and human dignity is guaranteed by Sections 11 of the South Sudan Transitional constitution. The duty to provide 'maternity, child and medical care' as well as free primary health care and emergency services (which invariably is an affirmation of the right of women to access medical services) is imposed by the constitution on government at all levels by Articles 16 (c) and 31 respectively.

11.0.2. The right to health and the duty of local government authorities to provide free health services has also been backed by many local laws including Section 110 (4) (c) of the Local Government Act, 2009. One of the principles of local governance as elucidated in Section 13 (7) of the Local Government Act is Equality – the provision of 'equal services and opportunities to all members of a local community with the aim of improving their welfare'.

### **11.1. *Promoted Women's Access through Universal Health Coverage: National Health Policy***

11.1.1. Universal Health Coverage (UHC) means that all people (individuals and communities) can use the needed promotive, preventive, curative, rehabilitative and palliative health services of adequate quality to be effective, while also ensuring that the use of these services does not expose

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<sup>44</sup> In fact, with on-going increases in military expenditure, the Government is spending much less on social services, i.e. health, education, and social and humanitarian expenditure make up 3.1, 6.6 and 0.9 per cent of the total 2015–2016 budget respectively, compared to 44.7 per cent for security and 14.6 per cent for rule of law.

<sup>45</sup> World Bank assessment report: The state of Social Protection Programs in South Sudan 2018.

the user to financial hardship. UHC is comprised of much more than just health; taking steps towards UHC means steps towards equity, development priorities, and social inclusion and cohesion.

11.1.2. The Government of South Sudan is committed to UHC for all its citizens and ensuring that no one is left behind. Though progress is slow, South Sudan has taken notable steps to improve health outcomes for women and girls through the National Health Policy and related policy instruments

11.1.3. The National Health Policy (NHP) 2016-2026 is designed to provide the overall vision and strategic direction for health sector response. The NHP is being implemented through two five-year strategic plans: 2016-2021 and 2021-2026. It draws its mandate from the Transitional Constitution (2005), Vision 2040, the South Sudan Development Plan (SSDP), and the Sustainable Development Goals Agenda 2030. The overall goal of the NHP is a strengthened national health system and partnerships that overcome barriers to effective delivery of the Basic Package of Health and Nutrition Services (BPHNS).

11.1.4. The national gender policy on the other hand, prioritized the issue of maternal mortality and called for the review of all health-related legislations, policies and programs to integrate and mainstream gender equality.

11.1.5. In implementing the aforementioned laws and policies, South Sudan, with the support of partners has developed the following policy documents that are currently being used to guide maternal health response across the country: Road Map for Maternal Deaths Surveillance & Response; Standard & minimal package and the Training Kit for Provision of Youth friendly SRH; Family planning policy and training handbook; Comprehensive Emergency Obstetrics & Neonatal Standards, Protocols and Guidelines; Gender mainstreaming strategy for Health sector (RH); comprehensive sexuality education curriculum and Comprehensive Reproductive Health Policy and Strategy among others.

## 11.2. *Expanded Health Services to Women: Reduction of Maternal Mortality*

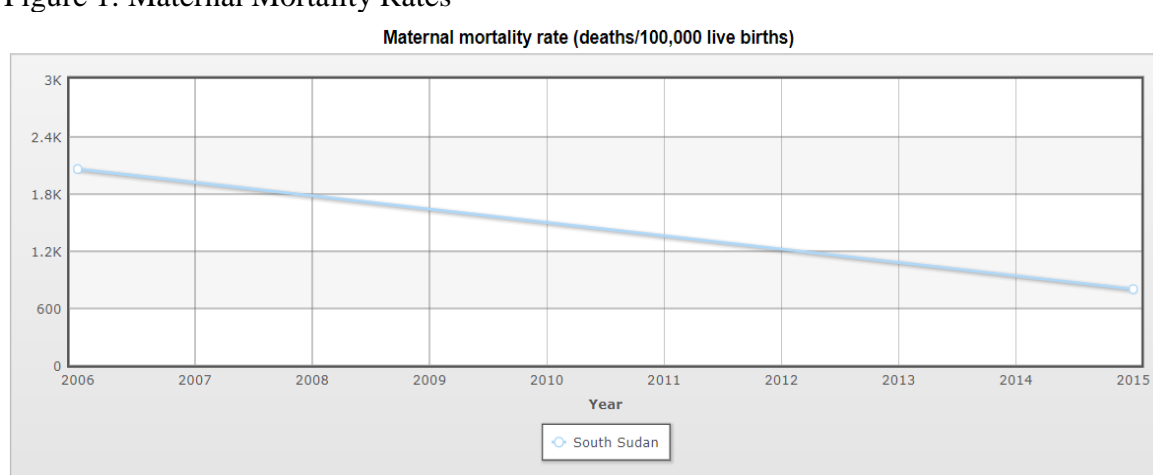
11.2.1. Maternity health care is free of charge. However, most women in South Sudan live in rural areas with limited access. A most serious concern of government is the persistent high rate of maternal mortality among South Sudanese women. Maternal mortality ratio (MMR) stands at 789 per 100,000 live births, with regional variations ranging between 523 – 1,150<sup>46</sup>. Health authorities attribute the persistently high mortality to a number of factors, including inadequate health services for the poor., low prenatal care coverage (about 17%), age at first sex debut (about 14 years) and only 19.8% of births are attended to by skilled health personnel. Other contributing factors include complications related to pregnancy, hypertension, and postpartum hemorrhage, which are perennial causes; inadequate reproductive health care services, including family planning services and lack of access thereto, especially by poor women and girls.

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<sup>46</sup> WHO (2017) Global Health Observatory, available at: <http://apps.who.int/gho/data/node.cco>

11.2.2. Although the MMR is still unacceptably high, a downward trend is being recorded over the years. From the chart below, whereas in 2006, the rate was as high as 2,054,<sup>47</sup> over the years this rate has reduced tremendously to a present figure of 789/100000. However, when the data is disaggregated, MMR among adolescent and young girls especially between the ages of 14 and 19 years is far higher and stands at 300/1,000. Teenage pregnancies, child marriage and high rate of HIV infection among the age group are major factors. Furthermore, adolescent mothers have an increased risk of premature labor and complications during and after delivery, which may lead to high morbidity and mortality among mothers and their children, as well as a long-term impact on their quality of life.

Figure 1: Maternal Mortality Rates



MMR in 2006 – 2,054

MMR in 2016 – 789 (Source: CIA World Fact Book presented index mundi)

11.2.3. The Government of South Sudan is mindful of the fact that these figures are unacceptably high and will, therefore, continue to do everything within its means to support the delivery of life saving services in order to ensure that “no woman dies while giving life”. This is in line with the African Union Campaign to Accelerate the Reduction of Maternal Mortality in Africa (CARMMA) and the SDG 3.

11.2.3. In recognition of the need for effective development and management of human resources for health towards achieving adequate performance of the health system, hence reduction in maternal mortality rates among other health indicators, the following are some of the efforts of government over the past 5 years in this regard:

- Pre-service training of MNCH skilled personnel – domestic & regional courses
- In-service training conducted for health workers on various SRH topics
- Supportive supervision/ on-job mentoring
- Establishment of South Sudan Nursing & Midwifery Association
- Training of health services providers on provision of youth friendly sexual and reproductive health services (SRHS)

<sup>47</sup> South Sudan House Hold Survey, 2006

- Training of teachers on comprehensive sexuality education
- Capacity building of young people to deliver SRH Information & Services effectively
- Training of health personnel to deliver Clinical Management of Rape (CMR)
- Delivery of SRH & GBV services, including humanitarian hubs e.g. Mingkaman, Bor, Malakal, Bentiu, Maban, Wau, Juba POCs
- Provision of Adolescent & Youth Friendly SRH information & Services
- 3 Public referral Hospitals (Juba, Bor, Yambio) provide holistic care for GBV survivors
- 92 Health facilities equipped with capacity to deliver CMR services.

11.2.4. In addition, the Ministry of Health is implementing the second phase of the Strengthening Midwifery Services (SMS) project (2016-2020). The project, among other things focuses on scaling up midwifery education and practice, as well as, increased capacity for delivery of emergency obstetric care services.

11.2.5. Indeed, investments in health workers also advance progress towards another priority in the Agenda 2030 – SDG 5: achieving gender equality and empowering all women and girls. Healthcare has long provided women with job opportunities that are frequently unavailable in other sectors. Globally, women account for 80% of nurses and midwives.<sup>48</sup>

11.2.6. Further, in addressing the challenges associated with maternal and reproductive health response, the government with the support of NGOs and development partners continues to pay attention to improved enabling environment for effective response, development of human resources, quality service delivery, awareness creation, monitoring and evaluation and conduct of surveys so that planning can be based on evidence.<sup>49</sup>

### **11.3. Expanded Health Services to Women: HIV and AIDS**

11.3.1. HIV/AIDS is another major health challenge for South Sudanese that disproportionately affect women and girls, in spite of efforts to, and progress towards reduction in new rates of infection. The adult (15-49 years) prevalence rate of HIV infection in South Sudan is 2.4%<sup>50</sup> with concentration of high prevalence in some key populations and geographic sites. For instance, HIV prevalence among female sex workers is estimated to be 37%<sup>51</sup>. Within the general population, men and women engaged in casual sexual relationships and those in stable polygamous relationships contributed 27% (17% and 10% respectively), of all new infections. The probability of getting infected is about five times higher for partners in polygamous but stable relationships than for the monogamous. Men who have sex with men contribute about 610 cases of new infections annually or 5% of all new adult infections.<sup>52</sup>

11.3.2. There are clear gender differences in the HIV epidemic: More females are getting infected and are more at risk of dying than males. HIV prevalence is higher among women in the

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<sup>48</sup> Global Atlas of the Health Workforce, 2016, World Health Organization, Geneva

<sup>49</sup> Reproductive and Maternal Child Health Services – South Sudan National Health Summit 2017, Dr. Alexander Dimiti, Director General, Reproductive Health.

<sup>50</sup> UNAIDS, 2017

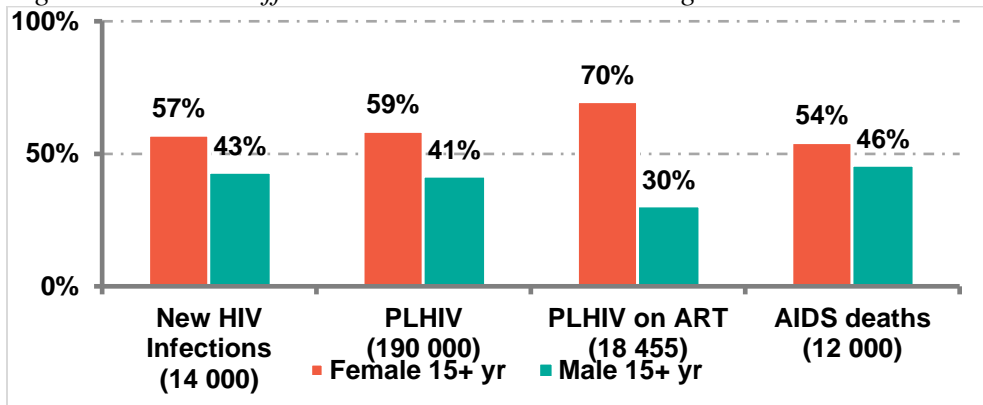
<sup>51</sup> UNAIDS, 2018 South Sudan Joint UN Plan on AIDS, 2018-19 Ending AIDS

<sup>52</sup> South Sudan 2014, Global AIDS Response Progress Report, available online:

[http://www.unaids.org/sites/default/files/country/documents/SSD\\_narrative\\_report\\_2015.pdf](http://www.unaids.org/sites/default/files/country/documents/SSD_narrative_report_2015.pdf)

reproductive age bracket of 15 – 49 compared to their male counterparts at a prevalence rate of 2.0%. Young people (15-24 years) constituted 11.3% of the people living with HIV in South Sudan in 2016, and 29.4% of the new infections. The majority of new infections among young people (15-24 years) in the country were among adolescent girls and young women with 3000 (1200 - 5900) estimated new infections, which was more than the estimated 1700 (<500 - 3500) among adolescent boys and young men.

Figure 2: Gender differences in HIV estimates among adults 15+ in South Sudan, 2016

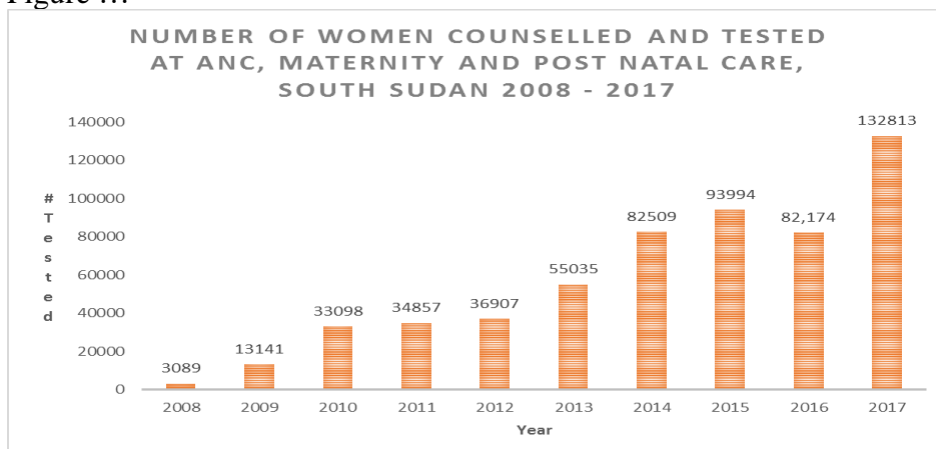


Source: UNAIDS Estimates, 2017

11.3.3. UNAIDS estimates reveal that at the end of 2016, only 10% (5% - 14%) of the 200,000 (130 000 - 290 000) people living with HIV were accessing antiretroviral therapy and 7 in 10 adults on antiretroviral therapy are female. Among pregnant women living with HIV, 29% (17% - 42%) were accessing treatment or prophylaxis to prevent transmission of HIV to their children. An estimated 2,400 (1200 - 3900) children were newly infected with HIV due to mother-to-child transmission.

11.3.4. The graph below shows the growth in the number of women counselled and tested at the Antenatal (ANC) care services during the period 2008 – 2017

Figure ...





11.3.5. A modes of transmission study released in 2014 suggested that the main at-risk populations in South Sudan are clients of sex workers, including uniformed services (military, police, fire, and wildlife personnel). Analysis of data from neighboring countries and the antenatal clinic data suggests that clients of sex workers are the primary population newly infected with HIV. Clients include both uniformed services with a prevalence of 5% (approximately 34% of new infections) and other clients of sex workers (an additional 10% of new infections) (GARPR, 2016).

11.3.6. The worst hit part of the country by the HIV crisis is Equatoria region. Over 60% of the burden of the epidemic is in this region and around 90% of the 20,000 people on antiretroviral therapy in South Sudan live here. Hot spot areas include urban settings and along transport corridors. The 2012 ANC surveillance recorded the highest prevalence in Western Equatoria at 6.8% and lowest in Northern Bahr el Ghazal at 0.3%..

11.3.7. Despite these, much progress has been made in the scale-up of antiretroviral therapy (ART), with an increase in the number of people on treatment between 2010 and 2016 from 1% to 10%. Government continues to invest in HIV response. Although huge gaps still exist, available data indicate that US\$18.1 million was spent by South Sudan from domestic public sources on HIV-related services, accounting for 100 % of total AIDS spending.

11.3.8. The Government has launched a new National HIV and AIDS Strategic Plan (2018 - 2022) to halt new infections and preventable HIV/AIDS related deaths. The plan also aims at pediatric HIV treatment, prevention and elimination of mother-to-child transmission (eMTCT), as well strengthening the health system. With support of partners, the Ministry of Health and the National AIDS Commission operate 142 eMTCT centers throughout the country targeting prevention programming, laboratory strengthening, blood safety, and strategic information.

#### 11.4. *Expanded Health Services to Women: Family Planning*

11.4.1. There is stiff resistance to contraceptive usage among South Sudanese women. Rumours and misconceptions about contraceptives are widespread, and many men are opposed to family planning. Contraceptive prevalence rate is very low at 4.7% (all methods; 1.7% for modern contraceptives) and percentage of women with an unmet need for a modern method of contraception (married/in-union) is 30.8%<sup>53</sup>.

11.4.2. At the 2017 Global Family Planning Summit, the Government of South Sudan made the commitment (FP2020 Actions for Acceleration (2018-2019)) to reposition family planning as a critical strategy for improving maternal health and enhancing newborn survival by developing a specific strategy and revising existing technical guidelines on family planning for an accelerated implementation at all levels of the health system throughout South Sudan.<sup>54</sup>

11.4.3. The Government commits to removing institutional and social-cultural barriers to sexual and reproductive health for all and improve availability and access to family planning information and services; to increase modern contraceptive prevalence rate among married women from 5%

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<sup>53</sup>South Sudan FP 2020 Core Indicator Summary Sheet: 2017-2018 Annual Progress Report, available online: <https://www.familyplanning2020.org/sites/default/files/South%20Sudan%202018%20CI%20Handout.pdf>

<sup>54</sup>2017 Family Planning Highlights, available online: <http://summit2017.familyplanning2020.org/new-commitments.html>

(2016 FPET estimate) to 10% by 2020; and to reduce maternal mortality ratio by 10% by 2020. The setting up of the South Sudan Parliamentary Network on Population and Development (SSPNPD) further demonstrates the government's commitment.

### **11.5. *Expanded Health Services to Women: Obstetric Fistula***

11.5.1. With a high level of teenage pregnancy and child marriage, *Obstetric Fistula* is also a major health challenge with 3% women of reproductive age affected (89,000 cases). The Government of South Sudan receives enormous support from partners in addressing this critical health challenge. Fistula repair services are provided and 650 cases of fistula have been successfully repaired recently. Registration of fistula cases has also been introduced. Surgeons from around the continent regularly come to South Sudan to carry out repair surgeries and also to train South Sudanese staff to be able to do the procedure themselves. This is to ensure that the programme can be up scaled and made sustainable.

### **11.6. *Gender-Specific Public Awareness/ Health Promotion Campaign***

11.6.1. The National Gender Machinery with funding support from development partners and in collaboration with CSOs create public awareness at local and county levels as well as among displaced communities on various health programmes and issues such as HIV&AIDS; free HIV testing and drug dispensary and undertake pediatric consultations. Awareness raising campaigns are also undertaken on vaccinations, contagious and communicable diseases such as cholera, tuberculosis, dysentery. Other health areas include reproductive health services e.g. family planning, antenatal clinic for safe pregnancies and planned families; and promotion of safe motherhood among all women and girls of South Sudan.

