



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**Replies of South Sudan to the list of issues and questions in
relation to its initial report of South Sudan***

[Date received: 27 August 2021]

* The present document is being issued without formal editing.



General context

1. Please indicate whether the State party envisages adopting or has adopted any strategy to address the impact of the continued political, economic, security and social instability on the lives of women and girls, including their protection from gender-based violence and the provision of humanitarian assistance and basic services, particularly for women and girls living in areas affected by localized armed conflict and those who are internally displaced.

Response

2. The Republic of South Sudan in efforts to improve political, economic, security and social instability for women and girls in the country, particularly in the areas affected by war has put in place the following policies and strategies:

- i. National Gender Policy and Strategic Plan, (2013–2018);
- ii. Child Act, 2008;
- iii. The Child Act 2008,
- iv. South Sudan National Action Plan for UN Security Council Resolution (1325), 2015–2020;
- v. Disability Policy and Inclusion, 2014;
- vi. Social Protection Policy, 2015;
- vii. Girls Education Policy, 2012;
- viii. Children without Appropriate Parental Care Policy, 2019;
- ix. Strategic National Action Plan to End Child Marriage, 2017–2030;
- x. National Elections Policy, 2009;
- xi. South Sudan National Action Plan 2015–2020;
- xii. Inclusive Disability Policy 2015;
- xiii. Local government Act 2009;
- xiv. Prison Act 2011;
- xv. Education Policy.

3. Please explain the concrete measures taken, and their impact, in addressing the loss of life among civilians, including women and girls, the high level of violence, particularly in the context of cattle raiding, arbitrary arrest and detention, acute food insecurity and starvation, the recruitment and use of children, including girls, by armed groups and how the lack of services, such as potable water, housing, infrastructure, health services and education, particularly in rural areas, continue to violate the rights of women and girls.

Response

4. The concrete measures taken in addressing challenges faced by civilians, especially women and girls on Arbitrary arrest and detention, the Government has put in place an oversight and prosecutor body in the National Security Service, the South Sudan Peoples' Defence Forces and South Sudan National Police Service, and South Sudan National Prisons Service, to address issues of arbitrary arrest and detention.

5. On acute food insecurity and starvation.

6. On recruitment of children, the Government has formulated various policies and programmes which stipulates concrete rules and regulations for voluntary recruitment into the national armed forces and organized forces. The age for recruitment is 18 years. Voluntary recruits have to present themselves with the following documentation and receive due attention: valid national identification card; the recruits are fully informed of their duties in the military service and possible impact. The SPLA Act (2009) states under Section 22 on the eligibility for enrolment that a person can only be enrolled into the forces from age 18 onwards, has no criminal record and has attained basic education and not be less than secondary education in the case of officer cadets. In 2018 the Government with support from international partners provided services to improve conditions for detainees by visiting 3,779 detainees; improved living conditions for 3,388 detainees in 13 places of detention; access to health care implementing preventive and curative measures against malnutrition for more than 2,239 detainees in 6 central prisons in the country. The Government also with support from international partners reunified 4,409 children separated with their families through phone calls.

7. On cattle raiding, the Government has deployed a joined security forces made up of the Army, police and national security to Warrap, Lakes and Unity States respectively, to act as buffer and deterrence for protection of civilians in those areas.

8. It is also worth mentioning that in 2019, the local governments of the defunct 32 States established a “Northern Corridor Initiative” between the bordering communities of Twic, Ruweng, Northern Liech, Gogrial and Tonj respectively, which was key in restoring relative peace and stability along their shared borderlines and communities. To boost that initiative, the Defence sector embarked on deploying four military brigades with key activities and mission including patrolling, and monitoring the hotspots, provision of support to the local government in the affected areas, disarmament exercises, and prevention of holdout armed opposition from taking advantage of the rustling or encroaching into those areas. This pointed out, there are still a lot to be done in order to mitigate and hopefully discourage cattle-rustling in the country.

9. On acute food insecurity, the Government in collaboration with development partners, developed an agricultural master plan in the Ministry of Agriculture which include food and nutrition security. The Boma Health Initiative of the Ministry of Health provides primary care health services including neuration services at the last unit of the Local Government.

Conflict-related sexual violence against women

10. Please describe the measures taken to protect women and girls from conflict-related sexual violence, particularly in the context of raids, displacement, abductions and travel to/from urban centers, and to ensure the release of any women and girls abducted during hostilities.

Response

11. On abduction, raids and displacement of women and children, the Government took the following action by forming a taskforce in 2015 composed of government line Ministries, Parliamentarians, UNMISS, United Nations Agencies and civil societies. Developed implementation Plan to operationalize the 11 October 2014 Joint Communiqué signed by the President and the Representative of the secretary general to end to all forms of conflict-related sexual violence in the Republic of South Sudan. Both partners to the conflict have operationalized their Action Plans on addressing conflict-related sexual violence in South Sudan (2019–2022). To response, prevent

and protect survivors of SGBV, South Sudan has established 17 Special Protection Units (SPUs) at all Police Stations (2009–2022) and 12 one stop centers, functional with integrated services.