### **11.7. *South Sudan Parliamentary Network on Population and Development (SSPNPD)***

11.7.1. In July 2018, South Sudan Parliamentary Network on Population and Development (SSPNPD) chaired by Member of the Parliament Honorable Majur Babur was launched. The parliamentary network was launched at the backdrop of World Population Day, which reiterates family planning as a human right, as declared 50 years ago at the UN International Conference on Human Rights in Tehran, Iran, where it was proclaimed that "parents have a basic human right to determine freely and responsibly the number and the spacing of their children."

11.7.2. The Government of South Sudan is committed to upholding family planning as a human right, and to have families exercise this basic human right to determine freely and responsibly the number and spacing of their children. The Government is also committed to the implementation of the FP2020 initiative adopted at the London Family Planning Conference in 2017. The launch of the parliamentary network reflects these commitments.

11.7.3. The SSPNPD brings together and empower legislators to address population and development issues through advocacy, resource mobilization and evidence-based policy making and legislation.

11.7.4. The aim of the network is to prioritize reproductive health, including family planning, prevention of HIV and Sexually Transmitted Infections (STIs), and prevention of harmful practices such as child marriage and gender-based violence as they review and pass inclusive laws; approve, appropriate and monitor implementation of national budgets; including oversight and accountability in implementation of policies and programmes for national development.

11.7.5. The network also focuses on universal attainment and enjoyment of reproductive health rights and the realization of demographic dividend at the core of population and development, in South Sudan.

## **12. Actions Taken to Improve Education Outcomes and Skills for Women and Girls?**

### **12.1. *Measures to Increase Girls' Access: Legal and Policy Environment***

12.1.1. Improved education outcomes, especially for women and girls continues to be a top priority for the Government. The right to education is guaranteed by the Transitional Constitution of the Republic of South Sudan, 2011. Article 29 guarantees '...access to education for all citizens without discrimination as to religion, race, and ethnicity, health status including HIV/AIDS, gender or disability'. This article obligates all tiers of government to provide access to education for all.

12.1.2. Apart from the constitutional guarantee, Article 6 (a) of the General Education Act, 2012, Laws of South Sudan provides for free and compulsory primary education to all citizens in South Sudan without discrimination on the basis of sex, race, and ethnicity, health status including HIV/AIDS, gender or disability. Sub-section 'c' also states that 'education shall promote gender equity throughout the primary, secondary and other institutions of learning; and sub-section 'd' provides that 'education shall inculcate in the individual awareness and respect for life, human dignity in general and human rights in particular, especially the child rights'. Article 7 (C) also states that one of the goals of education is the achievement of equity, the promotion of gender equality and the advancement of the status of women.

12.1.3. In seeking to redress the huge gap in educational attainment between men and women, Article 35 of the Act provides that 'government shall lay a plan of affirmative action throughout the country to redress the past and present discriminatory practices, harmful beliefs and cultures which impede the female learners from attending schools.' Pursuant to this, in 2017, with the support of partners, the Ministry of Education drafted a comprehensive National Girls' Education Strategy for 2018–2022; the Ministry of Youth and Sports drafted a National Youth Strategy; and the MOGCSW developed the South Sudan National Action Plan to End Child Marriage. These policy instruments are being implemented.

### **12.2. *Measures to Increase Girls' Access: Girls Education South Sudan (GESS) and related initiatives***

12.2.1. Although basic education is free and compulsory, illiteracy is a huge challenge in South Sudan. Only 27% of the adult population is literate (NBS, 2012) and 70 per cent of children aged

6–17 years have never set foot in a classroom. A gender analysis of the adult literacy rate reveals a worse status for women and girls. While literacy rate among boys is 60%, it is 40% for girls<sup>55</sup>. As of 2012, only 36% of pupils enrolled in upper primary and less than one-third of secondary students are girls. In 2013, only 38.9% of the 1,311,467 pupils enrolled in primary schools were females.

12.2.2. Similarly, in the same year, only 31.9% of the 46,567 students enrolled in secondary schools were females. Drop-out rates across the education system are also high. In 2013, only 500 girls were in the last grade of secondary school in the whole country and in 2016, 128,000 girls started primary school, but only 2,700 completed secondary school.

12.2.3. The same pattern is the case at the level of instructors. As at 2012, only 12% of teachers were females. These abysmal data highlight huge gender gaps in educational attainment and has spurred the government and strategic partners into action over the years.

12.2.4. The efforts committed to addressing the huge gaps have yielded positive results. Between 2008 and 2015, enrolment in pre-primary and secondary education increased at an annual growth rate of 19% and 15%, respectively<sup>56</sup>. Unfortunately, the experience of violence in recent times has triggered some level of set-back in different parts of the country.

<b>Table 1: Basic Data in the Education Sector</b>			
<b>S/N</b>	<b>CATEGORY</b>	<b>MALE</b>	<b>FEMALE</b>
1	Average Dropout Rate at primary school level (2015)	6%	8%
2	Average Dropout Rate at secondary school level (2015)	7%	12%
3	Average Repetition Rate at primary school level (2015)	10%	14%
4	Average Repetition Rate at secondary school level (2015)	4%	6%

Source: NBS, 2015

12.2.5. Government of South Sudan with the support of partners implemented the Girls' Education South Sudan (GESS) Project, six-year programme - April 2013 to September 2018, in ten former states of the country. Government funds capitation grants to about 4,000 not-for-profit schools which include government, community and faith-based schools to help reduce running cost and improve learning environment, thereby encouraging parents to send their children to school.

12.2.6. GESS works to increase the number of educated girls in South Sudan by giving more girls access to quality education. To improve the quality of education, teachers and education managers have been trained to enhance their skills in and out of the classroom. GESS benefits approximately 200,000 girls eligible for primary and secondary education. This program collaborates with the Ministry of General Education and Instruction to create strategies to improve gender equality in the country's education system. GESS has developed a comprehensive school-based mentoring programme in order to increase access, retention and completion of school by the girl child. Thus,

<sup>55</sup> UNESCO, 2017, South Sudan Education Sector Analysis 2016 Planning for Resilience

<sup>56</sup> Ibid

GESS implements activities that tackle financial, cultural and quality barriers to education for the girl child.

12.2.7. An Alternative Education System provided for in the General Education Act seeks to address the disadvantaged situation of women and girls in the area of literacy. This creates learning opportunity for women and girls (including pregnant girls) who are unable to access formal education. One alternative education program developed specifically for girls is called Community Girls' Schools, which compresses material from years one through four into three years at the primary level. This program is designed to empower young girls from poor backgrounds.

12.2.8. The Government has also worked towards the removal of barriers to girls' education through the establishment of 25 "girl-friendly" schools aimed at benefiting 3,000 girls. Gender sensitivity programmes within the schools include separate washroom facilities for girls and teacher training on gender-based violence.

12.2.9. In addition, Government has also embarked on capacity strengthening of teachers, administrators and community members to deliver quality education. A total of 13,007 teachers, Parents Teachers Association (PTA) members and other education personnel (3,956 women; 9,051 men) were trained to effectively deliver integrated education services in 556 temporary learning spaces classrooms and 133 rehabilitated classrooms. The PTA and School Management Committee members were specifically oriented to improve girls' participation in schools. Over 461,000 textbooks and teacher guidebooks were distributed.

12.3. ***Promoted safe, harassment-free and inclusive educational environments for women and girls: Campaign and Measures against Bullying/Harassment in School***

12.3.1. The Government of South Sudan creates public awareness and campaigns emphasizing the importance of school retention and completion especially by girls. The campaign targets school sponsors, teachers, parents and guardians in order to ensure that the right information about school completion gets to the pupils.

12.3.2. Similarly, the Government is raising awareness on the negative consequences of bullying, sexual harassment and related vices in primary and secondary schools. From 1 August 2019, it will be compulsory for all primary and secondary schools, as well as tertiary educational institutions to have an anti-bullying policy/strategy with action plans to address cases of bullying and sexual harassment. There will also be a grievance mechanism that can be used by students and parents to lodge complaints to the Ministry of Education in South Sudan, if the school does not have an anti-bullying strategy.

12.4. ***Increased access to skills and training in new and emerging fields, especially STEM (science, technology, engineering and math) and digital fluency and literacy: The GoGirls ICT Initiative***

12.4.1. The GoGirls ICT Initiative is an organization founded by young South Sudanese women, which aims to engage, educate and empower women and girls in science, technology, engineering and mathematics (STEM) based fields through trainings and mentorship.

12.4.2. The GoGirls have taken their “Time-To-Shine” ICT programme into schools, working with headmasters and teachers to bring their unique curriculum to students during short class sessions. Their school mentorship programme is now reaching approximately 60% girls and 40% boys.

12.4.3. Through the Peace and Community Cohesion project, the GoGirls train volunteer mentors (university students) who support the school children. They focus on computer literacy, basic programming skills, and broader positive life skills. The school children learn to use Scratch, a platform to create stories using graphics and animation. Two of the major projects undertaken by GoGirls are: DEFYHATENOW and TTOSICT.

12.4.4. DEFYHATENOW project is about hate speech mitigation both online and offline. Running a series of monthly workshops where debates take place on how girls and boys can afford being online, what they post, where they get the resources to pay for internet connectivity, more discussions around the issue of connectivity and have conversations with school going girls and university students around several topics like digital safety for girls and how to identify fake news, and also contribute to the compilation of the #defyhatenow field guide.

12.4.5. TTOSICT project empowers women and girls in STEM courses. It aims to encourage girls to stay in school through creative problem-solving using technology and through the ICT challenges that come with prizes like school fees that supports the girls’ education especially those who might have dropped out as a result of poverty.

12.4.6. Through family home visits, the GoGirls make a concerted effort to involve parents and families as advocates for their own child’s education.

### **Overarching Dimension 3: Freedom from Violence, Stigma and Stereotypes**

*“For every child who dies, for every woman or girl raped with impunity, for every young boy conscripted into fighting and fed only hatred, there is an angry parent, husband or father plunged into sorrow and prone to seek revenge.”<sup>57</sup> – António Guterres, UN Secretary General on implications of sexual and gender-based violence (SGBV)*

### **13. Forms of Violence Against Women and Girls Prioritized for Action**

13.0. Violence against women and girls is pervasive in South Sudan. While there is a dearth of solid data and little research about its prevalence, our knowledge of its widespread has improved in the last five years<sup>58</sup> and the Government of South Sudan is determined and committed to take measures against perpetrators and support for the victims. Priority focus include:

#### **13.1. *Domestic violence/IPV/SGBV***

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<sup>57</sup> See more at <https://www.un.org/press/en/2017/sc12761.doc.htm>

<sup>58</sup> Two recent surveys supported by the Ministry of Gender provide context to the prevalence of SGBV and IPV in South Sudan – Study by Global Women’s Institute 2017 and Survey commissioned by UNDP 2017.

13.1.1. Domestic violence is defined as “the range of physically, psychologically and sexually coercive acts used against adult and adolescent women by current or former male intimate partners”<sup>59</sup>.

13.1.2. Violence against women is one of the major public health problems in South Sudan, as there is a recognized correlation between domestic violence and various reproductive health problems such as non-use of contraception and sexually transmitted diseases.<sup>60</sup> The impact of poverty, ubiquitous gendered violence, transactional sex and unsafe recreational spaces emerged as the major issues for public health, as women and young girls are consumed by issues of safety rather than the pursuit of other developmentally appropriate markers.

13.1.3. Intimate partner violence (IPV) is the most common form of violence against women and girls. The indirect experiences of conflict have an impact on violence in the home. Times of conflict exacerbate IPV, as women reported increased brutality and frequency of assaults due to the chaos and economic insecurity of war.

13.1.4. Thus, domestic violence for which there is no specific law, is widely accepted by both women and men: 82% of women and 81% of men agree that ‘women should tolerate violence in order to keep her family together’.<sup>61</sup>

13.1.5. Most survivors of violence in South Sudan do not seek help after experiencing an assault from either formal or informal structures, or are unable to access these services due to shame, stigma and a culture of silence<sup>62</sup>. Social acceptability of domestic violence, the difficulties for women in obtaining redress, and the lack of consequences for men continue to fuel violence against women and girls in South Sudan.

13.1.6. A breakdown in the rule of law has also contributed to an environment of impunity where there are no consequences for men who commit acts of violence. The inability of police officers to investigate cases of SGBV was blamed for frequent dismissal from law courts due to insufficient evidence thus discouraging affected victims from reporting. An officer in the Ministry of Gender summarized this position by commenting that:

*“The stigma associated with sexual related crimes hinders victims from reporting to the police. Incidences associated with SGBV have been prevalent since 2013 to an extent that some victims and their families have opted to live in IDP camps for protection.”<sup>63</sup>*

13.1.7. The Government is determined to create more safe spaces for girls and opportunities to critically question the assumptions and manifestations of a patriarchal society that fuel SGBV and contributed to poor health outcomes.

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<sup>59</sup> World Health Organization: WHO/WHD Violence Against Women: Priority Health Issue. Geneva: World Health Organization; 1997. WHO document WHO/FRH/WHD/97.8.

<sup>60</sup> Koenig MA, Lutalo T, Zhao F, Nalugoda F, Mangan FW, Kiwanuka N, Wagman J, Serwadda D, Wawer M, Gray R: Domestic violence in rural Uganda: evidence from a community-based study. Bull World Health Organ 2003, 81(1):53–60.

<sup>61</sup> <http://www.care.org/sites/default/files/documents/Gender%20in%20Brief%20South%20Sudan%20.pdf>

<sup>62</sup> No Safe Place: A Lifetime of Violence for Conflict Affected Women and Girls in South Sudan

<sup>63</sup> A comment by a key respondent from the Ministry of Gender during an interview held in May, 2017. Endline Study on Peace, Security and Sexual and Gender Based Violence in South Sudan commissioned by UNDP. Final Report, p.41

### 13.2. *Sexual harassment and violence in public places, educational settings and employment*

13.2.1. The continued conflict in South Sudan has made public places, educational settings and employment unsafe and where sexual harassment and violence are inflicted on women and girls. Women have been subjected to appalling sexual violence, especially rape, including gang rapes. Indeed, rape had become “just a normal thing.”<sup>64</sup> Schools and hospitals should be protected spaces, where children are safe even in times of conflict. Yet, attacks against schools and hospitals during conflict have become a growing, and alarming, trend. These attacks range from partial or total destruction of schools or medical facilities, to the military use of buildings and attacks against staff.

13.2.2. Not only do these attacks put children’s lives at risk, they also disrupt their learning and limit their access to medical assistance, which can have a lifelong impact on their education, economic opportunities and overall health. Some of the children end up being recruited as child soldiers.

13.2.3. In South Sudan it is estimated that about 1221 children, considerable number of who are girls have been recruited or abducted by armed groups in the ongoing conflict. The girls are often brutalized and raped. Meanwhile, an estimated 19,000 children, most of them boys, are estimated to be associated with armed groups and armed forces.

13.2.4. With the signing of the August 2018 Peace Agreement and other commitments, the Government has renewed its determination to protect children and to bring perpetrators to justice.

### 13.3. *Violence against Women in Politics*

13.3.1. Women participation in politics is low. No election has been held in South Sudan following independence in 2011; as such, all representatives and office holders at different levels of governance are appointed. Most of those appointed are from the rank and file of the male-dominated political parties that fought for independence from Sudan. In spite of the prevalence of GBV in the country, violence targeted at women in politics has been negligible. This might change should there be elections and in view of the cultural practices in the country.

13.3.2. In South Sudan, there is increased motivation among women to venture into politics; however, these women have to navigate various barriers emanating from the society, their opponents and the political system. The Affirmative Action, whether 25% or 35% does offer a guarantee that the Sudanese people will vote for women. In addition, women’s political participation is hindered by historical and structural discriminatory practices, negative culture and patriarchy, limited access to financial resources and information, high illiteracy levels, greater family responsibilities, inadequate skills in politics, weak political commitments as well as a male dominated electoral environment and a general deprivation of rights. These continue to limit women from vying for elective positions thus marginalizing them in political leadership and decision making.

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<sup>64</sup> Human Rights Watch (2015) “They Burned It All” Destruction of Villages, Killings, and Sexual Violence in Unity State, South Sudan – Report



13.3.3. Moreover, none of the institutions responsible for implementing the Constitution<sup>65</sup> have practical solutions to counter the challenges they face when it comes to the deep rooted male-dominated traditions and cultures of South Sudan. The burden remains to invest in capacity strengthening of women to enhance their engagements in leadership, governance and political processes; implement the law especially when it comes to discrimination and violence experienced by women during electoral and political processes; engage in continuous civic education and public education to address negative gender norms; and ensure gender responsive budgeting.

#### 13.4. Child, Early and Forced Marriages

13.4.1 The Child Act (2008): Article 26(1) on the Rights of the Female Child provides that (1) every female child has a right to be protected from sexual abuse and exploitation and GBV, including rape, incest, early and forced marriage, and FGM/C. Further provisions state that every child has the right to be protected from early marriage, forced circumcision, scarification, tattooing, piercing, tooth removal or any other cultural rite, custom or traditional practice that is likely to negatively affect the child's life, health, welfare, dignity or physical, emotional, psychological, mental and intellectual development" (Article 23.1).

13.4.2. Article 15 of the Transitional Constitution (2011) states that "every person of marriageable age shall have the right to marry a person of the opposite sex and to start a family according to their respective family laws". The Constitution provides that no marriage shall be entered into without the free and full consent of the man and woman intending to marry (Article 15). Regrettably, the Transitional Constitution and the Child Act do not specify the minimal legal age for marriage or provide a definition of early marriage.<sup>66</sup> Also, there are vague and varied definitions of an adult across many ethnic groups.

13.4.3. Forced marriage is prohibited. The Penal Code (2008) defines the practice of forced marriage as "whoever kidnaps or abducts any woman with intent that she may be compelled to marry any person against her will or in order that she may be forced or seduced to illicit intercourse" (Article 273). Forced marriage is addressed according to the customs and traditions of the aggrieved party, in lieu of that and upon conviction, an offender shall be sentenced to imprisonment for a term not exceeding ten years or with a fine or with both" (Article 273).