12. Hospitals to provide a full package of Medical, Psychological and Legal support (2019); to enable GBV survivors access Justice. Standard Operating Procedures for Prevention, Protection and response to GBV (2014); Road Map to end Child Marriage in South Sudan (2017–2030); The Law Review Commission; agreeing on the prohibition of “any acts of rape, sexual abuse and torture”.

13. On protection of women and girls, the Government in collaboration with development partners, established 17 Special Protection Units at police stations throughout the country and 12 One Stop Centers, to receive and investigate cases of SGBV.

14. On sexual violence against women and girls and access to law, the Government has established a Special Emergency Courts to try cases of sexual and gender-based violence (SGBV), committed by members of the organized forces against civilians. Similarly, the Government has established within the Judiciary in Juba, a Juvenile and GBV Court to try cases of conflict related sexual violence against women and children.

15. Please specify the steps taken to implement action plans adopted pursuant to both the 2014 joint communiqué, signed by the President, Salva Kiir Mayardit, and the United Nations, and the unilateral communiqué, signed by the leader of the pro-Riek Machar Sudan People’s Liberation Army in Opposition (SPLA-IO/RM), Riek Machar, as well as the action plan of the South Sudan National Police Service for the period 2019–2022, including mechanisms to monitor progress and the issuance of command orders regarding conflict-related sexual violence.

Response

16. In implementation of Action Plan signed by the Government and the United Nations, a Taskforce composed of membership from relevant ministries (Ministries of Health, Interior, Justice, Gender, Defence, members of Parliament, regional and international stakeholders and civil society organizations) developed an implementation plan to operationalize the signed Communiqué aimed to end all forms of conflict related-sexual violence in the country. The parties to the conflict operationalized the Action Plan. Training workshops were conducted and massive dissemination of information and command directives were carried out/issued to all units of the organized forces and opposition regarding SGBV prevention.

17. Please explain the measures taken to increase the number of women in the security sector and to ensure that perpetrators of conflict-related sexual violence are excluded from the military and police forces and the yet-to-be established necessary unified forces. Please also explain the progress made in establishing the Commission for Truth, Reconciliation and Healing and the Hybrid Court for South Sudan, pursuant to sections 5.2 and 5.3 of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan of 2018.

Response

18. On the increase of the number of women in the security sector, the Government has adopted measures to increase women participation in the organized forces. A number of female officers were recruited and promoted to various ranks and files, including to the ranks of Generals in the army, National Security, police, prisons and Wildlife. The organized forces Code of Conducts determines exclusion of perpetrators

of conflict-related sexual violence from the forces including in the would-be Necessary Unified Forces.

19. On implementation of Chapter V of the Peace Agreement, which contains Commission for Truth, Reconciliation and Healing, Hybrid Court for South Sudan and the Compensation and Reparation Authority, the Government is as of the date of this reports is in process of establishing a technical committee in collaboration with other stakeholders including the civil society to conduct consultations in accordance with Article 5.2.1.3 of the Agreement. Also, the Government is waiting for the African Union Commission to start the process for the establishment of HCSS. The Government has started implementation of Chapter VI relating to the Permanent Constitution Making-process and Article 1.17 relating to Judicial Reforms.

20. Please provide information on efforts to strengthen the judicial system in order to implement article 2.1.10.2. of the Revitalized Agreement and article 3.2 of the Agreement on Cessation of Hostilities between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement/Army (in Opposition) of 2014, to prevent sexual and gender-based violence against women and impunity for perpetrators of such violence, particularly among members of the military and security sector.

Response

21. On judicial reforms, the Government with support from development partners has in December, 2020, established a juvenile and Gender Based Violence Court within the Judiciary of South Sudan, to try all cases of sexual and gender-based violence committed during and after the conflict. Also, the Ministry of Justice and Constitutional Affairs, R-JMEC and IGAD are currently working to implement Judicial reforms as enshrined in Article 1.17 of the Agreement.

22. Please describe the efforts made to provide access for victims to shelters and medical, psychosocial and legal assistance, particularly emergency contraception and post-exposure prophylaxis, as well as measures taken to raise awareness on conflict-related sexual violence, including the impact of past initiatives.

Response

23. On services to victims of GBV, the Government with support from development partners has established 12 One Stop Centers in all ten (10) States to provides protection, medical, psychosocial, legal services and shelters. Currently the Government has so far established two shelters (Safe Homes) for protection of survivors of GBV and developed Standard Operating Procedures (SOP), 2014 for protection, prevention and response to GBV cases.

Impact of the pandemic on women's rights and gender equality

24. Please indicate measures implemented by the State party in the context of the coronavirus disease (COVID-19) pandemic to redress long-standing inequalities between women and men by placing women at the center of the recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in conflict or other humanitarian situations; and to ensure that lockdown measures, whether partial or total, and post-crisis recovery plans do not see women and girls relegated to stereotyped gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee that women and girls have equal participation in political and public

life, decision-making, economic empowerment and service delivery; and (c) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services. Please also provide information about the measures taken to protect the lives and health of women health workers, who make up the majority in the health sector.

Response

25. In response to COVID-19 the Government has established a national taskforce headed by the Vice President for Service Cluster. The Taskforce consist of 15 members out of which three (3) are females. Although there have been restrictions women economic participation has been greatly affected. The majority of women in our society are the main bread winners.

Women and peace and security

26. In line with the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, please provide data, disaggregated by age, ethnicity, religion, disability and rural or urban area, on the participation of women in peace processes, reconstruction efforts and transitional justice mechanisms, including in the implementation of the Revitalized Agreement and in the Revitalized Transitional Government of National Unity. Please also inform the Committee of the impact of the South Sudan national action plan for 2015–2020 on Security Council resolution [1325 \(2000\)](#) and related resolutions on the meaningful participation of women in peace processes, reconstruction efforts and transitional justice mechanisms. Please describe the mandate of the Senior Gender Adviser to the reconstituted Joint Monitoring and Evaluation Commission and the human, technical and financial resources allocated to effectively discharge that mandate and results achieved to date.

Response

27. On participation of women in the peace process, the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), 2018 provides for inclusivity and participation of women by 35%. In February 2020, at the formation of Revitalized Government of National Unity (RTGoNU) one of the Vice Presidents and the following eight (8) national ministers are women:

<i>S/N</i>	<i>Position occupied by Female</i>	<i>Institution</i>	<i>Numbers</i>
1	Vice President	Presidency	1 out of 4
2	Ministers	National Govt.	9 out of 35
3	Deputy Ministers	National Govt.	1 out of
4	Governors	State Government	1 out of 10
5	Deputy Governors	State Government	3 out of 10
6	State Ministers	State Government	
7	Commissioners	State Government	

28. On impact of the South Sudan National Action Plan (SSNAP) on the UNSCR 1325, the Government has conducted a review to find out the impact of the SSNAP on the rights of women. The review found that there is a wide dissemination of Women Peace and Security Resolution (1325), however there is still remain a gap of women knowledge of their rights under the Resolution. It worth mentioning that the Government is working towards developing a revised National Plan for South Sudan.

29. On women participation in the transitional mechanisms, the Government has observed women participation in the consultations process under Chapter V (CTRH, HCSS and CRA), Chapter VI (Permanent Constitutional Making-Process) and in the implementation of Article 1.17 (Judicial Reforms). Women participation in all the above transitional justice mechanisms is about 35% as enshrined in the R-ARCSS.

30. On the mandate of the R-JMEC Senior Gender Advisor, Ministry of Gender to provide Visibility of the Convention and its Optional Protocol

31. Please specify the measures taken to raise awareness among women, particularly rural women, and to systematically build the capacity of judicial and law enforcement personnel on women's rights as enshrined in the Convention and on the Committee's jurisprudence on individual cases and inquiries under the Optional Protocol to the Convention. Please describe the impact of the various measures elaborated in the initial report of the State party (CEDAW/C/SSD/1, paras. 196 (b) and (c) and 198).

Response

32. On public awareness raising, the Government in collaboration with development partners, in February, 2020 organized a three (3) days South Sudan Women Leadership Conference to raise women awareness on the rights enshrined in the Convention. The participants were from all the States. However, due to the then insecurity, the Government was only able to conduct public awareness in limited areas not affected by the conflict, especially the rural areas.

33. Also, the Government in collaboration with civil society organizations conducted awareness campaign workshops in Eastern Equatoria, Western Bahr El Ghazal and Jonglei to explain to women provisions of the Convention.

Constitutional and legislative framework

34. Please provide information on the steps taken or envisaged to fully incorporate the provisions of the Convention into the national legal system to ensure that it is directly applicable in the national courts. Please indicate any measures taken to ensure the effective application of existing legislation on women's rights and whether there are adequate monitoring or enforcement mechanisms and accountability systems. Please provide an update on the status of the draft constitution and draft legislation to implement women's rights (para. 26), including legislation on gender-based violence, national family law, affirmative action, protection of survivors of trafficking in persons, HIV anti-stigma and anti-discrimination and inheritance and succession.

Response

35. On incorporation of the provisions of the Convention into national laws, the Transitional Constitution of the Republic of South Sudan, 2011 (as amended) in Articles 11, 12, 14, 15 and 16 provides for protection and promotion of rights of women. The Transitional Constitution, 2011 (as amended) provides that all treaties or conventions to which South Sudan is a party shall be considered as an integral part of the national laws. There is are no specific enactments but the Bill of Rights in the

Constitution have addressed various issue on women rights including the right to inherit and to find a family. Also, the Government has drafted Anti-GBV Bill.

36. On the Permanent Constitution Making-Process, the parties to the R-ARCSS have nominated members including women representation adding to 35% of the membership of the Constitutional Making process. R-JMEC and the nominated members have started the process in Juba.

37. On the issue of laws to governing inheritance and succession, anti-stigma and gender-based violence, the Government has developed a bill on prevention and response to gender-based violence (Anti-Gender Based Violence Bill, 2019); A process has started to develop a Family Law. It compiled a report for the codification of family and inheritance law; established under the Ministry of Interior a National Taskforce on Anti-Trafficking and Smuggling in Persons (2019). The Government is currently considering ratification of Convention related to Tracking in Persons. Also, the Government has developed an HIV Anti-Stigma and Anti-Discrimination Policy 2019.