13.4.4. Article 17 of the Transitional Constitution includes the following provisions: "to protect women not to be subjected to negative and harmful cultural practices which affect his or her health, welfare or dignity" (Article 17g) and "to be protected from abduction and trafficking" (Article 17h).

13.4.5. Notwithstanding the provisions on early/child marriage in the Transitional Constitution (2011) and the Child Act (2008), there is no strong legal framework to effectively prevent and

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<sup>65</sup> Article 26(1) of the Constitution gives every South Sudanese citizen the right to take part in any level of government directly or through freely chosen representative, and to nominate himself or herself or be nominated for a public post or office in accordance with this Constitution and the law.

<sup>66</sup> Edward (2014), A Strategy for Achieving Gender Equality in South Sudan, <https://suddinstitute.org/publications/show/a-strategy-for-achieving-gender-equality-in-southsudan/>

address early and forced marriage<sup>67</sup>. There are no penalties for anyone engaging in or encouraging early or forced marriage which means that perpetrators are rarely brought to justice<sup>68</sup>.

13.4.6. Early marriage is deeply rooted in South Sudanese customary and religious traditions and patriarchal cultures. In most ethnic communities in South Sudan, girls are considered marriageable as soon as they reach puberty<sup>69</sup>.

13.4.7. Prolonged conflict, continuing instability, high levels of poverty and illiteracy and gender gaps in education are contributing factors for the widespread practice of child marriage in South Sudan. However, due to the widespread practice of bride price, many families in South Sudan consider early marriage as a means of accessing cattle, money, and other gifts by transferring wealth through the traditional payment of dowries from the family of the groom.<sup>70</sup><sup>71</sup> For example, the incident that took place in November 2018, when a South Sudanese father attempted auctioning of his daughter aged 16-17 years for marriage to the highest bidder on the social media platform. She was bided on in exchange for marriage by five men, some of whom were reportedly high-ranking South Sudanese government officials for 500 cows, three cars and \$10,000.

13.4.8. Child or early marriage is therefore, seen as a means of escaping poverty. In addition, many South Sudanese communities see early marriage as a way to protect girls from pre-marital sex and unwanted pregnancies outside marriage. Pre-marital sex and unwanted pregnancies outside marriage are not only undermining family honour, but can also reduce the amount of dowry and therefore the family's economic advancement.<sup>72</sup> <sup>73</sup>

13.4.9. There is a Strategic National Action Plan (2017-2030) to End Child Marriage. The action plan includes legal reform and enforcement; ensuring access to quality education, and sexual and reproductive health information and services; and promoting girls' empowerment.

## **14. Actions Prioritized to Address Violence Against Women and Girls**

14.0.1. The conflict in South Sudan has exacerbated the problem of gender-based violence with sexual violence used as a weapon of war. Violence against women and girls is an epidemic in South Sudan. The scale and severity negatively impact the protection, health and development of individuals and the nation.

14.0.2. The Government of South Sudan with the support of partners has prioritized a number of measures to prevent and respond to gender-based violence, including training social workers and

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<sup>67</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.50 <https://www.hrw.org/vidphotos/interactive/2013/03/04/child-marriage-south-sudan>

<sup>68</sup> Girls not Brides (2017), Child Marriage Around the World: South Sudan Report, [www.girlsnotbrides.org/child-marriage/south-sudan](http://www.girlsnotbrides.org/child-marriage/south-sudan)

<sup>69</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.48 <https://www.hrw.org/vidphotos/interactive/2013/03/04/child-marriage-south-sudan>

<sup>70</sup> Amnesty International (2017), Do Not Remain Silent" Survivors Of Sexual Violence In South Sudan Call For Justice And Reparations, p.19 [www.amnestyusa.org/reports/do-not-remain-silent-survivors-of-sexual-violence-in-south-sudan-call-for-justice-and-reparations/](http://www.amnestyusa.org/reports/do-not-remain-silent-survivors-of-sexual-violence-in-south-sudan-call-for-justice-and-reparations/)

<sup>71</sup> Girls not Brides (2017), Child Marriage Around the World: South Sudan Report, [www.girlsnotbrides.org/child-marriage/south-sudan](http://www.girlsnotbrides.org/child-marriage/south-sudan)

<sup>72</sup> Ibid

<sup>73</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.47 & 49 <https://www.hrw.org/vidphotos/interactive/2013/03/04/child-marriage-south-sudan>

health staff to sensitively and professionally meet the needs of violence survivors. Three of these measures are:

#### 14.1. *Strengthened Law, Commitment and Enforcement*

14.1.1. South Sudan ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in October 2017 but made a number of reservations, including on Article 6 discouraging polygamous marriages (article 6) and on reproductive rights, including family planning and abortion (article 14).

14.1.2. The Ministry of Gender finalized a national Gender Policy in 2012 that prioritizes sexual and gender-based violence. According to the policy, a National Plan of Action will be developed, along with new laws, to eradicate sexual and gender-based violence. The development of a GBV legislation will close legal loopholes that currently allow perpetrators to avoid justice and address the issue of safe spaces and accommodation for survivors of violence.

14.1.3. The Ministry of Gender also developed Standard Operating Procedures for Prevention and Response to Sexual and Gender-based Violence.<sup>74</sup> The document sets clear systems, roles and responsibilities for all institutions involved in the prevention, protection and response to GBV in South Sudan.

14.1.4. To facilitate prompt police response to violence against women, the Government established the Police Special Protection Unit (SPU) at the Directorate of Social Welfare at the national and state levels with headquarters in Juba and support for establishment has been contributed by UN Women. The SPU provides an enabling environment for the promotion and protection of survivors of violence against women and work to avoid victimization throughout the investigation process; prosecute perpetrators of violence against women, and increase police responsiveness to community concerns. Ten Special Protection Units and trained 120 police officer across the ten States with existing police stations<sup>75</sup>.

14.1.5. In 2013, the SPUs received 2,403 cases out of which 2,140 were effectively investigated and passed to court for redress. A total of 423 women and 178 juveniles were released from detention centres through the involvement of the SPUs.<sup>76</sup> More centres have been created over the years; for instance, there are 6 SPUs within Juba. Recent assessment, however, reveal that some of these centres are not functioning due to mostly logistic issues such as lack of operational funds and weak human capacity for effective response to GBV issues. Data on the cases of GBV handled by some of these centres are also not properly documented.

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<sup>74</sup> Republic of South Sudan Ministry Of Gender, Child And Social Welfare (2014), Standard Operating Procedures (SOP) For Gender Based Violence (GBV) Prevention, Protection And Response In South Sudan, <http://mgcswws.org/wp-content/uploads/GBV-Standard-Operating-Procedures-2014- Draft.pdf>

<sup>75</sup> Republic of South Sudan (2014), National Comprehensive Review Report on the Implementation of the Beijing Declaration and Platform for Action, <http://mgcswws.org/wp-content/uploads/NationalEvaluation-on-Implementation-of-the-Beijing-Platform.pdf> p.25

<sup>76</sup> Republic of South Sudan National Evaluation Report on the Implementation of the Beijing Declaration and Platform for Action. Pg. 28

14.1.6. Similarly, in May 2014, the National Police established a new Directorate of Gender Affairs at police headquarters to promote gender issues.<sup>77</sup> The Directorate's mission is to combat and investigate crime, with particular attention to vulnerable groups, such as women and children.

14.1.7. In 2014, the Government of South Sudan signed a joint communiqué with the UN Special Representative to the Secretary-General on Sexual Violence in Conflict, Zainab Bangura, in which it committed to address conflict-related sexual violence through measures including the issuance and enforcement of clear orders through military and police chains of command prohibiting sexual violence, accountability mechanisms, exclusion of perpetrators from the security forces and from amnesty provisions, and enhanced services for survivors.<sup>78</sup> A focal point on sexual violence was established within the Presidency, and a working group formed to follow up on recommendations. A command issued in December 2016 by the then Chief of General Staff Paul Malong instructed all soldiers to stop and prevent sexual violence.<sup>79</sup> This may have contributed to the reduction of incidents of sexual violence around the UNMISS PoCs in Juba.

14.1.8. On systems for addressing SGBV, a training manual on investigation and prosecution of SGBV was developed in 2017 by the Ministry of Justice with technical support from the Ministry of Gender and financial support from Partners. Also, a Department of Women and Juvenile Justice was established under the Directorate of Public Prosecution.

14.1.9. A special Tribunal was set up by President Salva Kiir Mayardit in 2016 to try those involved in the abominable crime of raping five Aid workers in Terrain Hotel, Juba. Ten soldiers were found guilty and sentenced to various terms of imprisonment.

14.1.10. The Ministry of Defense on its part and as a result of joint communiqué between the government and the UN developed a code of conduct for the army in handling SGBV cases and court marshaling of army perpetrators.

14.1.11. As part of the implementation of the joint communiqué with the UN, the Government has established GBV Court at the Judiciary of South Sudan with the support of partners. When fully operational, the GBV court will hold perpetrators of sexual violence accountable for their actions.

14.1.12. Despite these measures, cases of GBV are still being recorded across the country and with higher number of incidences in areas where opposition militias are in control. A recent investigation by the UNMISS Human Rights Division (HRD) determined that at least 134 cases of rape or gang rape,<sup>80</sup> and 41 cases of other forms of sexual and physical violence occurred between September and December 2018.<sup>81</sup> Of these 175 cases, 111 victims were women, while 64 were girls (some of whom were as young as eight years old). The strict cultural norms and values,

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<sup>77</sup> Rita Martin. Security Council Resolution 1325: Civil Society Monitoring Report 2014. Women Count, A Project of the Global Network of Women Peace Builders. EVE Organization. 2014.

[http://www.gnwp.org/sites/default/files/resource-field\\_media/ICR\\_2014\\_SouthSudan%20%207.27.15\\_0.pdf](http://www.gnwp.org/sites/default/files/resource-field_media/ICR_2014_SouthSudan%20%207.27.15_0.pdf)

<sup>78</sup> Joint Communiqué of the Republic of South Sudan and the United Nations on addressing Conflict-Related Sexual Violence, 11 October 2014.

<sup>79</sup> SPLA Chief of General Staff, Command Order to Prevent and Respond to Sexual Violence Crimes Within the Sudan People's Liberation Army (SPLA), 1 December 2016.

<sup>80</sup> This number is likely under-representative of the full scale of sexual violence, given the difficulties encountered in accessing some survivors. See *infra* Section II ("Methodology") for a full description of these challenges.

<sup>81</sup> HRD interviewed 49 survivors of these attacks from locations in Guit, Koch and Rubkona counties and the Bentiu PoC site.

the stigma associated with being a rape survivor and other forms of sexual abuse, hinder many women and girls from reporting.

14.1.13. Also, across the country, law enforcement services remain weak and police are under-trained and under-resourced. Aside of the SPUs, police are given little training on how to handle cases of gender-based violence and for the most part, they have little knowledge of women's rights. Most police officers are men, many of whom are older, uneducated former soldiers with conservative views about women's place in society.<sup>82</sup>

#### **14.2. *Updated or Expanded National Action Plans on Ending Violence Against Women and Girls***

14.2.1. The Government of South Sudan developed the National Action Plan for implementation of the UN Security Council Resolution 1325 on Women, Peace in 2014; developed a National Health Policy (2016-2026); and HIV&AIDS Policy – all which give effect to Prevention, Protection and Response to violence against women and girls and gender-based violence in general.

14.2.2. The Government of South Sudan developed the Standard Operating Procedures (SOPs) for Gender Based Violence (GBV) Prevention, Protection and Response in South Sudan. The SOPs are in line with South Sudan's legal and policy frameworks, as well as other international frameworks.<sup>83</sup> The document sets clear systems, roles and responsibilities for all institutions involved in the prevention, protection and response to GBV in South Sudan. Effort has been made to ensure standards and procedures are articulated for all forms of GBV.

#### **14.3. *Strengthened Services for Survivors of Violence: One-stop Care Centre for Women and Girls***

14.3.1. The one-stop Centre model has been established in different parts of the country, with integrated medical, psychosocial, legal and support services for survivors, has proved successful at reaching those in need.

14.3.2. The one-stop Centre model provides survivor-centered case management and psychosocial support services where survivors receive individualized, ongoing support from trained case workers who help them connect to multiple services based on their needs and choices. These focused support services are also integrated into women and girls' safe spaces and trusted community structures, so as to facilitate survivors' access to them.

14.3.3. At one facility, the Family Protection Centre, located in the Juba Teaching Hospital in November 2017, an array of services is integrated together under one roof, helping to ensure survivors receive the full range of care available, including clinical treatment for rape,

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<sup>82</sup> Human Rights Watch (2013), Child Marriage: South Sudan, <https://www.hrw.org/videophotos/interactive/2013/03/04/child-marriage-south-sudan> p.71

<sup>83</sup> Such as the Inter-Agency Standing Committee (IASC) Guidelines for GBV Interventions in Humanitarian settings, UNHCR's Sexual and Gender-based Violence against Refugees, Returnees, and Internally Displaced Persons, and Guidelines for Prevention and Response (Geneva, UNHCR 2003).

psychological first aid, counselling, legal support and other services. The Centre has even helped to secure a couple of speedy prosecutions – a rarity in South Sudan – part of efforts to work with government partners to end impunity for sexual and gender-based violence. The Centre, which is supported by partners, is already making a difference.

14.3.4. Social workers perform outreach in the community, raising awareness about women's rights, the need to end gender-based violence, and the support services available. They also work with community groups and service providers to reduce stigma and promote the dignity, safety, and wellbeing of survivors.

14.3.5. Partners work with the government authorities to integrate training on care for SGBV survivors into the standard curriculum for midwives while doctors and nurses are trained to care for survivors of rape.

#### 14.4. *Strengthened Services for Survivors of Violence: Safe and Friendly Spaces for Women and Girls*

14.4.1. With the support of partners, safe and friendly spaces for women and girls are being established and maintained, and they act as a hub for referrals for survivors of SGBV, who may not know about available services.

14.4.2. A Women and Girls Friendly Space (WGFS) is a formal or informal place where women and girls feel physically and emotionally safe, comfortable, and able to express themselves. Depending on the context, WGFS can provide an opportunity for women and girls to gather and socialize informally and/or can be used as a platform for conducting more structured group activities. It is also a platform that facilitates women's livelihood activities, knowledge and skill building activities, as well as training opportunities that contribute to psychosocial support, reduce economic vulnerability and increase resiliency of women and girls. A total of 20,712 people (6,952 girls; 13,516 women; 95 boys; 149 men) were reached through activities in the women and girls' friendly spaces and information sessions in 2018<sup>84</sup>.

14.4.3. In 2016, the GBV sub-cluster of the Humanitarian Cluster and with the support of key partners, initiated the development of the WGFS Guidelines to help capture and agree upon some minimum standards and shared expectations for WGFS in South Sudan. Though similar projects have been undertaken in other emergency-affected countries, due to the unique nature of the South Sudan context, all actors involved felt it was important to have a set of guidelines specifically tailored to this particular response in order to meet the real needs of humanitarian actors operating on the ground and the communities they serve<sup>85</sup>.

### 15. Strategies used to Prevent Violence Against Women and Girls

15.0. South Sudan has used different strategies in the last five years to prevent violence against women and girls. The country also enjoys extensive support from the international community

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<sup>84</sup> UNICEF South Sudan - CP GBV Briefing Note March 2019

<sup>85</sup> UNICEF South Sudan (2016) Promoting Positive Environments for Women and Girls- Guidelines for Women and Girls Friendly Spaces in South Sudan by USAID, Healthnet TPO, UNICEF

regarding the promotion and protection of fundamental human rights of women and girls. Development partners working in South Sudan have gender strategies and action plans to guide response activities. The activities of development partners are generally focussed and executed within time bound development and humanitarian frameworks, therefore complimenting efforts of government. Among South Sudan’s strategies are:

### 15.1. *Public Awareness Raising*

15.1.1. The Government of South Sudan has embarked on public awareness raising of human rights including women’s rights and violence against women through: (a) promotion and dissemination of relevant human rights instruments to which South Sudan has acceded; (b) the mass media advocacy and campaign; (c) partnership with CSOs/NGOs; and (d) human rights training for public officials in particular law enforcement and criminal justice officials

15.1.2. Government has made conscious efforts at the promotion, dissemination and public awareness raising of human rights instruments, particularly in major cities like Juba, Malakal and Wau and among government officials. Partners have supported the Government in printing copies and dissemination of major international human rights instruments such as the CEDAW Convention.

15.1.3. There has been dissemination and promotion of human rights awareness through the mass media. Radio Miraya, Eye Radio, Juba Monitor etc. with the support from international partners and NGOs have been instrumental in the promotion of human rights awareness in the country.

15.1.4. The civil society including NGOs are active in the promotion of human rights in South Sudan. The inter-Ministerial Committee and CSOs with support from UNMISS Human Rights Division, UNDP and UN WOMEN have been working to together to promote the protection of the human rights in the country. NGOs are active members of Gender Based Violence Prevention Sub-Clusters across the country.

15.1.5. The Government is also involved in campaign to influence change of attitudes and behaviors about gender violence at grassroots and community levels targeting women, girls, men and boys. Among the strategies used include establishing a National Gender Based Violence (GBV) Sector Working Group to strengthen collaboration and partnership on addressing SGBV.

15.1.6. The Government has provided human rights awareness training for public officials and other professionals. Officials of the South Sudan Police Force, Immigration, Prisons, Armed Forces etc. are being trained from time to time on how to handle cases of Sexual and Gender Based Violence (SGBV) and cases of human rights generally. Officials of the Police Force have copies of Guidelines on Women and Child Rights. This is a highly educative handbook on how to handle cases of SGBV.

15.1.7. Table 2 below is a breakdown of the number of the SGBV trainings by sex and location.

<b>Table 2: SGBV TRAINING 2014 - 2015</b>						
<b>LOCATION</b>	<b>2014</b>			<b>2015</b>		
	<b>MALE</b>	<b>FEMALE</b>	<b>TOTAL</b>	<b>MALE</b>	<b>FEMALE</b>	<b>TOTAL</b>

<b>JUBA</b>	19	7	26	13	12	25
<b>YAMBIO</b>	14	16	30	19	13	32
<b>TORIT</b>	28	15	43	16	14	30
<b>WAU</b>	15	15	30	13	17	30
<b>AWEIL</b>	25	5	30	21	9	30
<b>MINGKAMAN</b>	15	19	34	-	-	-
<b>TOTAL</b>	116	77	193	82	65	147

## 15.2. *Grassroots and Community-level Mobilization*

15.2. 1. At the grassroots there is continued effort at promotion of human rights awareness through educational programmes and Government-sponsored public information.

15.2.2. The Ministry of Education through the Education Strategic Plan, 2014 and National Curriculum introduced human rights programmes in the education institutions in the country. This also include training workshops for school teachers on Basic Human Rights Education, Bill of Rights and Gender and Civic Duties.

15.2.3. In western Equatorial state, the state government has put up a campaign for advancing the girl child education by involving the local chiefs to move from village to village to spread the national message of educating the young girls. Chief's involvement is paramount in their state policy for education for young girls.

## 15.4. *Representation of Women and Girls in the Media*

15.4.1. Women and girls in the media have contributed to human rights awareness raising, continued to put SGBV at the top public policy agenda and community level mobilization for action.

15.4.2. The Ministry of information has been involved in the capacity building programs targeting media organisation like the Association of Media women in South Sudan (AMWSS), The Association of Media development in South Sudan (AMDISS) and other media institution by offering training to build their efforts and ensure their participation in media issues. The national organisation for women, (AMWSS) benefited from this program.

15.4.3. With support from partners, the Yei River County is having a programme which uses airwaves to raise awareness about cases of child abuse which are making young girls to quit school prematurely. This is a media campaign which involves young girls themselves attending to talk shows and discussing issues that affects them. The radio talk shows are broadcast twice in a month.

15.4.4. Theater and radio have proved to be viable platforms for diverse, constructive, and non-violent dialogue around sensitive conflict issues. Participatory theater is a particularly useful way to engage women in the non-violent transformation of community challenges, such as GBV, IPV, domestic violence, and forced marriage. Women more commonly attend theater performances than men and are more likely than their male counterparts to get on stage and act out their own



perspectives and solutions on the issues performed by the actors.<sup>86</sup> The illumination of community issues and women's role in them has shown change in some communities in South Sudan.

15.4.5. After participating in several theater performances, research respondents in Mingkaman, Lakes State reported that more girls were allowed to go to school and more women were allowed to be employed because of values portrayed in the performances. Female participants in the theater events reported that “the rate of rape and domestic violence have been reduced in the community and now women are considered when decisions affecting the whole community are being made”.<sup>87</sup> Over 90% of attendees of participatory theater performances showed increased understanding of human rights issues and ways to nonviolently transform conflict and access justice.<sup>88</sup>

15.4.6. Media programming that highlights women as leaders and experts have brought in higher rates of women listenership. While radio access for women is lower overall, over 60% of the listenership of the radio show *Sergeant Esther* was female.<sup>89</sup> *Sergeant Esther* follows the fictional trials and triumphs of a female police officer who resolves problems in her everyday life nonviolently. The most commonly reported reason for tuning in was because the main character was a woman leader.

15.4.7. Representation in the media is also useful in promoting the success of actual women activists working to build peace in South Sudan. As one activist stated, “So many women feel they are starting from zero because they haven't heard the other stories of women involved in peace.”<sup>90</sup> There have been efforts to bridge this gap, including members of the High Level Revitalization Forum (HLRF) women's delegation traveling to towns outside of Juba to report back on outcomes and issues discussed.<sup>91</sup> These types of bridging activities are critical to connect local issues to national fora and vice versa and have been proven successful in other countries in the past.

## **16. What actions has your country taken in the last five years to prevent and respond to violence against women and girls facilitated by technology (online sexual harassment, online stalking, non-consensual sharing of intimate images)?**

Is there any action in this area? NO INFORMATION or Any evidence of South Sudan having taken such an initiative.

## **17. Actions Taken to Address the Portrayal of Women and Girls, Discrimination and/or Gender Bias in the Media?**

### **17.1. *Enacted, strengthened and enforced Legal Reforms to combat discrimination and/or Gender Bias in the Media***

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<sup>86</sup> Search for Common Ground, (30 June 2018).

<sup>87</sup> Search for Common Ground and Forcier, (2017).

<sup>88</sup> Ibid

<sup>89</sup> 62% of listeners were female. Search for Common Ground

<sup>90</sup> Search for Common Ground: Interview with Civil Society, (May 2018).

<sup>91</sup> Search for Common Ground: Interviews with members of the women delegation to Addis Ababa, (June 2018)

17.1.1. South Sudan recently endorsed three media bills marking important next steps in the country's nascent democratic development. The Bills makes important steps forward for press freedom and information in South Sudan. For long the media professional have been operating in a legal vacuum. The Bills are namely: The media authority bill, The Broadcasting and corporation Bill and the Access to information Bills. This created a good opportunity for disadvantage and vulnerable people in South Sudan among them the widows, orphan and other women and children to voice their say in the media on issues that touché their lives. Severely vulnerable and disadvantage groups appear to be hoping for good with the coming of these bills after a long marginalization during the civil wars that lasted for decades in South Sudan

17.1.2. The Government of South Sudan, through the Ministry of Information and Broadcasting and Non-State Actors such as The Association of Media Women in South Sudan (AMWISS)<sup>92</sup>, focuses on enhancing the visibility of women in the society and promoting their participation in leadership and decision-making. The government recognizes that the media is a powerful tool for social change and agenda setting, which AMWISS uses to create public awareness around key issues affecting women to ensure public support and appreciation of women as leaders. These tools include radio, television, newsletters, magazines and social media. The training is designed to help the groups understand how media operates, know how to package themselves to attract media coverage and further understand how to engage with various media platforms to communicate their agenda to the public.

17.1.3. AMWISS recognizes the negative portrayal of women in the media that is characterized by social and cultural socialization of what society perceives women to be, and not what they are, and is in the forefront to address these concerns. Women are portrayed as people who have lose morals when they aspire to become leaders in any field and not capable of leading among others. The work of AWMISS is articulated in the **South Sudan National Women's Strategy for "Enhancing women's participation in various decision-making structures during and after the Transitional period"** that was launched in 2016. In this Strategy, AMWISS seeks have independence of media houses, journalists and have women-owned media houses/enterprises; more female the foreign services journalists joining the media sector; and have more women taking up managerial positions in the media sector and being deployed in foreign services.

17.1.4. The Association of Media Women in South Sudan (AMWISS) was part of the team that contributed to the development of the above Strategy which serves as a comprehensive blue print to aid the efforts of women and different institutions that seek to amplify the voices of women from different sectors. The strategy document serves as a tool for guiding women's efforts and that of partners who are willing to support women from different sectors to continuously work towards supporting other women and achieving gender equity and equality at different decision-making levels. The document covers the following sectors, namely Civil Society, Parliament (National and State Legislative Assemblies including Council of States) Media, Academia, Organized Forces (Police Service, Army, Prison Service, National Security and fire Brigade) the Private Sector (Entrepreneurs), Independent Commissions and the Executive (National and State levels), the

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<sup>92</sup> AMWISS focuses on building the capacity of journalists to understand women's issues, how the issues affect women and to positively package and widely disseminate information on women in a way that enables communities make informed choices and change negative attitudes towards women.

Legal Sector, General Employments and Women in the Informal Sector. AMWISS operates under the Media Authority Act 2013 which established South Sudan Media Authority in 2016.

## 17.2. *Promoted the Participation of Women and Leadership in the Media*

17.2.1. The Government of South Sudan developed the South Sudan National Women's Strategy for "Enhancing women's participation in various decision-making structures during and after the Transitional period" launched in 2016.

17.2.2. The Strategy envisages independence of media houses and journalists; women-owned media houses/enterprises; more female journalists joining the media sector; and more women taking up managerial positions in the media sector; as well as, being deployed as foreign correspondents. This will mitigate negative perceptions held by the public about women journalists and the media.

17.2.3. The Ministry of information has been involved in the capacity building programs targeting media organisation like the Association of Media women in South Sudan (AMWSS), The Association of Media development in South Sudan (AMDISS) and other media institution by offering training to build their efforts and ensure their participation in media issues. The national organisation for women, (AMWSS) benefited from this program.

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<sup>93</sup> Search for Common Ground, (30 June 2018).

<sup>94</sup> Search for Common Ground and Forcier, (2017).

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## **18. Actions that address Violence Against Specific Groups of Women Facing Multiple Forms of Discrimination?**

18.0.1. The Government of South Sudan works in collaboration with various civil society organizations including women’s rights, youth, widows’ rights, disability rights, health and rights organizations whose mandate specifically addresses several concerns based on the inequalities experienced by groups of women that face the multiple forms of discrimination and violence.

18.0.2. Through the National Gender Machinery and other collaborating institutions, the Government of South Sudan has put in place relevant policy frameworks to ensure that the groups of women that experience multiple discrimination and or marginalized are not left behind in terms of participation, needs and concerns. They include women in rural and remote areas, older women, the women with disabilities, younger women and girls and those in humanitarian setting.

### **18.1. *Women in Rural Areas***

18.1.1. Rural women in South Sudan face multiple forms of discrimination in addition to violence. The role of the rural women in South Sudan cannot be overemphasized, women work extra hours in a day tending for their families (children, elderly, husband, the sick and vulnerable) and livestock, with very little expectations. Above all, most are sexually, physically and psychological violently abused.

18.1.2. Many survivors of SGBV, particularly in rural areas, have nowhere to go for medical services, especially given the collapse of the healthcare systems in many communities as a result of the conflict. The nearest functional health facility may be too far away, or the roads to reach it too insecure. Moreover, the shame and stigma surrounding sexual violence often dissuades survivors from seeking out the medical assistance they need or fully disclosing to medical staff the nature of the abuse they have suffered and the scope of their health concerns

18.1.3. Structural causes of SGBV and lack of access to justice for rural women are also manifested in the denial of women to inheritance of productive assets, lack of voice and decision making in family and community matters, denial of right of choice to found a family, all of which are common in rural areas. A major challenge is under reporting and ignorance in understating whether they are being subjected to violence.

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<sup>97</sup> Search for Common Ground: Interview with Civil Society, (May 2018).

<sup>98</sup> Search for Common Ground: Interviews with members of the women delegation to Addis Ababa, (June 2018)

18.1.4. Apart from public awareness raising at the grassroots and provision of care and support to victims and survivors, the most potent action has been the economic and financial empowerment of rural women. The government of South Sudan together with development partners have taken measures to address burden of poverty on women and growth in agricultures sector as key priority.

18.1.5. The government through the Ministry of Agriculture, initiated projects geared towards the development and implementation of Gender responsive Agricultural policies and enhancements of economics livelihoods targeting a thousand women (1,000). The projects also aim at increasing rural women participation in agribusiness. The programs also catered for the training of gender to all extension workers and cooperatives officers in the country.

18.1.6. In order to increase employment opportunities and income to rural women, the government, extended credit facilities to 4,000 poor rural women in South Sudan with a cumulative disbursement of close to \$0.8 million. Also, over 500 widows are benefiting from income generating activities through skills training, agriculture inputs and credit facility.<sup>99</sup>

18.1.7. Similarly, through the Farm Sudan Project, the government has been able to reach and empower a number of rural women in the agriculture sector. Women farmers are being encouraged to produce and sell their products at more favourable price. Government is also building the capacity of women on adult functional literacy, poultry farming, etc. A number of women empowerment Centres have also been established where women are equipped with skills in entrepreneurship, computer, tailoring, hand craft, Adult Literacy, and farming.

## 18.2. *IDPs and Humanitarian setting*

18.2.1. Most of the actions taken to address violence against women in IDPs and humanitarian setting have been by the United Nations. In 2016, thousands of South Sudanese crossed the borders daily to neighboring countries to seek asylum from the conflict. The majority of displaced people (more than 1.6 million) live in displacement areas outside of the POC sites, or are in perpetual flight to find safer places. South Sudan was declared a Level 3 humanitarian emergency in 2016.

18.2.2. Rape is a common feature of the conflict threatening civilians inside and outside the Protection of Civilians (POC) sites. Gang rapes and abductions of women and girls by armed actors are reported regularly, often occurring when civilians cross military checkpoints; flee areas under military attack or when they leave PoC sites to collect firewood or food.<sup>100</sup> Many of these acts of GBV appear to constitute national and international crimes, in violation of human rights and international humanitarian law.<sup>101</sup>

18.2.3. Most humanitarian GBV programming has been concentrated in but not limited to the UNMISS POC sites. Although there is still need to make some improvements to services inside the PoCs, from 2015 humanitarian actors made increasing efforts to extend critically needed GBV services outside of POC sites into heavily affected conflict areas or neglected areas where the

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<sup>99</sup> Republic of South Sudan National Evaluation Report on the Implementation of the Beijing Declaration and Platform for Action. Pg. 18

<sup>100</sup> Amnesty International, "We did not believe we would survive: Killings, rape and looting in Juba" (2016), pp. 18-20.

<sup>101</sup> UNMISS, "Conflict in South Sudan – A Human Rights Report" (May 2014); Amnesty International, "Nowhere Safe: Civilians Under Attack in South Sudan" (May 2014); OHCHR/UNMISS, "A Report on Violations and Abuses of International Human Rights Law and Violations of International Humanitarian Law in the Context of Fighting in Juba, South Sudan, July 2016 (January 2017)

majority of the affected population are located including informal IDP settlements in cities that are surrounded by armed actors. By 2017, the needs have grown to warrant a new strategy by the Humanitarian sub-cluster.<sup>102</sup>

18.2.4. The purpose of the strategy is to create a realistic common framework to guide GBV prevention and response interventions over the short and medium term in the humanitarian context of South Sudan. It aims to increase access for the most vulnerable to quality, multi-sectoral humanitarian GBV services and reduce incidents of GBV through prevention and mitigation activities in South Sudan. The strategy is for one year, renewable through a process of annual review by the sub-cluster Strategic Advisory Group (SAG). It has been drafted in anticipation that it can guide activities for two years, but due to the frequent and rapid changes in the operational environment in South Sudan there was consensus that it should be reviewed on an annual basis with the following objectives:

- Expand availability of the basic package of multi-sectoral GBV services.<sup>103</sup>
- Build capacity of service providers and communities to deliver quality GBV services in line with best practices and minimum standards for humanitarian settings.<sup>104</sup>
- Strengthen GBV prevention and risk mitigation across other humanitarian sectors and with UNMISS, including through mainstreaming.
- Strengthen co-ordination, advocacy and collaboration at national and sub-national levels.

## **Overarching Dimension 4: Participation, Accountability and Gender-Responsive Institutions**

### **19. Actions and Measures Taken to Promote Women’s Participation in Public Life and Decision-Making**

#### **19.1. *Reformed constitution, laws and regulations***

19.1.1. The Transitional Constitution of South Sudan (2011) contains the internationally recognized Bill of Rights and makes provision for gender equality and gender mainstreaming, including elements of affirmative action to ensure representation of women in decision making positions in the public spheres which include the executive, the legislative and judicial arms of government at the national, state and local government levels.

19.1.2. The Transitional Constitution (2011) provides women and men with equal rights to vote and be voted (Article 26.2). The government promoted the participation and engagement of women as voters, candidates, decision makers to determine the outcome of elections and the referendum through the Electoral Support programme of 2010 and the Referendum Support

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<sup>102</sup> GBV Sub-Cluster Strategy South Sudan 2017

<sup>103</sup> The Cluster Response Plan for the Protection Cluster has prioritized 54 counties in South Sudan, ranking them in 5 tiers for priority, life-saving response.

<sup>104</sup> Includes case management workers, health workers, non-health staff at facilities that provide GBV services, safety and security providers, and justice and accountability actors.

programme of 2011.<sup>105</sup> In reality, despite the wish of many women to exercise their right to vote within the 2011 referendum, many were unaware of their rights, and unable to effectively and actively participate in the referendum<sup>106</sup>.

19.1.3. The Transitional Constitution (2011) in Article 14 guarantees equality of men and women. Article 16 (4a) stipulates that “All levels of government shall promote women participation in public life and their representation in the legislative and executive organs by at least twenty-five per cent as an affirmative action to redress imbalances created by history, customs, and traditions” and sets out a 25% Affirmative Action quota for women in legislative and executive bodies. The government also put in place policies and mechanisms to increase the political voice of women.

19.1.4. One of the achievements of women who participated in the peace negotiations that led to the signing of the Revitalized Peace Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) in 2018 is the successful negotiation for a 35% affirmative action against the constitutional provision of 25%. In view of the fact that the initial 25% was not fully realized, government will endeavor to work with the political parties towards strengthening intra party democracy that will enable the realization of this new target.

19.1.5. Article 25 recognizes and guarantees freedom of assembly and association, the right to form or join political parties, associations and trade, or professional unions for the protection of the individual interests of women and men. Article 25 (3) specifically mentions ‘openness to the participation of all gender’ as criteria for functioning as a political party in the country. One of the conditions for getting a political association registered as a political party as spelt out in section 16 (2) (f) (ii) & (v) (Political Parties Act, 1012) is that the registered members and members of the governing body must have a gender balance among other conditions. Currently, 2 out of the 28 registered political parties in the country, are headed by women - SANU - Theresa Siricio and National Congress Party - Agnes Lukudu

19.1.6. The right to participate in governance at all levels either by appointment or by election and the right to vote and be voted for, are also guaranteed by Article 26 (1) and (2) of the Constitution.

19.1.7. Furthermore, by reason of section 33 of the National Elections Act, 2012 every South Sudanese (male and female) is eligible to vote so far as he/she meets laid down conditions such as being above the age of 18 years, being of sound mind and also been registered as a voter. Section 45 of the Act also allows women and men to aspire to be the president or the governor of a state.

19.1.8. The Political Parties Act of 2012 also seeks to secure women’s rights to equal participation with men in political and public life. In highlighting the obligations of political parties, section 16 (2)(c) provides that party leaders must be democratically elected at all levels and parties must make provision for the proportionate representation of women on a basis to be determined by each party.

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<sup>105</sup> Republic of South Sudan (2014), National Comprehensive Review Report on the Implementation of the Beijing Declaration and Platform for Action, <http://mgcswss.org/wp-content/uploads/NationalEvaluation-on-Implementation-of-the-Beijing-Platform.pdf> p.21

<sup>106</sup> Gender Concerns International, Women in Sudan – Precadiment, Challenge and Hope, [www.genderconcerns.org/images/gal/Women%20in%20South%20Sudan.pdf](http://www.genderconcerns.org/images/gal/Women%20in%20South%20Sudan.pdf)

19.1.9. Objective 4 of the National Gender Policy promotes equal and effective participation of all citizens in the social and political affairs of the nation. One of the strategies adopted by the policy for redressing gender gaps in the participation of women and men in political and public life, is the implementation of the constitutional provision on Affirmative Action across all sectors.