Harmonization of laws

38. In the report of the State party, it is acknowledged that “the usage of customary law in adjudicating civil as well as criminal matters is quite high” and that “this brings about conflict of laws in legal matters, often to the detriment of women” (para. 189). Please update the Committee on the harmonization of statutory and customary laws, including as a strategy under the national gender policy and other relevant initiatives (paras. 196, 198 and 200). Please also specify the measures taken to ensure that decisions of customary courts are consistent with the Convention and the Transitional Constitution of 2011. In this context, please describe the impact of the training on the Transitional Constitution and women’s rights provided to Customary Court Chiefs and to women wishing to work in customary courts (paras. 200 and 201).

Response

39. On the hominization of customary law and statutory law, the Government with support from development partners constructed a Customary Law Research Center in Rumbek in Lakes State to conduct studies for harmonization of the laws, however, due to the conflict the process of harmonization never started.

40. On issue of training of chiefs, the Government with support from development partners conducted in Juba in two different occasions in 2016 and 2019, training of 66 chiefs. The chiefs were from all over the country. The training evolved around eradication of harmful customary practices, including ending of child marriage, FGM, and gender based-violence. The outcoming and recommendations of the training was the chiefs to disseminate, promote and protect the rights of women and children in their areas.

Definition of discrimination against women

41. Please provide information on specific measures taken to introduce a comprehensive definition of discrimination against women that encompasses direct and indirect discrimination in the public and private spheres, including intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention, that goes beyond the area of employment addressed in section 6 of the Labour Act, 2017. Please also provide information on how the principle of non-discrimination enshrined

in, for example, article 16 of the Transitional Constitution and section 26 (2) of the Child Act of 2008, has been implemented in practice.

Response

42. The R-ARCSS, 2018 on Affirmative Action has advanced the provisions of Article of 16 of the Transitional Constitution, 2011 (as amended) by increasing women participation in the public and governance institutions to 35%. As you will see from our response in question 4. Also, the Government in its public service policies and the Labour Act, 2017 ensured equal participation and equal pay for women and men. On section 26 of the Child Act, 2008, the Government has developed a strategy to implement the provisions of section 26 of the Child Act by commemorating the International Day of the Girl Child (11th October annually), Day of the African Child (16th June annually), Day of the United Nations on the Rights of the Child (20th December annually) and World Day against Child Labour (14th of June annually).

43. On policy to address discrimination, the Government has in the field of education in collaboration with development partners introduced Girls Education South Sudan Programme (GESS) to provide financial support to girls to ensure retention of girls in schools. To encourage girls returning to schools after dropping out, the Government has a readmission policy to allow them continue their education.

Access to justice

44. Please provide information on relevant cases brought before the courts concerning discrimination against women, including on their outcomes, indicating whether the Convention was invoked, as well as any cases concerning women's rights that were addressed to the Ministry of Labour, Public Service and Human Resources Development, the Employee Justice Chambers or informal justice mechanisms (paras. 23 and 196 (a)). Please inform the Committee of measures taken to ensure that the necessary human, technical and financial resources are allocated to the judiciary and law enforcement bodies, in particular in rural areas. Please also indicate the availability of free legal aid to women in the State party, the number of women beneficiaries of such aid and any factors impeding their access, including the stigmatization of women who pursue criminal complaints, particularly against a spouse or relative, especially in cases of gender-based violence. Please provide details of any provisions in place to ensure that women are able to opt out of proceedings before customary courts and to appeal to the ordinary courts against any decision taken by a customary court. Please also provide information about women who have been sentenced to death or executed since the ratification of the Convention, disaggregated by offence, sentence, age, location and number and age of dependent children.

Response

45. On access to justice to women, the Government with support from development partners launched a GBV Court in Juba on 3rd December, 2020 and have a Mobile Court to try cases related to GBV, including cases in the rural areas. Also, the Government has trained judges, prosecutors, defence lawyers, police female investigators, probation officers and social workers to deal with GBV issues. Currently, two social workers are assigned to assist survivors of GBV on procedures, counselling and guidance. Legal Aid services has been provided on support by development partners and local NGOs, on recommendation by a committee. The number of Legal Aid beneficiaries are about 181 out of which 33 are rape cases.

46. On the complaint and appeal against customary court decisions, women may opt-out or file an appeal against decisions of customary court before the statutory court, if she wished to do so. The choice is on the complainer and not on the Government.