19.1.10. Other strategies promoted by the gender policy are gender responsive recruitment, retention and promotion processes for public service, capacity building, leadership training and mentoring of women as well as intensive campaigns to create awareness on the centrality of gender equality as a prerequisite for achieving sustainable development.

19.1.11. The National and State level legislative assemblies have established key gender mechanism like specialized committees, Women Caucus and election of female speakers<sup>107</sup>. Under the leadership of the Ministry of Gender, the government initiated a Women Transformative Leadership Programme for over 30 women leaders, including Presidential advisors, Cabinet Ministers, State Ministers, Parliamentarians, State Governors, Parliamentary Speakers<sup>108</sup>.

## 19.2. *Capacity Building, Skills Development and Other Measures*

19.2.1. In promoting the effectiveness of female leaders, the MoGCSW conducted a series of trainings at the University of Juba for women on transformational leadership, peacebuilding and reconciliation between 2014 and 2016. Forty-five women leaders from the executive at national and state levels; 150 young female leaders; 150 women within the South Sudan Council of Churches; 100 women from the peace movement; 60 men and women from Protection of Civilians Sites (POC sites); and 120 women selected from rural communities. This also began the process of institutionalizing transformational leadership training for women by developing and validating a draft of the training curriculum. These initiatives constitute an important starting point and steps towards building technical and organizational capacity for the MoGCSW and CSOs in providing strategic oversight and leadership and advocacy in gender sensitive policies and programmes.

19.2.2. In 2015, there were trainings on citizens' participation and local government functions as well as training of trainers as Civic Education Ambassadors in Yei River State. The meeting was particularly unique because women in the locality (Tore Payam of Yei County) were participating in such meetings for the first time<sup>109</sup>.

19.2.3. The South Sudan Democratic Engagement, Monitoring and Observation Programme (SSuDEMOP) facilitated the development of the South Sudan Women's Strategy<sup>110</sup> which is aimed at enhancing women's participation in decision-making during and after the transitional period. The strategy document is designed to serve as a comprehensive blueprint to aid the efforts of women and different institution that seek to amplify the voices of women from different sectors.

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<sup>107</sup> Republic of South Sudan (2014), National Comprehensive Review Report on the Implementation of the Beijing Declaration and Platform for Action, <http://mgcswws.org/wp-content/uploads/NationalEvaluation-on-Implementation-of-the-Beijing-Platform.pdf> p.20

<sup>108</sup> Ibid, p.20

<sup>109</sup> UNDP (2015) Gender and Democratic Governance and Stabilization, available online

[http://www.ss.undp.org/content/south\\_sudan/en/home/ourwork/womenempowerment/Gender-Democratic-Governance-and-Stabilization.html](http://www.ss.undp.org/content/south_sudan/en/home/ourwork/womenempowerment/Gender-Democratic-Governance-and-Stabilization.html)

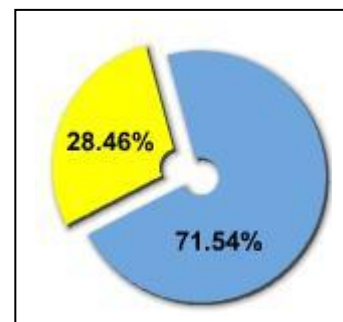
<sup>110</sup> South Sudan Democratic Engagement, Monitoring and Observation Programme (SSuDEMOP) (2016) South Sudan Women's Strategy, available online: [http://www.kas.de/wf/doc/kas\\_46318-1522-2-30.pdf?160909102210/](http://www.kas.de/wf/doc/kas_46318-1522-2-30.pdf?160909102210/)



19.2.4. In South Sudan, there is increased motivation among women to venture into politics; however, these women have to navigate various barriers emanating from the society, their opponents and the political system. The Affirmative Action, whether 25% or 35% does not give the Sudanese people enough reason to vote for women. Moreover, none of the institutions responsible for implementing the Constitution<sup>111</sup> have practical solutions to counter challenges they face. The burden remains to invest in capacity strengthening of women to enhance their engagements in leadership, governance and political processes; implement the law especially when it comes to discrimination and violence that may be experienced by women during electoral and political processes; engage in continuous civic education and public education to address negative gender norms; and ensure gender responsive budgeting.

### 19.3. *Collected and Analyzed Data on Women’s Political Participation*

19.3.1. No election has been held in South Sudan following independence in 2011; as such, all representatives and office holders at different levels of governance are appointed. As far as legislative positions are concerned, the constitutional provision on affirmative action of at least 25% female members of parliament is being implemented at the national level and in many states. As at August 2018, 109 (28.46%) of the 383 members of the national parliament were females. Also, at the level of principal officers of the national parliament, there are two Deputy Speakers – one male and one female.



19.3.2. The current situation is quite similar to that of the previous parliament (2011) where out of 332 members, there were 95 females representing 29%. In January 2019, some changes were made to the membership of the Assembly and women’s slots experienced a slight drop which put them at exactly 28%. Although this does not qualify for equal participation as recommended by CEDAW, the special measure adopted in the constitution as a step towards bridging the gender gap in political participation is changing the land-scape of governance.

<b>Table 3: Representation in governance by sex</b>											
S/N	POSITION	2011					FEBRUARY 2019				
		F	M	TOTAL	% F	% M	F	M	TOTAL	% F	% M
1	National Legislative Assembly	95	237	332	29	71	111	289	400	28	72
2	Council of States	5	45	50	10	90	5	45	50	10	90
3	Speaker	0	1	1	0	100	0	1	1	0	100
4	Deputy Speakers	1	1	2	50	50	1	1	2	50	50
5	Ministers	5	25	29	17	83	6	24	30	20	80
6	Deputy Ministers	10	17	27	37	63	1	5	6	17	83

<sup>111</sup> Article 26(1) of the Constitution gives every South Sudanese citizen the right to take part in any level of government directly or through freely chosen representative, and to nominate himself or herself or be nominated for a public post or office in accordance with this Constitution and the law.

7	Head of Commissions	2	18	20	10	90	2	14	16	16	88
8	Deputy Heads of Commissions	4	16	20	20	80					
9	Presidential Advisors	1	6	7	14	86					
10	Undersecretaries	4	28	32	12	88	4	28	32	13	87

Source: Ministry of Parliamentary Affairs

19.3.3. With regards to executive positions in 2011, women were highly under-represented. For most of the positions, female representation was between 10 and 20%. Only the position of Deputy Ministers did women have 37% of the available slots (e.g. 10 out of 27 Deputy Ministers were women). This has however, dropped to 17% in the current dispensation (2019). Although, the percentage of female Ministers moved up by 3% from 17%, and Undersecretaries by 1% from 12% between 2011 and 2019, in none of the executive positions was the 25% affirmative action achieved.

19.3.4. At the level of the states, some have achieved equal participation of women and men in their legislative assemblies. For instance, Lake State has equal number of female and male legislators. Yei River state has equal number of female and male principal officers in its Assembly.

States	Female	Male	Total	Female %	Male %
Central Equatoria	9	14	23	39	60.9
Eastern Equatoria	5	14	19	26.3	73.7
Jonglei	8	20	18	28.6	71.4
Lake	7	7	14	50	50
North Bhar El-Gazel	14	11	25	56	44
Unity	4	8	12	33.2	66.6
Upper Nile	7	13	20	35	63
Warrap	8	12	20	40	60
Western Equatoria	1	5	6	16	84
Bahr-El Gazel	4	9	13	30.8	69.2

19.3.5. The state of Northern Bahr El Ghazal has surpassed the constitutional requirement of equal participation with 56% female representatives. All the former ten states (except Eastern Equatoria with only 16% female members) have met the minimum requirement of at least 25% female members of parliament. Due to the low level of literacy among women, as well as the low level of confidence to pursue a career vigorously like their male counterparts, huge gaps still exist at the leadership levels of most government institutions. For instance, as presented in Table, most heads of directorates in different Ministries are headed by males.

TABLE 5: Sex Disaggregated Data on Leadership Positions in Different Ministries									
S/N	Ministry	Director Generals				Directors			
		M	%	F	%	M	%	F	%
1.	Ministry of Gender, Child and Social Affairs	2	66.6	1	33.3	3	37.5	5	62.5
2.	Ministry of Cabinet Affairs	3	75	1	25	8	61.5	5	38.5
3.	Ministry of Higher Education Science and Technology	6	85.7	1	14.3	15	88.2	2	11.76
4.	Ministry of foreign Affairs and International Cooperation	7	87.5	1	12.5				
5.	Ministry of Labor, Public Services and Human Resource Development	9	81.8	2	18.2	10	90.9	1	9
6.	Ministry of Justice and Constitutional Affairs	9	90	1	10%				

19.3.6. Only the Ministry of Gender have more female directors (62.5%) than men (37.5%).

19.3.7. There is no written law or policy preventing women from participating in non-governmental organizations and associations concerned with the public and political life in the country. There are 2,155 registered national and international NGOs (2017 national NGOs and 138 international NGOs) in South Sudan, some of which are headed by women. Women are also involved in trade union activities. The South Sudan Trade Union was established in 2010 and currently has leadership of 27 males and 7 females at the national level.

19.3.8. Women are also organized in women’s associations at the national, state, county and Panyam levels. There is a registered South Sudan Women General Association which is non-partisan, non-political and non-governmental. Its primary aims include the promotion of gender equity at all levels of the society, peace building, women’s economic empowerment, prevention of gender-based violence and all forms of discrimination against women.

19.3.9. The government of South Sudan demonstrates its commitment to promoting women’s equal participation with men in political and public life by articulating this desire in all its strategic documents. The South Sudan development plan - Vision 2040<sup>112</sup> recognizes the centrality of gender equality to the development of the country and includes it among the nine cross-cutting issues which all sectors are required to mainstream in all policies, plans and programmes.

19.3.10. Specifically, objective 4.4 (h) is “to mainstream gender equality in all institutions of government and public life including adhering to the constitutional provision for women representation at all levels of government”.

<sup>112</sup> Government of South Sudan (2011) South Sudan Vision 2040, Available online: [https://www.southsudanhealth.info/PublicData/Library/Policy\\_Documents/South%20Sudan%20Vision%202040.pdf](https://www.southsudanhealth.info/PublicData/Library/Policy_Documents/South%20Sudan%20Vision%202040.pdf)

19.3.11. In spite of the demonstrated political will and constitutional guarantees, public perception of gender equality is skewed in favour of men, resulting in women's limited decision-making power at both the household and community levels. This in turn impacts negatively on women's participation in political and public life.

19.3.12. The conduct of research into customary and traditional beliefs and practices as well as engaging with traditional, religious and other community opinion leaders in the promotion of gender equality and the elimination of practices that reinforce inequalities and discrimination against women, are clarified as the way to go in enhancing women's meaningful involvement in political and public life.

## **20. Actions taken to increase Women's Access to Expression and Participation in Decision-Making in the Media, including through Information and Communication Technologies (ICT)**

### **20.1. *Provision of Formal and Technical Vocational Education and Training (TVET)***

20.1.1. The high level of illiteracy and youth unemployment necessitated the urgent need for massive vocational training programme opportunities in the country. There is a South Sudan Vocational Training Policy aimed at giving direction for implementation of vocational training programme.

20.1.2. The policy addresses graduates of primary/secondary schools, adults, employees, unemployed and under-employed, entrepreneurs, informal apprentices, ex-combatants, IDPs, returnees, premature leavers/drop-outs and marginalized populations such as street children including girls. There are six government owned vocational centers in the country together with other private vocational training centres.

### **20.2. *Provision of formal and technical vocational education and training (TVET) in media and ICTs***

20.2.1. ICT is both an indispensable pillar for competitiveness and a cross-cutting growth engine especially in socio-economic development, job creation and poverty reduction, wealth generation including citizen access to government services in South Sudan.

20.2.2. South Sudan has made efforts in the last five years to improve ICT facilities and reduce the gender gap in ICT technology.

20.2.3. The first South Sudan Information Communication Technology for Development Conference (ICT4D) was held in Juba, South Sudan from 25-27 February 2015 culminating with key recommendations to accelerate the integration of ICTs in all the sectors of South Sudan. The conference was organized by the Ministry of Telecommunications and Postal services, together with development partners and international ICT companies.

20.2.4. A key highlight of this conference was the presentation and demonstration of skills acquired by 43 South Sudanese youth, who have been undergoing training on mobile applications development and use of Innovative technology. South Sudan will establish a technology innovation for the youth as a laboratory to incubate information and technology ideas and with a view to creation of jobs and youth self-employment.

20.2.5. A major challenge continues to be inadequate ICT facilities especially internet access outside the urban areas of South Sudan and limited use of information technology due to the low penetration rate of personal computers as a direct consequence of the very low level of household income, computer illiteracy and the very limited broadband infrastructure. Within the limited use of ICT is gender disparity in technology.

### 20.3. *Measures to enhance access, affordability and use of ICTs for women and girls: The GoGirls ICT Initiative*

20.3.1. The GoGirls ICT Initiative is an organization founded by young South Sudanese women, which aims to engage, educate and empower women and girls in science, technology, engineering and mathematics (STEM) based fields through trainings and mentorship. The GoGirls have taken their “Time-To-Shine” ICT programme into schools, working with headmasters and teachers to bring their unique curriculum to students during short class sessions. Their school mentorship programme is now reaching approximately 60% girls and 40% boys. They train volunteer mentors (university students) who support the school children. They focus on computer literacy, basic programming skills, and broader positive life skills. The school children learn to use Scratch, a platform to create stories using graphics and animation.

20.3.2. DEFYHATENOW project is one of the projects being undertaken by GoGirls about hate speech mitigation both online and offline. Running a series of monthly workshops where debates take place on how girls and boys can afford being online, what they post, where they get the resources to pay for internet connectivity, more discussions around the issue of connectivity and have conversations with school going girls and university students around several topics like digital safety for girls and how to identify fake news, and also contribute to the compilation of the #defyhatenow field guide.

## **21. Tracking the proportion of the national budget that is invested in the promotion of Gender Equality and the Empowerment of Women (gender-responsive budgeting)**

21.1.1. Gender Responsive Budgeting (GRB) is increasingly being used as an effective accountability tool to hold government to account to its commitment to gender equality and empowerment of women and girls. The Government of South Sudan is yet to fully embrace budget reforms, which includes the public’s participation in the budgetary process that allows for transparency and negotiations by the different stakeholders such as women, youth, children and persons with disability. An inclusive and transparent process would facilitate tracking of budgetary allocations to programmes that benefit women empowerment.

21.1.2. Currently, only the Ministry of Education has embraced gender responsive budgeting with allocation of resources based on their mandate and requirements for the promotion of girls' education contained in the General Education Strategic Plan 2017-2022. However, over all budgetary allocation to the Ministry of Education is low compared with Defense and Security.

21.1.3. The peculiar security challenges in South Sudan mean that limited financial resources are available for development programmes. The Ministry of Gender receives the least allocation out of the Federal Budget compared with other institutions of government. Most of the programmes of the Ministry are funded by development partners. Below is the federal allocation to the Ministry of Gender compared to the total annual government budgets in the last four financial years.

**Table 6: Budget of the MGCSW as a Percentage of Total Annual Budget of Government**

	2015/16	2016/17	2017/18	2018/19
	Enacted Budget	Enacted Budget	Enacted Budget	Enacted Budget
<b>MGCSW</b>	17,586,171	31,242,153	28,589,042	49,033,897
<b>Overall FY Total (Plus External Loans &amp; Grants)</b>	10,642,138,993	38,074,035,039	1,862,205,015	81,590,170,609
<b>Proportion of overall budget</b>	0.1%	0.08%	1.5%	0.06%

21.1.4. Aside low budgetary allocations, actual release of allocation is also a challenge. Nevertheless, there are budgetary allocations to other sectors such as health, education, labour and agriculture among others whose components are gender-sensitive but are difficult to track.

**22. As a donor country, does your country track the proportion of official development assistance (ODA) that is invested in the promotion of gender equality and the empowerment of women (gender-responsive budgeting)?**

NOT APPLICABLE

**23. Costed National Strategy or Action Plan for Gender Equality?**

23.1.1. The National Gender Policy and Strategic Plan (2013) articulates the Government's strategic direction for the achievement of gender equality and empowerment of women. It has eight (8) priority thematic areas, 13 objectives and several strategies/targets to guide stakeholders in program planning and implementation. These constitute the driving force behind the National Gender Policy Strategic Plan. They are: Gender and Governance Gender; Education and Capacity

Development; Gender and Health; Gender & Food Security; Economic Empowerment; Sexual and Gender Based Violence Gender; Peace and Security and Gender, Environment and Natural Resource Management.

23.1.2. In 2015, the National Action Plan (NAP) 2015-2020 on UNSCR 1325 was developed while the South Sudan National Women Strategy was developed in 2016.

23.1.3. These policy and strategy documents were products of thorough consultation with different stakeholders in private, government at national and state levels, development partners, national and international organizations. They complement and build on one another, serve as frameworks and provide guidelines for mainstreaming principles of gender equality and the empowerment of women in the national development process. The ultimate goal is to make gender equality a reality in the country and an integral part of all laws, policies, programs and activities of all government institutions, the private sector and civil society, thereby realizing and attaining the targets under SDG 5.

#### **24. Action Plan and Timeline for Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women (if a State party), or of the Recommendations of the Universal Periodic Review**

The first CEDAW Report has just been finalized and yet to be submitted to CEDAW. Hence, there is no Action Plan.

However, South Sudan's first Universal Periodic Review (UPR) was conducted by the UN Human Rights Council (HCR) on 7 November 2016 and a decision taken by the Council on 17 March 2017. There were 233 recommendations, of which 203 enjoyed the Council's support and 30 were noted.

#### **25. National Human Rights Institution**

##### **25.1. The South Sudan Commission on Human Rights (SSHRC)**

25.1.1. The South Sudan Human Rights Commission (SSHRC) is an independent national human rights institution and a constitutional body whose founding laws are based on Article 145 and 146 of the Transitional Constitution of the Republic of South Sudan, 2011 as amended. The objectives of the SSHRC are to sensitize the public about human rights and taking actions against rights violation including the rights of women.

25.1.2. The functions of the SSHRC include among other functions is: to promote human rights, monitor and report on the situation of human rights in the country; investigate alleged human rights violations and abuses, initiate, oversee and implement programmes intended to promote and protect human rights and give key recommendations or advices to the government including advice on governance issues.