47. On number of women sentenced to death the following are the numbers with locations and offences committed:

<i>N/S</i>	<i>Number of women sentenced to death</i>	<i>age</i>	<i>Offence committed</i>	<i>Location/State</i>	<i>Execution/ status</i>
1	Seven (7)	–	murder	Central Equatoria, Juba	Not executed
2	Two (2)	–	murder	Western Bhar El Ghazal, Wau	Not executed
3	One (1)	–	murder	Eastern Equatoria, Torit	Not executed

National machinery for the advancement of women

48. Please provide information on the implementation of the national gender policy strategic implementation framework and the guidelines on the rights of women and children for the South Sudan national police and on their impact on the equality of women and men (para. 26). Please describe any measures taken to allocate sufficient human, technical and financial resources to the national and state ministries of gender, child and social welfare and to institutions and mechanisms established at the national and local levels to promote gender equality (para. 27), and to ensure that a gender-sensitive response is taken to the COVID-19 pandemic. Please also indicate the policies, strategies and programmes in place to ensure the effective mainstreaming of a gender perspective in all areas and sectors of the State party, gender-responsive national budgeting and anti-corruption measures, including the status of the Anti-Corruption Commission Act and investigations into the diversion of funds from the National Revenue Authority ([A/HRC/43/56](#), summary).

Response

49. On measures to improve women and child budget based on gender policy and Strategic plan, the Revitalized Government of National Unity is currently implanting the R-ARCSS, especially Articles 4.6 and 4.7 to amend the current laws and establish new institutions to improve collection and management of revenues in the country. The review will include amendment of the anti-corruption, audit chamber, national revenue and the petroleum revenue management laws to ensure proper budgetary allocations.

National human rights institution

50. Please provide information on the mandate of and the human, technical and financial resources allocated to the South Sudan Human Rights Commission as they specifically relate to women's rights. Please also inform the Committee about the measures taken to strengthen the Commission to enable it to effectively and independently discharge its mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please explain any steps taken by the South Sudan Human Rights Commission to apply for accreditation by the Global Alliance of National Human Rights Institutions.

Response

51. In 2018 the South Sudan Human Rights Commission was accredited by the African Union Human Rights Commission based in Banjul, the Gambia and is currently seeking admission to the Global Alliance of National Human Rights Institutions.

Temporary special measures

52. Please explain the measures taken to implement the minimum quota on women's participation in political and public life enshrined in article 16 (4) (a) of the Transitional Constitution and in section 1.4.4 of the Revitalized Agreement. Please indicate whether, beyond these quotas, any other temporary special measures have been adopted, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the achievement of substantive equality of women and men in all areas covered by the Convention, in particular in the areas of employment, education and family matters. Please also provide information on any positive actions taken to address the specific difficulties faced by the most disadvantaged groups of women.

Response

53. On temporary measures adopted to accelerate women participation in political, education and family matters, in implementation of provisions of Article 4(1) of the Transitional Constitution, 2011 (as amended) and Article 1.4.4 of the R-ARCSS, the Government has allocated 35% in fulfilment of the affirmative action. Please refer to our answer provided in question No.4 above.

54. To improve girl's education, the Government in collaboration with development partners introduced Girls Education South Sudan Programme (GESS) to provide financial support to girls to ensure retention of girls in schools. To encourage girls returning to schools after dropping out, the Government has a readmission policy to allow them continue their education. The Programme also provides separate facilities such as toilets and comforts kits.

Stereotypes and harmful practices

55. Please provide information about any measures taken to develop and implement a comprehensive strategy to eliminate discriminatory gender stereotypes and the concrete measures taken to implement sections 6 (c) and 7 (c) of the General Education Act of 2012 on the promotion of gender equality through education. Please also describe the steps taken to implement article 16 (4) (b) of the Transitional Constitution and section 23 (1) of the Child Act to combat harmful practices, particularly in view of article 33 of the Transitional Constitution in which the rights of ethnic and cultural communities are defined. Please also inform the Committee about the measures taken to analyse and successfully address the root causes of child and/or forced marriage, to implement the strategic national action plan to end child marriage in South Sudan for the period 2017–2030 and the Civil Registry Act of 2018, and to strengthen civil registration.

Response

56. On measures undertaken in implantation of section 6(c) and 7(c) of the General Education Act, 2012 and in addition to other programmes such GESS, the Government has developed a policy to eliminate discrimination and stereotyping in educational

institutions by establishing a national women sport teams at national and State levels. Currently, the women teams are participating in regional and international sports events.

57. On measures to implement Article 16(4)(b) of the Transitional Constitution on elimination of harmful practices, the Government has enacted Penal code which prohibits FGM, and developed a strategy to discourage child marriage in the country. The Child Act, 2008 in sections 23 also prohibits early marriage and other negative and harmful cultural and social practices, the Government conduct training of chiefs all over the country with aim of eliminating early marriage.

58. On civil registration, the Government is yet to build the necessary capacity of the unit staff established within the Ministry of Interior; however, crucial steps to operationalize the civil registration system is in progress.

Gender-based violence against women

59. Please provide statistical data on the scope and extent of all forms of gender-based violence against women, including domestic violence, disaggregated by age, ethnicity, race, nationality, disability, socioeconomic status, albinism and any other relevant factors, and on the impact of measures taken to prevent such violence, investigate incidents, prosecute and punish perpetrators and provide victims and their families with support, such as shelters, as well as protection, relief and remedies, including appropriate compensation, particularly in the context of the COVID-19 pandemic. Please indicate any steps taken to amend section 247 (3) of the Penal Code of 2008 to criminalize marital rape. Please specify the human, technical and financial resources allocated to the gender-based violence special protection units and to the specialized court for cases of gender-based violence, the number of cases tried by the court and their outcomes (paras. 18 and 21). Please also explain any steps taken to prohibit rulings by a customary court that a woman or girl who is a victim of sexual violence must marry the rapist (para. 191). Please describe the measures taken to raise awareness about the criminal nature of all forms of gender-based violence and the harmful effects of such violence on the health of women and girls and to encourage them to report acts of gender-based violence to enable the competent authorities to provide effective protective measures, shelters and reparation. Please explain the financial, technical and human resources allocated to data collection and coordinating the response to gender-based violence, particularly at the local level, in order to seamlessly address cases of gender-based violence.

Response

60. On statistical data on the scope and extent of all forms of gender-based violence against women, the Government has recorded the following:

<i>N/s</i>	<i>Offence committed</i>	<i>number</i>	<i>age</i>	<i>Nationality/ethnicity</i>
1	murder	4		South Sudanese
2	rape	178		South Sudanese
3	Attempt to rape	05		South Sudanese
4	Sexual harassment	03		South Sudanese
5	Criminal intimidation	02		South Sudanese
6	kidnapping	12		South Sudanese
7	Domestic violence	24		South Sudanese

61. On measures taken to prevent gender-based violence, the Government with support from the development partners established 12- One Stop Centers at hospitals, to provide comprehensive prevention and response services to gender based-violence survivors. The Government has also established Special Protection Units at police stations at national and States levels and trained 75 female police investigators, and, additionally, trained prosecutors and defence lawyers to investigate and prosecute gender based-violence. There are about three (3) safe homes for GBV survivors and the Government is currently in the process to increase the number of shelters.
62. On 247 (3) of the Penal Code of 2008 to criminalize marital rape, the Government is yet to come up with strategy to educate the public on this matter, however the concept of criminalization of marital rape is been incorporated into the Anti-Gender Based-Violence Bill.
63. On allocation of financial resources to the gender-based violence special protection units and to the specialized court for cases, the Government with support from development partners has provided training on handling, counselling and prosecution of GBV cases. The development partners have provided the necessary financial resources to the GBV Court and the protection units.
64. On the steps taken to prohibit rulings by a customary court that a woman or girl who is a victim of sexual violence must marry the rapist, the Government with support from development partners trained chiefs on harmful customary practices, especially on early marriage, forced marriage, girl-child compensation and elopement.
65. On measures taken to raise awareness about the criminal nature of all forms of gender-based violence to encourage victims to report to authorities, the Government with support from development partners has provided training, public awareness, workshops to GBV survivors and women in general on the importance of reporting GBV cases to police and other government institutions which provides protection to women.

Trafficking and exploitation of prostitution

66. Please provide information on the steps taken to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to adopt national anti-trafficking legislation, in line with the Protocol. Please describe the measures taken to enforce section 282 of the Penal Code of 2008, section 11 of the Labour Act and section 36 (2) (1) of the Child Act. Please also explain any measures taken to adopt and implement a comprehensive and gender-sensitive national policy against trafficking and describe the human, technical and financial resources allocated to the coordination of anti-trafficking efforts, including the technical task force to combat human trafficking and smuggling of persons, and to assist victims. Please provide information on measures aimed at building the capacity of the judicial authorities and the police to conduct investigations into trafficking in a gender-sensitive manner, punish perpetrators with penalties commensurate with the gravity of the crime and strengthen bilateral cooperation with relevant States in order to identify and punish perpetrators. Please also provide data on trafficking and the exploitation of women in prostitution, disaggregated by age, gender, race, nationality, ethnicity, disability and socioeconomic status. Please inform the Committee on the enforcement of sections 252–258 of the Penal Code of 2008 and on exit, rehabilitation and reintegration programmes and other support services available to women in prostitution.

Response

67. On steps taken to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the Government is in process to ratify the protocol. On the measures to combat trafficking in person, the Government has established within the Ministry of Interior a Taskforce consists of membership from relevant Ministries, including Ministries of Justice, Gender and National Security and Labour, to raise awareness on illegal border-crossings, smuggling in persons and trafficking in persons.

68. On the measures taken to uphold provisions of section 36 of the Child Act, the Government with support from development partners established a juvenile Court with a mobile unit, to try cases involving child rights violations.

69. On measures aimed at building the capacity of the judicial authorities and the police to conduct investigations into trafficking in a gender-sensitive manner, please refer to our *response in question number 59*.

Participation in political and public life

70. Please inform the Committee of measures taken to substantially increase the representation of women in political and public life, particularly in the executive, the legislature and the judiciary and in traditional and community leadership. Please provide information on the impact of the national gender policy, the South Sudan women's strategy (para. 84) and other policies and programmes on increased gender equality in political and public life (paras. 67–69), as well as on mechanisms available for monitoring the impact of such measures. Please also indicate the steps taken to raise awareness on the importance of the participation of women in decision-making and leadership positions, and to protect the rights to freedom of expression, opinion and assembly of women active in politics and women human rights defenders.