25.1.3. Human rights are not defined in the founding laws of the SSHRC, thus it can be said that none of the internationally recognized human rights including women's right and gender equality have been excluded from its mandate.

25.1.4. In addition, there is gender parity in the composition of the governing body of the SSHRC with 50% each for women and men commissioners.

25.1.5. Furthermore, the SSHRC has three dedicated specialized /thematic units namely: Gender Desk, IDPs Focal Person and Focal Person for Genocide. The highest level of engagement has been gender and human rights.

25.1.6. Between January 2018 to 2019, the SSHRC reported seven cases of sexual exploitation and abuse involving 18 alleged UNMISS perpetrators to the UN Sexual Exploitation and Abuse Database. These cases were swiftly investigated by the UN Peacekeeping mission in South Sudan which resulted in repatriation of members of the Ghanaian Formed Police Unit implicated in sexual activity with women at the Protection of Civilians site in Wau. The Commission has recommended that the current database, which only reflects incidents involving UN Peacekeepers, be expanded to staff of implementing partners.

25.1.7. The SSHRC engages with international and regional mechanisms, provides support to national, regional and international efforts to promote accountability for human rights violations and abuses. The SSHRC is promoting the establishment of the following:

- Transitional Justice mechanisms, particularly the Hybrid Court for South Sudan
- Commission for Truth Reconciliation and Healing, and the Compensation and Reparation Authority, which were adopted in the 2015 Peace Agreement.
- The Revitalized Agreement signed in September 2018 has reaffirmed the need for these institutions, with a hope that the Revitalized Government, the African Union and Regional Governments will ensure that these bodies are set up and contribute to consolidation of peace in South Sudan.
- South Sudan Human Rights Defenders Network (SSHRDN). The historic launch of the SSHRDN took place on 7 June 2019 and will serve as a hub for human rights defenders in South Sudan and beyond. A human rights defender is any person who stands up for the rights of others and denounced any wrongdoing by speaking out, sometimes saying unwanted truth to the wrongdoer.

## **Overarching Dimension 5: Peaceful and Inclusive Societies**

### **26. Actions Taken to Build and Sustain Peace, Promote Peaceful and Inclusive Societies for Sustainable Development and Implement the Women, Peace and Security Agenda**



## ***26.1. Adopted and implemented a National Action Plan on Women, Peace and security***

26.1.1. As a country emerging out of conflict, South Sudan is still grappling with the task of consolidating peace and security throughout the country. Different security concerns have specific gender dimensions that call for targeted, well thought-out and sustainable solutions. Good opportunities for managing this post-conflict security situation in a gender-responsive manner is demonstrated in government's commitment and the considerable good will and support from various actors and development partners.

26.1.2. In 2015, the Ministry of Gender, Child and Social Welfare launched the South Sudan National Action Plan (NAP) 2015-2020 on UN Resolution (UNSCR) 1325 and Related Resolutions. The overall goal of the National Action Plan is to reduce the impact of conflict on woman and girls and increase women's representation and participation in decision-making and conflict resolution. It seeks to promote the protection of women and girls, including those with disabilities, against any form of sexual and gender-based violence (SGBV) among other things. It also allows for more inclusive, just and sustainable peace, recovery and reconstruction processes, where a gender perspective is integrated into the design and implementation of all policies related to peace and security.

26.1.3. A National Steering Committee, chaired by the MoGCSW and the Ministry of Defense and Veterans Affairs, was established to monitor progress in implementation of the plan. Women of South Sudan are involved in peacebuilding efforts and processes and are raising their voices from time to time in advocating peace as well as calling for recognition and opportunities for better involvement in peace processes.

26.1.4. South Sudan has developed a comprehensive Demobilization, Disarmament and Re-integration (DDR) programs which is designed to incorporate gender consideration and is considered to be unusually inclusive to women combatants and or women associated with armed forces and children soldiers. The government of South Sudan under part II and chapter 1 of the transitional constitution of the republic and article 36 (3) stipulates that security and welfare of the people of South Sudan, shall be the primary duty of all levels of government. Thus, the Constitution links directly with Resolution 1325 pillars of participation, protection and prevention and recovery (development).

26.1.5. South Sudan development program pillar on conflict prevention and security (deepening peace and improving security) further defines commitments of the government to address gender consideration on the issue of Gender equality and empowerment.

26.1.6. The Government has put in place mechanisms to foster peace among conflicting communities through initiatives like Peace Committees and joint Cultural Festivals. Currently there are capacity building initiatives on conflict transformation and peace building for peace committees in many counties which are prone to conflicts.

## ***26.2. Women participation in decision making and the security sector***

26.2.1. The government, development partners and civil society organizations have undertaken a number of research focusing on women, peace and security. The findings indicated that women were and are still underrepresented in the security sector, especially in high decision-making level. However, there is a concentration of the women at the lowest level in the organized force. The findings have informed how the road to attainment of peace should be structured.

### **26.3. *Participation of women in peace structures and activities***

26.1.1. The Government has put in place mechanisms to foster peace among conflicting communities through initiatives like Peace Committees and joint Cultural Festivals. Currently there are capacity building initiative on conflict transformation and peace building for peace committees in many counties which are prone to conflicts with the aim of preventing, rather than looking forward to managing the conflict or resolving the conflict: Bor, Yei and Maridi. A major concern has been the proportion of women that is included in the peace committees relative to the number of men, considering the effects of conflicts on women and children and vulnerable groups such as persons with disabilities.

## **27. Actions Taken to Increase the Leadership, Representation and Participation of Women in Conflict Prevention, Resolution, Peacebuilding, Humanitarian Action**

### **27.1 *Promoted and supported women's meaningful participation in peace processes and the implementation of peace agreements***

27.1.1. Women are actively involved and recording tremendous achievement in peace processes at different levels. In Yei River State the Women Parliamentary Caucus formed a Grass Root Peace Initiative and the Yei Community Forum to enable them engage with the community people in finding solutions to the crisis that engulfed their communities. The grassroots peace initiative yielded positive results as women and men came out of the bush, surrendered and embraced peace. They are currently being trained. Testimonies such as these abound in South Sudan.

27.1.2. During the 2015 peace process, women comprised 15 percent of negotiators. While women were absent from the government's delegation, three women served as part of the opposition's ten-person delegation, including one woman who had fought on the frontlines. The Women's Bloc of South Sudan—a network of civil society leaders—also served as formal observers and signatories of the 2015 agreement and as members of the Joint Monitoring and Evaluation Commission, charged with tracking implementation of the agreement.

27.1.3. The signing of the Agreement of the Resolution of Conflict of South Sudan (ARCRSS, 2015) -mandated the Government of the Republic of South Sudan to nominate no fewer than 4 women from SPLM and not fewer than three (3) women from SPLM-IO as Ministers and two (2) women as Deputy Ministers but only women from the government side benefited.

27.1.4. The Government of South Sudan has the necessary policy and legal frameworks to substantially increase the participation of women in public affairs. However, the Affirmative Action of 25 percent women representation is not fully implemented.

27.1.5. Government does not allocate funds to women's organizations. Those that have ventured into peace building and conflict transformation face funding constraints and capacity gaps in terms of skills and the security issues related to gender-based violence

27.1.6. As a build up to the renewed peace efforts, 43 South Sudanese women organizations and other NGOs working on women empowerment and peace signed a Memorandum of Understanding (MoU) on October 21, 2018 to collaborate and work together towards the achievement of lasting peace in the country.

27.1.7. Women's participation in the peace processes got better over the years. In the renewed 2018 peace effort, one of the mediators was a woman and female leaders of civil society groups served as official observers. Women made up 25 percent of official delegates, and members of the Women's Coalition.

27.1.8. One of the significant achievements of women who participated in the peace negotiations that led to the signing of the Revitalized Peace Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), 2018 is the successful negotiation for a 35% affirmative action against the constitutional provision of 25%.

27.1.9. Protection issues have been highly challenging since the crisis started requiring high level response and commitment. On 11<sup>th</sup> October 2014, a Joint Communiqué on the Prevention of Conflict-Related Sexual Violence was signed by President Salva Kiir Mayardit, affirming the Government of South Sudan's strong commitment to combat SGBV and address impunity for such crimes.

## ***27.2. Political Will***

27.2.1. The Government of South Sudan has the necessary policy and legal frameworks to substantially increase the participation of women in public affairs; however, it lacks the political will to implement them. The Affirmative Action of 25 percent women representation is not fully implemented, while the National Gender Machinery does not have adequate resources and sufficient capacity to effectively carry out its mandate and contribute to realization of this objective. Even with the National Action Plan (NAP) for UNSCR 1325 on women, peace and security, the participation of women in governance, security and economic development still requires government commitment to adequately fund the institutions concerned with promotion of gender equality and peace building.

## ***27.3. Political Appointments by Government***

27.3.1. In South Sudan, political appointments to some key positions appear to follow military background as one of the requirements. Using military background as a criterion for those leadership positions disadvantages women in high decision making and amount to a violation of

the 35% affirmative action. There are only a handful of highly educated women in the military and they are already holding high positions. The bulk of the women in the military are non-commission officers holding junior positions. Highly qualified non-military women are thus excluded from those decision-making positions, as there are not enough women with military background.

## **28. Actions taken to enhance judicial and non-judicial accountability for violations of international humanitarian law and violations of the human rights of women and girls in situations of armed and other conflicts or humanitarian action and crisis response**

### **28.1. Measures to enhance Accountability of Violations of Human Rights of Women and Girls**

28.1.1. In May 2014, the National Police established a new Directorate of Gender Affairs at police headquarters to promote gender issues.<sup>113</sup> The Directorate's mission is to combat and investigate crime, with particular attention to vulnerable groups, such as women and children.

28.1.2. In 2014, the Government of South Sudan signed a joint communiqué with the UN Special Representative to the Secretary-General on Sexual Violence in Conflict, Zainab Bangura, in which it committed to address conflict-related sexual violence through measures including the issuance and enforcement of clear orders through military and police chains of command prohibiting sexual violence, accountability mechanisms, exclusion of perpetrators from the security forces and from amnesty provisions, and enhanced services for survivors.<sup>114</sup> A focal point on sexual violence was established within the Presidency, and a working group formed to follow up on recommendations, but generally little concrete progress has been made towards implementation of these commitments.<sup>115</sup> One exception is a command issued in December 2016 by the then Chief of General Staff Paul Malong instructing all soldiers to stop and prevent sexual violence.<sup>116</sup> This may have contributed to the reduction of incidents of sexual violence around the UNMISS PoCs in Juba.

28.1.3. On systems for addressing SGBV, a training manual on investigation and prosecution of SGBV was developed in 2017 by the Ministry of Justice with technical support from the Ministry of Gender and financial support from partners. Also, a Department of Women and Juvenile Justice was established under the Directorate of Public Prosecution.

28.1.4. A special Tribunal was set up by President Salva Kiir Mayardit in 2016 to try those involved in the rape of five Aid workers in Terrain Hotel, Juba. Ten soldiers were found guilty and sentenced to various terms of imprisonment.

28.1.5. The Ministry of Defense on its part and as a result of joint communiqué between the government and the UN, developed a code of conduct for the army in handling SGBV cases and court marshaling of army perpetrators.

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<sup>113</sup> Rita Martin. Security Council Resolution 1325: Civil Society Monitoring Report 2014. Women Count, A Project of the Global Network of Women Peace Builders. EVE Organization. 2014.

[http://www.gnwp.org/sites/default/files/resource-field\\_media/ICR\\_2014\\_SouthSudan%20%207.27.15\\_0.pdf](http://www.gnwp.org/sites/default/files/resource-field_media/ICR_2014_SouthSudan%20%207.27.15_0.pdf)

<sup>114</sup> Joint Communiqué of the Republic of South Sudan and the United Nations on addressing Conflict-Related Sexual Violence, 11 October 2014.

<sup>115</sup> Human Rights Council, Report of the Commission on Human Rights in South Sudan, 6 March 2017, UN Doc. A/HRC/34/63, para. 40.

<sup>116</sup> SPLA Chief of General Staff, Command Order to Prevent and Respond to Sexual Violence Crimes Within the Sudan People's Liberation Army (SPLA), 1 December 2016.

28.1.6. On 26 May 2015, South Sudan's Ministry of Defense issued an order calling on government forces to refrain from deliberate attacks on civilians and their property and promising accountability for crimes committed.

28.1.7. For many survivors of sexual violence, customary courts governed by the laws of South Sudan's various ethnic groups are the only accessible form of justice. Indeed, most disputes in South Sudan are resolved through customary legal systems.<sup>117</sup> Though customary courts do sometimes sentence individuals to prison, this is outside their legal mandate, which excludes criminal jurisdiction.<sup>118</sup>

28.1.8. There are cases of sexual violence by soldiers that have been prosecuted by the military, rather than the civilian judicial system. In March 2017, for example, the government announced that it had arrested four government soldiers for rapes that took place in Kubi village, near Juba.<sup>119</sup> In May 2017, a preliminary hearing was held in a military court for the soldiers accused of rape, murder and looting committed at the Terrain hotel in July 2016.<sup>120</sup> These cases have not been transferred to civilian courts though the SPLA Act itself provides that: "Whenever a military personnel commits an offence against a civilian or civilian property, the civil court shall assume jurisdiction over such an offence."<sup>121</sup> Indeed, the jurisdiction of military courts over criminal cases should be limited to trials of military personnel for breaches of military discipline. The prosecution of human rights violations and crimes under international law should take place in independent and impartial civilian courts that victims and their family members can access without fear. Nevertheless, the prosecution though in a military court is seen as a significant step in curbing impunity.

28.1.9. The African Union Commission of Inquiry on South Sudan (AUCISS) recommended the establishment of the Hybrid Court for South Sudan (HCSS) and the parties to the conflict agreed to the establishment of the court in the August 2015 ARCSS. The HCSS is an independent judicial body that will have a mandate to investigate and prosecute individuals bearing criminal responsibility for violations of international law and/or applicable South Sudanese law including gender-based crimes and sexual violence committed from 15 December 2013 through the end of the transitional period<sup>122</sup>.

28.1.10. Since the signing of the agreement, progress towards the establishment of the Hybrid Court for South Sudan has been slow, as both the government and the African Union are yet to finalize the details of its establishment.

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<sup>117</sup> David K. Deng, *Challenges of Accountability: An Assessment of Dispute Resolution Processes in Rural South Sudan*, March 2013, p. 21.

<sup>118</sup> According to the Local Government Act 2009, customary courts shall not have the competence to adjudicate on criminal cases, except those criminal cases with a customary interface referred to it by a competent statutory court. Local Government Act, 2009, Sections 98(1) and 98(2).

<sup>119</sup> Reuters, "South Sudan military arrests soldiers over gang-rape accusations", 3 March 2017, available at [www.reuters.com/article/ussouthsudan-security-idUSKBN16A1RE](http://www.reuters.com/article/ussouthsudan-security-idUSKBN16A1RE)

<sup>120</sup> A government investigation found that government soldiers committed murder, rape and extensive looting. Note verbale dated 4 November 2016 from the Permanent Mission of South Sudan to the United Nations addressed to the President of the Security Council, 7 December 2016, UN Doc. S/2016/933.

<sup>121</sup> SPLA Act, 2009, Section 37(4).

<sup>122</sup> Agreement on the Resolution of the Conflict in the Republic of South Sudan ch. V, art. 3.2.1.4 (South Sudan, 2015).

and

28.1.11. The Government of South Sudan strongly condemn the use of rape as a weapon of war and reiterate its determination to investigate all reported cases of rape by the military and bring to justice all the perpetrators.

## 28.2. *Measures to Combat Human Trafficking*

28.2.1. South Sudan is a source and destination country for human trafficking, especially of women and children for the end purposes of sexual and labour exploitations. With the internal displacement of close to 1.9 million people and the number of refugees in neighboring states to nearly 2.43 million as of January 2018 due to conflict, South Sudanese women and girls, particularly those from rural areas or who are internally displaced, are vulnerable to domestic servitude throughout the country<sup>123</sup>. Also, at risk of forced labour, sexual exploitation, abduction and recruitment as child soldiers are orphaned and unaccompanied children at IDP and Refugee camps.

28.2.2. The International Labour Organisation estimates that children as young as age 12, are sometimes recruited as soldiers by the different Military groups.<sup>124</sup> In 2017, UNICEF verified 140 incidents of recruitment and use of children, affecting at least 1,221 children (1,057 boys and 164 girls). Because of the pockets of conflict zones around the country, an estimated 2.2 million (72 percent) of the school-age population were out of school as at 2017.<sup>125</sup>

28.2.3. Trafficking in Persons is unlawful under the law of South Sudan. Section 282 of the Penal Code Act, 2008 criminalizes Trafficking in Persons and sets a punishment of seven years or a fine or both.

28.2.4. The Labour Act, 2017 expands the forms of trafficking criminalized in South Sudan. Apart from seeking to protect job opportunities for the citizens of South Sudan, Section 11 of the Labour Act prohibits the illegal movement of persons, into or out of South Sudan for the purposes of having an employee perform work for a person who organizes or assists in the organization of the illicit or clandestine movement or a third party. Sub-section (2) of section 11 of the Act also prohibits an employer from employing or engaging an employee whom the employer knows to be illegally present in South Sudan.

28.2.5. The Child Act, 2008 also enjoins all levels of government to recognize, respect and ensure the rights of the child enshrined in the Act (Article 36 (1)). The Act goes further in sub-section (2) of Section 36 to place on all levels of government, the responsibility to engage all sectors of the society and undertake all necessary legislative, administrative and other measures to implement the rights in the Act which include among other things, taking concrete measures to prevent the sale, trafficking and abduction of children and to abolish slavery and servitude.

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<sup>123</sup> United States Department of State, *2018 Trafficking in Persons Report - South Sudan*, 27 June 2017, available at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282749.htm>

<sup>124</sup> . U.S. Embassy- Juba. Reporting, January 16, 2018. 7. —. Reporting, February 12, 2018. 8. Human Rights Watch. South Sudan: Warring Parties Break Promises on Child Soldiers. February 5, 2018 as reported in ILO (2017) No Advancement- Efforts made but complicit in Forced Labor, <https://www.dol.gov/sites/default/files/documents/ilab/SouthSudan.pdf> .

<sup>125</sup> UNICEF Press Centre. Six years after independence: South Sudan's children wait for peace and prosperity. July 8, 2017. [https://www.unicef.org/media/media\\_96614.html](https://www.unicef.org/media/media_96614.html).