Nationality

71. Please indicate the measures taken to fully implement the Nationality Act of 2011, without discrimination on the basis of sex, and to enforce section 21 of the Nationality Regulations of 2011, prohibiting any administrative or executive decision falling within the scope of the Regulations and the Act from being based on arbitrary or discriminatory grounds. Please provide updated information to the Committee on efforts made to issue nationality certificates outside urban areas. Please also provide information and statistical data on the situation of stateless women, disaggregated by age, ethnicity and disability, and any measures taken to prevent statelessness.

Response

72. On right to acquire nationality, section 13(1) of the Nationality Act, 2011 provides that any person married to South Sudanese being wife or husband and has been living in South Sudan for the period of five (5) he or she will be entitled for South Sudanese nationality.

73. On issuance of nationality certificate to the citizens in the rural areas, the Government has established a mobile team from Department of Nationality to issue nationality certificate in the States, County, Payam and Boma levels.

74. On statistical data on the situation of stateless women, there are not yet available statistical data on Stateless women.

Education

75. Please describe the measures taken to implement sections 18 and 35 of the General Education Act and the national girls' education strategy for the period 2018–2022, and to analyze and address the root causes of the low enrolment and retention rates of girls. Please describe any measures taken to enforce section 26 (3) of the Child Act and section 30 (8) of the General Education Act on the right of pregnant girls and young mothers to attend school. Please specify the budgetary allocation to education and educational programmes benefiting women and girls. Please describe any steps taken to ensure safe educational environments that are free from gender-based violence, as well as safe transportation to and from schools. Please also describe any measures taken to prevent out-of-school girls from adopting negative coping mechanisms, such as child marriage and early childbearing, particularly in the context of the closure of schools as a result of the COVID-19 pandemic. Please provide updated information on the impact of the government alternative education system (para. 117) and other measures taken to address the high rate of illiteracy among women and girls and to provide continuing education programmes for women who are unable to complete primary, secondary or higher education. Please provide information on the measures taken to develop and introduce, using digital technologies to reach girls in all areas of the State party, age-appropriate, evidence-based, scientifically accurate mandatory curricula at all levels of education, covering comprehensive information on sexual and reproductive health and rights, responsible sexual behaviour and prevention of early pregnancy and sexually transmitted infections. Please also provide statistics on the enrolment rates of girls with disabilities and girls belonging to other marginalized groups in mainstream schools and indicate steps taken to ensure inclusive education.

Response

76. On measures taken to implement sections 18 and 35 of the General Education Act and the national girls' education strategy, the Government has established procedures to investigate causes of child drop out, if within the reach of the Government, the family of the drop out student will be required to bring him or her back to school. If the drop out cause is due to the school distance, the student will be relocated to the nearest school. In cases of refusal by the school to reregister the student, the County Education Director will treat the matter as criminal act and the child shall registered regardless of the rejection by the school.

77. On measures taken to enforce section 26 (3) of the Child Act and section 30 (8) of the General Education Act on the right of pregnant girls and young mothers to attend school, the Government with support from development partner, has put in place financial support to girls to ensure retention of girls in schools. To encourage girls returning to schools after dropping out, the Government has a readmission policy to allow pregnant girls and young mothers to attend school.

78. To implement the government alternative education system, the Government has introduced Accelerated Learning Programme and Adult literacy Programme to reduce illiteracy among women and girls and to provide continuing education programmes for women who are unable to complete primary or higher education. Also the Government has developed a national curricula for ICT to promote digital education, however there is still remain an infrastructure challenges.

79. To prevent out of school girls from adopting negative coping mechanisms, the Government established an Emergency Response Committee to continue with education activities supported by development partners during school closure and lockdown mainly through Distance Learning Programme, Education on Air, Online

Modules for Learners, r Recorded Lesion for Hard-to-Reach Population, provision of Radios Handsets for Disadvantaged Communities, Cash Transfer for Girls and Community Awareness.

80. On statistics on the enrolment rates of girls with disabilities. the following are the data.

<i>No</i>	<i>Registration of Girls with Disabilities</i>	<i>Number</i>
1	Early childhood development	525
2	Primary School	5 460
	Total	5 989

Employment

81. The concept of equal pay for work of equal value is enshrined in article 16 (2) of the Transitional Constitution and section 8 of the Labour Act. Furthermore, non-discrimination in employment is defined in section 6 of the Labour Act. Please provide information on the measures taken to implement these provisions and to ensure private sector compliance. Please specify any measures taken to promote access for women to formal employment and to eliminate horizontal and vertical segregation and traditional views that prevent women from gaining access to career development and professional training opportunities. Please inform the Committee about the prevalence of sexual harassment of women in the workplace and any systems in place to monitor and prevent such harassment and to encourage victims to file complaints against perpetrators.

Response

82. The Government remain committee to implement the Affirmative Action of 35% position for employment within the Government institutions including private sector. Please refer to our repose in question No. 6. On equal payment for equal job, the civil service regulations and Labour mandates for equal pay for equal work.

Economic empowerment of women

83. Please inform the Committee about the impact of the gender support and development project (para. 140). Please also indicate the measures taken to increase the number of women who are beneficiaries of credits and loans granted by the women's bank and the women's empowerment trust fund and other financial programmes, such as schemes through village savings and loan associations and the youth business start-up programme, and provide information on any mechanisms in place to monitor and assess their effect on women's economic empowerment (paras. 168 and 169). Please explain the impact of the social protection policy framework of 2015 on the socioeconomic situation of women (para. 167) and provide information as to whether women in the informal economy are entitled to receive social security benefits. Please specify the measures taken to improve the socioeconomic situation of internally displaced women and of women who cannot undertake income-generating activities as a result of the COVID-19 pandemic or who have been prevented from carrying out such activities in the past because of floods and droughts in the State party.

Response

84. On the social protection policy framework of 2015 on the socioeconomic situation of women (para. 167) and provide information as to whether women in the informal economy are entitled to receive social security benefits. The government provides the rural women with agricultural tools and seeds for farming. There partners like the church organization who work with the rural women to improve their livelihood by supporting them with input for Agriculture for food security.

85. On specify the measures taken to improve the socioeconomic situation of internally displaced women, the government works with partners, UN-Women, UNFPA and UNDF including CSOs who support the internally displaced women to improve their lives through training the women and girls in tailoring, basket making hair dressing and crafts work for Income Generating Activities.

86. On women who cannot undertake income-generating activities as a result of the COVID-19 pandemic the women were trained in new skills like liquid soap making and in tailoring to produce face masks and these activities replaced the former activities COVID 19 pandemics have prevented from carrying out such activities in the past work they were doing. On those who have floods and droughts in the State party, they got displaced and were supported directly by partners and government provided relief food.

Health

87. Please indicate the availability of health services, health workers and essential drugs for women and girls, including in the context of the COVID-19 pandemic, particularly for those living in rural areas and internally displaced women, and indicate the human, technical and financial resources allocated to the health sector and the impact of relevant policies and strategies on the health and well-being of women (paras. 150 and 151). Please specify any measures taken to continue to improve maternal health outcomes, including under the national strategic plan on reproductive health of 2013, as well as the availability and accessibility of sexual and reproductive health care, modern contraceptive methods and specialized treatment for women and girls following sexual and gender-based violence, including at one-stop centers. Please explain the procedures concerning police form 8, how women and girls in rural areas usually receive the form and the measures taken to facilitate access to health care for women and girls who are victims of sexual and gender-based violence. Please describe the strategies, policies and programmes in place to address cases of obstetric fistula, low rates of antenatal care coverage and births attended by skilled health personnel as well as malnutrition among pregnant and breastfeeding women.

88. Please explain the measures taken to address low rates of contraception use. Please also update the Committee on the impact of the national strategic plan on HIV/AIDS for the period 2018–2022 on the prevalence of HIV/AIDS among women, on access of women to antiretroviral treatment and on the prevention of mother-to-child transmission, particularly concerning women living in areas affected by localized armed conflict and instability and women in prostitution. Please also specify the measures taken to ensure the accessibility of health-care services for women with disabilities.

Rural women and women living in poverty

89. Please provide information and statistical data on the situation of rural women and women living in poverty, disaggregated by age, ethnicity and disability. Please describe the impact of the national gender policy, the South Sudan development plan and the South Sudan livelihood development project on poverty reduction and service delivery to women and girls in rural areas and/or living in poverty, particularly single mothers and single women heads of household. Specifically, please describe measures taken to protect rural women from gender-based violence and increase their access to justice and shelters, facilitate their access to land and other productive resources and promote their participation in decision-making at the local level.

Response

90. On information and statistical data on the situation of rural women and women living in poverty. According to the 2008 censuses of Sudan 52 percent of people in the rural community are women out of which 61 per cent are poor.

Marriage and family relations

91. Please outline the measures taken to align customary laws and practices in the field of marriage and family relations, including child and forced marriage, child custody and distribution of property upon dissolution of marriage, with the Convention and the Transitional Constitution, particularly its article 16 (1) and (4) (b) on gender equality and protection from harmful practices, and other relevant national legislation. Please also provide information on any steps taken to enforce article 16 (5) of the Transitional Constitution, section 13 (4) of the Land Act of 2009 and section 110 (5) of the Local Government Act of 2009, in which the right of women to own and inherit property from their deceased husbands is recognized, particularly in the context of article 5 of the Transitional Constitution, in which customs are identified as a source of legislation. Furthermore, please specify the legislation in place concerning succession and inheritance, child maintenance and the economic rights of women upon dissolution of de facto unions, and any steps taken to adopt a legal minimum age of marriage for women and men and to address the customary practice of bride prices and other harmful practices that make women and girls more vulnerable to violence. Please also provide information on measures taken to raise awareness among family members, spouses and the public about the situation of women with disabilities with a view to avoiding the rejection of women who have acquired a disability or illness.

Response

92. The Ministry of Justice, Ministry of Gender and international development partners are developing a family law legislation to regulate issues of inheritance among the family members regardless of their sex or gender. Chiefs are being trained as well on the impact of customary law on women in the country. In addition, the Government with international partners have established a Customary Law Centre in Rumbek, Lakes State to assist the Government in the codification of the local customs and traditions. However, the Centre never started its work due to the civil war, which took off right after the independence in 2011.