28.2.6. Although prostitution itself is not a crime, associated activities such as soliciting, procuring, facilitation etc. are unlawful. Prostitution is stigmatized by the society and this discourages victims of sex trafficking from reporting to law enforcement authorities making it difficult to track perpetrators of the crime.

28.2.7. There are government institutions with the mandate to respond in one way or the other, to issues relating to trafficking and exploitation of prostitution. Table below highlights such agencies.

<b>Table 7: Agencies responsible for anti-trafficking and exploitation of prostitution</b>	
<b>Organization/Agency</b>	<b>Role</b>
Ministry of Labor, Public Service, and Human Resource Development (MOL)	Develop labor policies, enforce child labor laws, conduct workplace inspections, and oversee the operation of vocational training centers.(4, 46, 55) Through its Child Labor Unit, investigate cases of child labor; however, the Unit was inactive throughout 2016.(4)
Ministry of Gender, Child, and Social Welfare	Coordinate activities on children's rights and act as the focal ministry for child protection.(56)
Sudan People's Liberation Army (SPLA) Child Protection Unit	Headed by a Brigadier General. Prevent the recruitment of children into the army, monitor barracks, identify and assist with the release of child soldiers, investigate allegations of child soldiering, and provide training on children's rights to child protection officers and members of the SPLA.(17, 57, 58) Serve as liaison between the SPLA and the international community.(57)
Ministry of Interior	Enforce criminal laws to combat human trafficking and maintain a database on crime statistics.(59)
Ministry of Justice	Protect citizens' rights and enforce the Comprehensive Peace Agreement and the Constitution, including child protection provisions in those laws.(60)
South Sudan Police Services	Enforce criminal laws related to the worst forms of child labor.(53)

*Source: Bureau of International Labor Affairs -South Sudan No Advancement – Efforts Made but Complicit in Forced Child Labor, 2016 Findings on the Worst Forms of Child Labor*

28.2.8. The Ministry of Gender, Child and Social Welfare developed a National Policy on the Protection and Care of Children without appropriate Parental Care in 2017. This policy addresses among several other issues and challenges, the vulnerability of children to trafficking and sexual exploitation by seeking to promote the protection of children. Through this policy, the Ministry of Gender seeks to work to ensure that anti-trafficking laws do not have negative effects and impacts on children on the move. There is an action plan to demobilize child soldiers signed by UNICEF and the Sudan People's Liberation Army (SPLA) in 2012.

28.2.9. Other programmes include the 'Children, Not Soldiers' Campaign. This is a Ministry of Defense programme aimed at raising public and SPLA awareness of child protection principles, and to hold perpetrators accountable for recruiting child soldiers.

28.2.10. The Emergency Education Programme (2014–2017) supports children at risk for being recruited into armed groups.<sup>126</sup> The Interim Care Centre, a temporary shelter for released child soldiers and rescued mothers in Yambio is administered by the state Ministry of Gender in the state.<sup>127</sup>

28.2.11. Child Protection Units (CPU) have been established with personnel that are trained in children's rights. The CPU works with the South Sudan Disarmament, Demobilization and Reintegration Commission (RSSDDRC), the Armed Forces and the UN Peacekeeping Mission in South Sudan (UNMISS) to address the issue of children associated with armed forces and groups,

<sup>126</sup> ILO (2017) No Advancement-Efforts Made but Complicit in Forced Labor

<sup>127</sup> Ibid

coordinating the identification, verification and registration of children in military barracks. The CPU also works with CSOs that help to rehabilitate children formerly used by armed groups.

28.2.12. The Government of South Sudan, through the National Disarmament, Demobilization and Reintegration Commission (NDDRC) is cooperating with UNMISS, UNICEF and other international organizations to secure the release of child soldiers from different armed groups. The table below presents data on boys and girls whose release and re-integration was facilitated by UNICEF and UNMISS in some parts of the country over a period of four years.

<b>Table 8: List of children whose release were secured from different armed groups</b>			
<b>DATE</b>	<b>STATE/LOCATION</b>	<b>BOYS</b>	<b>GIRLS</b>
DEC 2015	Greater Pibor Administrative Area (GPAA)	1,750	5
OCT 2016	Greater Pibor Administrative Area (GPAA)	145	
MAY 2018	Pibor, Boma State	207	3
FEB 2018	Yambio, Western Equatoria State	248	100
JAN 2019	Yambio	71	34
FEB 2019	Yambio	72	49
APRIL 2018	Bakiwiri	137	111
AUG 2018	Asanza	98	51
2016- 2017	Pibor and Bentiu	99	2

*Source: UNICEF, 2018*

28.2.13. The organization *Confident Children out of Crisis* also contributes to prevention efforts by providing support for young children including a safe space to sleep, eat, learn and play, in order that they can develop into young adults, fulfilling their potential. It also supports households to develop a protective environment for safe reintegration of these children into their communities.

28.2.14. Some of the challenges impeding effective response include weak capacity of the justice sector to provide effective response resulting in low scale enforcement of existing laws. The United States Department of State' Trafficking in Persons Report for 2018 revealed among other things that, 'courts lacked lawyers, judges, and defense attorneys knowledgeable on trafficking issues or South Sudanese laws prohibiting trafficking, and resources to investigate and prosecute most crimes, including human trafficking, were scant.'<sup>128</sup> Moreover, there are no laws or policies to protect victims of trafficking from prosecution for crimes committed as a direct result of being subjected to trafficking.

28.2.15. The Government of South Sudan is working hard to strengthen the legal environment for effective response to trafficking in persons and for South Sudan to become a party to the UN Convention against Transnational Organized Crime and two of its supplementing Protocols: (a) Protocol to Prevent Punish and Suppress Trafficking in Persons, Especially Women and Children; and (b) Protocol against Smuggling of Migrants by Land and Sea.

<sup>128</sup> United States Department of State, 2018 *Trafficking in Persons Report - South Sudan*, 27 June 2017, available at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282749.htm>



28.2.16. The Government of South Sudan in partnership with the UN Office on Drug and Crime (UNODC) conducted a three-day (4-6 September 2018) workshop on identifying and investigating cases of trafficking in persons targeting prosecutors and law enforcement officers.

## **29. Actions Taken to Eliminate Discrimination Against and Violations of the Rights of the Girl Child**

### **29.1. Measures to combat negative practices: Elimination of Worst Form of Child Labour**

29.1.1. The Labour Act (2017) in Article 13 prohibits the worst forms of child labour: “No person shall engage or permit the engagement of a child under the age of eighteen years in any hazardous work, which constitutes the worst forms of child labour” (article 13.1). Article 13(2) identified the worst forms of child labour shall include: (a) all forms of slavery or practices similar to slavery, such as sale and trafficking of children, debt bondage and serfdom, forced or compulsory labour, and forced or compulsory recruitment of children for use in armed conflict; (b) the use, procurement or offer of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procurement or offer of a child for illicit activities, in particular for the production and trafficking of drugs as defined in international treaties as ratified by the government; (d) Work, which by its nature or circumstances in which it is carried out, is likely to harm the health, safety or morals of the child. The Minister of Labour is expected to issue regulations establishing a complete list of types of the worst forms of child labour after consultations with registered trade unions and Employers’ Association and on advice from the Council.

29.1.2. In addition, Article 13 (4) stipulates that the Government shall design and implement programmes to eliminate the worst forms of child labour, prevent the engagement of children in such labour and: (a) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration; (b) ensure access to free basic education, and wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour; (c) identify and reach out to children at risk; and (d) take account of the special situation of girls.

29.1.3. There are however, gaps in the laws and legal framework that need to be closed. The minimum age provision for work in the Child Act does not apply to children outside of a formal employment relationship, such as to children performing domestic work. Children are only required to attend school until age 13. This standard makes children between ages 13 and 14 particularly vulnerable to the worst forms of child labor, considering they are not required to be in school but are also not legally permitted to work.

29.1.4. Moreover, the legal framework lacks penalties for violating provisions prohibiting children under age 18 from engaging in types of hazardous work. The absence of penalties in article 13 might encourage taking advantage of what seems to be a loophole in article 12 on the legal age of employment set at 12 years.

29.1.5. Laws related to illicit activities are also not sufficient because the offering or procurement of children for the production and trafficking of drugs is not criminally prohibited.

## 29.2. *Child Early and Forced Marriage*

29.2.1. The Child Act (2008): Article 26(1) on the Rights of the Female Child provides that every female child has a right to be protected from sexual abuse and exploitation and GBV, including rape, incest, early and forced marriage, and FGM/C. Further provisions state that every child has the right to be protected from early marriage, forced circumcision, scarification, tattooing, piercing, tooth removal or any other cultural rite, custom or traditional practice that is likely to negatively affect the child's life, health, welfare, dignity or physical, emotional, psychological, mental and intellectual development" (Article 23.1).

29.2.2. Forced marriage is prohibited. The Penal Code (2008) defines the practice of forced marriage as "whoever kidnaps or abducts any woman with intent that she may be compelled to marry any person against her will or in order that she may be forced or seduced to illicit intercourse" (Article 273). Forced marriage is addressed according to the customs and traditions of the aggrieved party, in lieu of that and upon conviction, an offender shall be sentenced to imprisonment for a term not exceeding ten years or with a fine or with both" (Article 273).

29.2.3. Article 17 of the Transitional Constitution includes the following provisions: "to protect women not to be subjected to negative and harmful cultural practices which affect his or her health, welfare or dignity" (Article 17g) and "to be protected from abduction and trafficking" (Article 17h).

29.2.4. Notwithstanding the provisions on early/child marriage in the Transitional Constitution (2011) and the Child Act (2008), there is no strong legal framework to effectively prevent and address early and forced marriage<sup>129</sup>. There are no penalties for anyone engaging in or encouraging early or forced marriage which means that perpetrators are rarely brought to justice<sup>130</sup>.

29.2.5. Early marriage is deeply rooted in South Sudanese customary and religious traditions and patriarchal cultures. In most ethnic communities in South Sudan, girls are considered marriageable as soon as they reach puberty<sup>131</sup>.

29.2.6. Prolonged conflict, continuing instability, high levels of poverty and illiteracy and gender gaps in education are contributing factors for the widespread practice of early marriage in South Sudan. However, due to the widespread practice of bride price, many families in South Sudan consider early marriage as a means of accessing cattle, money, and other gifts by transferring wealth through the traditional payment of dowries from the family of the groom.<sup>132</sup> <sup>133</sup> Early marriage is therefore seen as a means of escaping poverty. In addition, many South Sudanese

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<sup>129</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.50 <https://www.hrw.org/videophotos/interactive/2013/03/04/child-marriage-south-sudan>

<sup>130</sup> Girls not Brides (2017), Child Marriage Around the World: South Sudan Report, [www.girlsnotbrides.org/child-marriage/south-sudan](http://www.girlsnotbrides.org/child-marriage/south-sudan)

<sup>131</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.48 <https://www.hrw.org/videophotos/interactive/2013/03/04/child-marriage-south-sudan>

<sup>132</sup> Amnesty International (2017), Do Not Remain Silent" Survivors Of Sexual Violence In South Sudan Call For Justice And Reparations, p.19 [www.amnestyusa.org/reports/do-not-remain-silent-survivors-of-sexual-violence-in-south-sudan-call-for-justice-and-reparations/](http://www.amnestyusa.org/reports/do-not-remain-silent-survivors-of-sexual-violence-in-south-sudan-call-for-justice-and-reparations/)

<sup>133</sup> Girls not Brides (2017), Child Marriage Around the World: South Sudan Report, [www.girlsnotbrides.org/child-marriage/south-sudan](http://www.girlsnotbrides.org/child-marriage/south-sudan)

communities see early marriage as a way to protect girls from pre-marital sex and unwanted pregnancies outside marriage. Pre-marital sex and unwanted pregnancies outside marriage are not only undermining family honour, but can also reduce the amount of dowry and therefore the family's economic advancement.<sup>134 135</sup>

29.2. 7. In early 2017, the Ministry of Gender launched a Taskforce to end early marriage. The Taskforce is developing a roadmap to end early marriage and provision of shelters or safe spaces where girls can seek help and protection when at risk of or escaped forced marriage.

### 29.3. *Disadvantages in Health Outcomes: Nutrition*

29.3.1. Pregnant and breastfeeding women and girls are vulnerable to malnutrition in South Sudan. One in three pregnant and lactating women is malnourished and they make up 12% of all those on supplementary feeding programmes.<sup>136</sup> Women need high nutritional foods and balanced diet during pregnancy but may not get as much quality food as men and children. In addition, household and productive labour are divided along gender lines, and women do more physical labour than men but not the same food as men.

29.3.2. Due to ignorance and harmful traditional beliefs, pregnant women may not eat certain high-nutrition foods, such as eggs and liver, for (misplaced) fear they could cause birth defects. Similarly, there is a correlation between lactating mothers and malnourished babies. Malnutrition is widespread, with over 686,000 under 5 years are estimated to be acutely malnourished, including more than 231,300 who are severely malnourished. Most malnourished babies suffer from irreversible damage to their brains in the first 1000 days of life and stunted growth for the rest of life.

29.3.3. A major challenge is the absence of nutrition security policy. There is the tendency to mix food security with nutrition security. They are related but different. The Ministry of Agriculture and Food Security is working with other ministries such as Health, Finance and Economic Planning to develop a policy on nutrition security.

### 29.4. *Disadvantages in Health Outcomes: HIV/AIDS*

29.4.1. There are clear gender differences in the HIV epidemic: More young females are getting infected and are more at risk of dying than males. HIV prevalence is higher among women in the reproductive age bracket of 15 – 49 compared to their male counterparts at a prevalence rate of 2.0%. Young people (15-24 years) constituted 11.3% of the people living with HIV in South Sudan in 2016, and 29.4% of the new infections. The majority of new infections among young people (15-24 years) in the country were among adolescent girls and young women with 3000 (1200 - 5900) estimated new infections, which was more than the estimated 1700 (<500 - 3500) among adolescent boys and young men.

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<sup>134</sup> Ibid

<sup>135</sup> Human Rights Watch (2013), Child Marriage: South Sudan, p.47 & 49 <https://www.hrw.org/video/interactive/2013/03/04/child-marriage-south-sudan>

<sup>136</sup> INRIN (2015) Women and Malnutrition the case of South Sudan, <https://reliefweb.int/report/south-sudan/women-and-malnutrition-case-south-sudan>

29.4.2. Despite these, much progress has been made in the scale-up of antiretroviral therapy (ART), with an increase in the number of people on treatment between 2010 and 2016 from 1% to 10%. Government continues to invest in HIV response. Although huge gaps still exist, available data indicate that US\$18.1 million was spent by South Sudan from domestic public sources on HIV-related services, accounting for 100 % of total AIDS spending in 2016.

29.4.3. There is a new National HIV and AIDS Strategic Plan (2018 - 2022) was also launched by the government with the support of UNAIDS to halt new infections and death linked to HIV, however, there is no HIV anti-stigma and anti- discrimination law.

### ***29.5. Public awareness to protect the rights of the girl-child***

29.5.1. The Government of South Sudan, through the National gender Machinery, and in collaboration with other stakeholders has been creating created public awareness on the Child Act and related legislation (health, education) to ensure that the rights of the child are protected. Some of the violations which the girl child is exposed to and interfere with her overall growth and development include female genital mutilation, forced early marriages, ritual killings. With support from Women Rights Organizations (WROs) such as Federation of Women Lawyers Association of South Sudan, Voice for Change (VFC), EVE Organization, there is increased public awareness about the impacts and implications of violations of violations against women and the girl-child. This has started bearing dividends as there is increased number of girls enrolling in schools and completing primary education, the effects of the protracted conflict notwithstanding. The goal is to strengthen South Sudanese education system in terms of equity and equality for all children.

## **Overarching Dimension 6: Environmental Conservation, Protection and Rehabilitation**

### **30. Actions Taken to Integrate Gender Perspectives and Concerns into Environmental Policies**

#### ***30.1. Women's Participation and Leadership in Environmental and Natural Resource Management and Governance***

30.1.1. Climate change and conflict have severely impact and undermine economic growth in South Sudan. The dominant economic activity in South Sudan is traditional subsistence agriculture that is dependent on crop farming and animal husbandry as their main source of livelihood. Typically, such farmers rely upon rain-fed agriculture and use traditional methods of farming.

30.1.2. Of recent, there has been unfavourable weather conditions such as persistent droughts and annual flooding, resulting in crop and livestock losses. Droughts are also causing encroachment of

the desert southwards, while floods have destroyed forests in low-lying areas, particularly in areas close to the Sudd Wetland and White Nile River.

30.1.3. Increased deforestation and overgrazing have resulted in increased soil erosion. Rivers, lakes, dams and irrigation canals are reducing the quantity and quality supply of water for drinking and other purposes. There is limited technical and institutional capacity to understand, predict and cope with climate variability.

30.1.4. In all these, women are disproportionately affected because they rely heavily upon the extraction of natural resources, which will be negatively affected by climate change. Women play a critical role in providing food, water, fuel wood and subsistence farming among other vital services and are the most affected by environmental degradation and hazards. In other words, any negative effect on natural resources have a direct impact on women's livelihoods. Climate change will exacerbate these disparities and further restrict the socio-economic development and empowerment of women in South Sudan. Women's needs and concerns must, therefore, be an integral part of the process of formulating environment and resource management policies and programs.

30.1.5. One of the top priorities of the Government of South Sudan is the formulation and implementation of policies on climate change adaptation that are vital for sustainable development and gender equality. This must necessarily involve the active participation and leadership of women.

30.1.6. The government's commitment to integrate and mainstream gender perspectives and concerns into national environmental policies is articulated in its recent National Adaptation Programme of Action (NAPA) and Intended Nationally Determined Contributions (INDCs) to fight Climate Change<sup>137</sup>. The priority projects identified in these planning frameworks, if implemented, will to an extent, insulate South Sudan from the adverse impacts of climate change<sup>138</sup>.

30.1.7. Gender equality would continue to be integrated into the design and implementation of all adaptation projects. This will allow opportunities for mainstreaming gender considerations into climate change and other policies and plans in line with one of the objectives of the National Gender Policy – to mainstream gender equality in the formulation and implementation of regulatory framework for environmental and Natural Resource Management.

30.1.8. The signing of the Revitalized Agreement with its requirement of 35% women in the composition of important transitional and Governmental structures will enable women's participation and leadership in environmental and natural resource management and governance.

## 30.2. *Land Ownership*

30.2.1. Land ownership is another factor in environmental policies and gender equality. There is no written law of South Sudan that discriminates against women regarding ownership of

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<sup>137</sup> Republic of South Sudan National Adaptation Programme of Action (NAPA) to Climate Change 2016

<sup>138</sup> Republic of South Sudan: First State of Environment and Outlook Report 2018.

properties. Article 28 of the Transitional Constitution guarantees the right of every citizen to acquire or own property, while Section 110 (5) of the Local Government Act of 2009 specifically states that “women shall have the right to own property and share in the Estate of their deceased husbands together with any surviving legal heir of the deceased.”

30.2.2. Section 13 (4) of the Land Act, 2009, specifically highlights the rights of women in relation to land by stating that “women shall have the right to own and inherit land together with any surviving legal heir or heirs of the deceased as stipulated in Article 16 (5) of the Constitution”.

30.3.3. The legal environment for women to access and own land asset is very progressive and favourable. In reality, however, the security challenges of the country may sometime mean that women get displaced and lose access to this very important source of livelihood. Patriarchy which is the predominant culture in most communities also often mean that women derive access to land through male members of their families thereby limiting their enjoyment of this very important right. In safeguarding the rights of women in this and other matters amenable to the control of cultural norms, Section 16 (4) (b) enjoins all levels of government to enact laws to combat harmful customs and traditions which undermine the dignity and status of women.

### **31. Actions Taken to Integrate Gender Perspectives into Policies and Programmes for Disaster Risk Reduction, Climate Resilience and Mitigation**

#### **31.1. *Women’s Participation and Leadership***

31.1.1. One of the top priorities of the Government of South Sudan is the formulation and implementation of policies on climate change adaptation that are vital for sustainable development and gender equality. This must necessarily involve the active participation and leadership of women.

31.1.2. The government’s commitment to integrate and mainstream gender perspectives and concerns into national environmental policies is articulated in its recent National Adaptation Programme of Action (NAPA) and Intended Nationally Determined Contributions (INDCs) to fight Climate Change<sup>139</sup>. The priority projects identified in these planning frameworks, if implemented, will to an extent, insulate South Sudan from the adverse impacts of climate change<sup>140</sup>.

31.1.3. Similarly, a major objective of the National Gender Policy is to mainstream gender equality in the formulation and implementation of regulatory framework for environmental and Natural Resource Management. There is enormous pressure on natural resources, especially on the forests, as over 99% of the population of South Sudan depends on forests as their source of energy – fuel wood and charcoal, and timber for construction and furniture. The lack of environmental standards and guidelines to safeguard the exploration and exploitation in the extractive industry has led to pollution in the oil fields and in the surrounding areas. This trend needs to be checked

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<sup>139</sup> Republic of South Sudan National Adaptation Programme of Action (NAPA) to Climate Change 2016

<sup>140</sup> Republic of South Sudan: First State of Environment and Outlook Report 2018.

through the formulation of environmental policies, standards and guidelines, and enforcement of these instruments.

31.1.4. Women are traditionally responsible for household duties – including collecting water and firewood for domestic use – and cultivating land in rural areas. The decrease in availability of such resources will require women to spend more time travelling to locate drinking water or firewood. They will therefore have less time for other income-generating activities.

31.1.5. The Government with support of partners is implementing a project on building resilience to climate extremes and disasters in rural communities for women and girls to develop new skills and resources to adapt, anticipate and absorb climate change related shocks and stresses through improved agriculture and diversified livelihoods, social protection mechanisms (rural level microfinance), adaptation and disaster management planning etc. The programme was designed to reach 204,967 beneficiaries by year 2018. Rural women have produced enough crops for consumption and sale – facilitating savings, credit access and business. New vegetables and crop varieties introduced have brought nutrition and food security benefits.<sup>141</sup>

31.1.6. The government of South Sudan has taken a number of measures to support women's participation and leadership in environmental and natural resource management and governance; raised awareness about gender-specific environmental and health hazards. Regarding women and poverty, women and the economy, South Sudan has taken measures to ensure increased women's access to and control over land through development of the National Land Policy (draft), which is an important step in participation in decision-making on the environment with regard to agricultural productivity and food security.

## 31.2. *Water Sanitation and Hygiene (WASH)*

31.2.1. WASH and gender equality are represented in Sustainable Development Goals (SDGs) 5 and 6, respectively and contributes to the achievement of other sectoral goals across the development agenda. The provision of water supply, sanitation and wastewater services generates substantial benefits for public health, the economy and the environment. Ensuring that women and girls have an equal role in design, management and monitoring of the WASH ecosystem can be a strategic gender-mainstreaming practice that empowers women and girls.

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<sup>141</sup> Progress Overview of BRACED: Building Resilience and Adaptation to Climate Extremes and Disasters – Improving resilience in South Sudan, 2

## Section Three

### National Institutions and Processes

#### 32. National Machinery for Gender Equality and the Empowerment of Women

32.0.1. National Gender Machinery is a set of coordinated structure that is engaged in the promotion of Gender equality. It's an important system that oversees the diverse interest of the women and men in the spheres of national life, political, social, and economic and cultural. The main function is to monitor and to ensure that Gender equality principles are mainstreamed in all legislations, policies and programs and projects. The machinery is composed of the following key stakeholders:

**Table 9: National Gender Machinery**

	<b>Designation</b>	<b>Location</b>
1	Presidential Advisor for Gender and human rights	Office of the President
2	Specialized Committee for Gender, Child, Social Welfare, Culture, Youths and Sport	Legislative Assembly
3	The National Women Parliamentary Caucus State Committee for Gender and Social Welfare	Legislative Assembly
4	State Women Parliamentary Caucus	State Legislative Assembly
5	Ministry of Gender, Child and Social Welfare.	Council of Ministers
6	Directorate of Gender and Child Welfare.	Ministry of Gender Child and Social Welfare

**Table 10: Institutional/Administrative Mechanisms**

<b>Mechanism</b>	<b>Strategic Focus</b>
Minister of Gender, Child and Social Welfare	Head of the national gender machinery in the country. The Minister is in the National Cabinet
Gender Advisor in the Office of the President	Provide strategic policy advice to the President and the office of the President on human rights and gender equality. This office supports government's commitment to gender equality and provides leadership for gender mainstreaming.
Gender Focal Persons in all Government Institutions	The Gender Focal Persons support efforts of their individual institution at mainstreaming gender in their areas of focus. They meet regularly and support inter-ministerial actions.
Special Committee for Gender, Child, Social Welfare, Youth and Sports	The Committee has the mandate to monitor and promote measures designed to enhance equal opportunities and improvement in the quality of life and status of women, and including marginalised groups on the basis of gender, age (elderly, youth, and children) disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances



The National Women Parliamentarian Caucus	The Caucus plays a key role at ensuring that female legislators have a voice in the parliament and advocate as well promote gender responsive legislations in all the committees of the Parliament
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### 32.1. *Gender Management Systems to Monitor Progress*

32.1.1. This is to ensure coordination and monitoring of gender thematic programs and project activities being implemented for the promotion of gender equality and empowerment of women and include the following:

**Table 11: Gender Management systems**

	<b>Designation</b>	<b>Location</b>
	<b>Social and Human Development Cluster</b>	<b>Council of Ministers</b>
1	National Gender Coordination Forum	Ministry of Gender, Child and Social Welfare
2	National Social Protection Technical Working Group	Ministry of Gender, Child and Social Welfare
3	National Special Protection Unit - Task Force Ministry of Interior  National GBV Sub-Cluster	Ministry of Interior  Ministry of Gender, Child and Social Welfare
4	National Steering Committee on the Implementation of 1325 NAP	Ministry of Gender, Child and Social Welfare
5	Sexual Exploitation & Abuse Task Force	Ministry of Gender Child and Social Welfare
6	Social and Human Development cluster	Ministry of Gender Child and Social Welfare

32.1.2. Gender coordination Forum (GCF), composed of the all thematic groups, meet quarterly and chaired by the minister of Gender

32.1.3. GBV/sub cluster forum, composed of GBV stakeholders, meet twice a month, chaired by Minister of gender and co-chair by UNFPA

32.1.4. Sexual exploitation and abuse (PSEA) Task force composed of stakeholders and meet monthly, chaired by the minister, co-chair by UNMISS/ conduct and discipline unit

32.1.5. National steering committee established for developing South Sudan national action plan (SSNAP) for the implementation of the UNSCR 1325, women and peace and security, composed of key line ministry, UN agency and civil society.

**33. Is the head of the national machinery a member of the institutional process for SDG implementation (e.g. inter-ministerial coordinating office, commission or committees)?**

33.1.1. Yes, the Head of the National Gender Machinery, the Ministry for Gender is a member of the SDG Steering Committee.

33.1.2. The Government of South Sudan is implementing its SDG commitment through the SDG-aligned National Development Strategy (NDS). The custodian is the Ministry of Finance and Planning, because of its planning function. There is a secretariat that oversees the implementation of the National Development Strategy. The Ministry of Finance is the coordinating body. In terms of the overall direction, there is a Steering Committee chaired by the Undersecretary, Ministry of Finance and Planning. The Steering Committee has representation of the clusters that include economic, governance, basic services. Gender and youth are cross cutting and they are represented by the Ministry of Gender.

33.1.3. This committee is also mandated to look at other UN normative frameworks in as far as they related to priorities in the National Development Strategy.

**34. Are there formal mechanisms in place for different stakeholders to participate in the implementation and monitoring of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development?**

YES

**If YES,**

**a) Which of the following stakeholders participate formally in national coordination mechanisms established to contribute to the implementation of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development?**

**Beijing Declaration and PfA**

- Civil society organizations
- Women's rights organizations
- Academia and think tanks
- Faith-based organizations
- Parliaments/parliamentary committees
- Private sector
- United Nations system
- Other actors, please specify.....

**2030 Agenda for Sustainable Development**

- Civil society organizations
- Women's rights organizations
- Academia and think tanks
- Faith-based organizations
- Parliaments/parliamentary committees
- Private sector
- United Nations system
- Other actors, please specify.....

**b) Do you have mechanisms in place to ensure that women and girls from marginalized groups can participate and that their concerns are reflected in these processes?**

YES

*Please provide further details about the mechanisms used. (2 pages max.)*

Government of South Sudan works through strategic partners and other stakeholders in the implementation of the BPfA. Women and girls participate and their concerns are reflected in these processes through their representatives at different level for example civil society organizations and women's organizations working with them, faith Based organizations, academia, experts in women and girls' issues, private Sector, youth-led organizations, special groups e.g. persons with disabilities as well as development partners including UN agencies.

**c) Please describe how stakeholders have contributed to the preparation of the present national report.**

The process of developing the report was participatory and inclusive. A Government-led National Multi-Sectoral Steering Committee of State and Non-state actors and spearheaded by the Directorate of Gender was formally appointed to oversee the process. The questionnaire in the Guidance Note was circulated to stakeholders whose feedback was used to compile this report. The report builds on the BPfA+20 that South Sudan prepared in 2014 and the CEDAW report of 2019. There were two consultation meeting with the Stakeholders and a validation Workshop after the draft report was completed. This collaborative effort demonstrates the strong partnerships and good will that government, private sector and CSOs have in the implementation and reporting on progress of the BPfA and related frameworks.

**35. Is gender equality and the empowerment of all women and girls included as a key priority in the national plan/strategy for SDG implementation?**

Yes, *Please explain.*

35.1.1. The Government of South Sudan recognizes the importance of gender equality and women's empowerment as drivers in combating poverty, hunger and disease and to spur sustainable development and realization of the other SDGs in the country. Gender equality and empowerment of women is a priority in South Sudan's National Development Strategy (NDS) to implement, monitor and report on the SDGs. The Strategy's focus will be to consolidate peace and stabilize the economy which are vital to the realization of the 12 critical areas of the Beijing Platform for Action. Gender equality and women empowerment is also enshrined in the country's Vision 2040 whose objectives are in line with the SDGs. The Government commits itself to ensure that gender equality and socio-economic and political empowerment of women has been realized to improve their status

## Section Four

### Data and Statistics

#### **36. Areas of Progress in Gender Statistics at the National Level**

##### **36.1. *Statistical programme/strategy setting out the development of gender statistics***

36.1.1. The Government of South Sudan has developed the National Strategy for the Development of Statistics (NSDS) 2014-2020, a major component of which is development of gender statistics. It has a comprehensive schedule of integrated household surveys with core questions on demography, health, education, work and living conditions to allow indicators to be tracked over time. As part of its schedule, a survey on GBV is to be conducted by the National Bureau of Statistics (NBS) in the latter part of 2019 with the support of UNFPA. While a Gender Inequality, Persons with Disabilities and Adolescent Fertility Survey will be conducted in 2020 by the NBS.

36.1.2. An Inter-Agency Working Group has been established comprising of National Bureau of Statistics (NBS) and the Line Ministries for data collection. Training and capacity building have been given to members of the Working Group in Tanzania, Ethiopia and Uganda in Time Use and Asset Ownership.

##### **36.2. *Gender-sensitive data in formulation of policy and implementation of programmes***

36.2.1. The Government of South Sudan has, through various Ministries, conducted research whose findings have guided the formulation of policies and implementation of programmes and projects. The Comprehensive Country Gender Assessment conducted in April 2012, for example, evaluated the socio-economic and legal environment in South Sudan and highlighted existing barriers that hinder women's empowerment and laid basis for an evidence-based strategy for gender mainstreaming. The assessment proposed concrete recommendations and possible strategies for gender mainstreaming that guided the development of the National Gender Policy for the Republic of South Sudan (June 2012). In 2013, a Gender Strategic Plan was developed to guide implementation of the National Gender Policy. In a similar way, data was derived from multiple sources (trainings, research and evaluations, South Sudan Bureau of Statistics, World Bank and the United Nations to guide the development of the National Action Plan on the implementation of UNSCR 1325 on women, peace and security; HIV&AIDS Policy; National Health Policy and Education Policy among others. Resulting from these policies, various stakeholders run programmes that respond to the issues identified.

##### **36.3. *Knowledge products on gender statistics (user-friendly reports, policy briefs, research papers)***

36.3.1. The South Sudan General Education Strategic Plan, 2017-2022 is a vital document that encourages team work to avail an opportunity to every South Sudanese citizen to exercise their right to education as stipulated in the Constitution, 2011 (Amended 2016). The objectives are to build an educated and informed nation; and to help the country transit from an oil dependent

economy to a knowledge-based economy and achieve prosperity for all. The Strategic Plan was developed against the backdrop that education in South Sudan was irregular, particularly because of the long-standing civil war.

36.3.2. Some of the South Sudanese who were educated both in South Sudan and outside the country have come back to contribute to nation building. Their contribution is varied – ranging from agricultural production, teaching in colleges and Universities, working in research institutions. Notable knowledge products include user friendly reports that are produced by such organizations as the SUDD Institute<sup>142</sup>; Human Rights Institute<sup>143</sup>; Search for Common Ground; Secure Livelihoods Research Consortium (SLRC) among other knowledge products. These publications have simplified information that can be understood without strain – most importantly, the information is well researched and keeps one wanting to read more.

### **37. Top three priorities for strengthening national gender statistics over the next five years**

37.1.1. The top three priorities for strengthening national gender statistics are (a) establishment of an inter-ministerial coordination mechanism on gender statistics, (b) use of gender sensitive data, (c) and conduct of new surveys.

37.1.2. Within the NBS, there will be an inter-departmental coordination structure on gender statistics. The structure will be coordinated by the Gender Focal Person for the NBS. The structure will interface with the inter-ministerial coordination mechanism on gender statistics comprising of Focal Persons from other Ministries and Agencies of Government. Gender sensitive data will be analysed and disseminated for use in the formulation of policies and implementation of projects. New surveys will be conducted, especially national household survey to track to difference or progress since the 2009 baseline survey. The new household survey will take care of time use, gender base violence, asset ownership, poverty and disability.

### **38. Have you defined a national set of indicators for monitoring progress on the SDGs?**

- Yes  
 No

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<sup>142</sup> The Sudd Institute is an independent research organization that conducts and facilitates policy relevant research and training to inform public policy and practice, to create opportunities for discussion and debate, and to improve analytical capacity in South Sudan. The Sudd Institute's intention is to significantly improve the quality, impact, and accountability of local, national, and international policy- and decision-making in South Sudan in order to promote a more peaceful, just and prosperous society.

<sup>143</sup> Secure Livelihoods Research Consortium (SLRC) aims to generate a stronger evidence base on how people in conflict-affected situations (CAS) make a living, access basic services like health care, education and water, and perceive and engage with governance at local and national levels.

**If YES, how many indicators does it include and how many of those are gender-specific<sup>144</sup>?**

The National Development Strategy (NDS) through which the SDGs are being implemented will be delivered through six concurrent actions: return of the displaced, enforce the rule of law, secure food, silence the guns, maintain basic services, and maintain roads.

**If YES, how many of the gender-specific indicators are additional country indicators (i.e., not part of the global SDG monitoring and indicator framework)?**

All the six (6) concurrent actions are gender-specific.

*Please provide the indicators in an annex* The indicators are attached

**If NO, how many global gender-specific SDG indicators (list provided in Annex 1) are available in your country?**

*Please provide the indicators in an annex*

**39. Has data collection and compilation on SDG 5 indicators and on gender-specific indicators under other SDGs begun?**

- Yes
- No

**If YES, please describe which indicators have been prioritized**

**If NO, explain the main challenges for collecting and compiling data on these indicators**

In the context of the National Strategy for the Development of Statistics (NSDS) 2014-2020, a major component of which is development of gender statistics, the compilation of the data is scheduled for the latter part of 2019 and 2020. Funding remains the major challenge.

**40. Which of the following dis-aggregations<sup>145</sup> is routinely provided by major surveys in your country?**

- Geographic location
- Income
- sex
- Age

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<sup>144</sup> The term 'gender-specific indicators' is used to refer to indicators that explicitly call for disaggregation by sex and/or refer to gender equality as the underlying objective. For example, SDG indicator 5.c.1 captures the percentage of countries with systems to track public allocations that are directed towards policies and programmes that promote gender equality—the underlying objective is the promotion of gender equality. The term is also used for indicators where women and girls are specified within the indicator as the targeted population (see UN Women. 2018. *Turning Promises into Action: Gender Equality in the 2030 Agenda for Sustainable Development*. New York).

<sup>145</sup> As specified in A/RES/70/1, with the addition of education and marital status.

- ✓ Education
- ✓ Marital status
- ✓ Race/ethnicity
- ✓ Migratory status
- ✓ Disability
- ✓ Other characteristics relevant in national contexts

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