WOMEN COUNT

Security Council Resolution 1325:
Civil Society Monitoring Report 2012

A project of
the Global Network
of Women Peacebuilders

Afghanistan, Colombia, Democratic Republic of Congo, Fiji, Liberia, Nepal, Netherlands, Philippines, Rwanda, Sierra Leone, South Sudan, Spain, Sri Lanka, Sweden, and Uganda

“All peace and security advocates – both individually and as part of organizational work - should read the 2012 civil society monitoring report on Resolution 1325! It guides us to where we should focus our energies and resources to ensure women’s equal participation in all peace processes and at all decision-making levels, thereby achieving sustainable peace.”

-Ambassador Anwarul K. Chowdhury, Former Under-Secretary-General and High Representative of the United Nations

“The GNWP initiative on civil society monitoring of UNSCR 1325 provides important data and analysis on the implementation of the resolution at both the national and local levels. It highlights examples of what has been achieved, and provides a great opportunity to reflect on how these achievements can be further applied nationwide. In this regard my Ministry is excited to be working with GNWP and its members in Sierra Leone on the Localization of UNSCR 1325 and 1820 initiatives!”

-Honorable Steve Gaojia, Minister of Social Welfare, Gender & Children’s Affairs, Government of Sierra Leone

“The 2012 Women Count: Security Council Resolution 1325 Civil Society Monitoring Report uses locally acceptable and applicable indicators to assess progress in the implementation of Resolution 1325 at the country and community levels. The findings and recommendations compel us to reflect on what has been achieved thus far and strategize on making the implementation a reality in places that matter. Congratulations to GNWP-ICAN on this outstanding initiative!”

-Leymah Gbowee, 2011 Nobel Peace Prize Laureate

“The civil society monitoring report on UNSCR 1325 presents concrete data and analysis on the implementation of the resolution at national level. It helps us identify priorities for implementation and allocate resources to ensure women’s participation in all peace processes and achieve long lasting peace. A must read for all peace and security actors and advocates. Congratulations to GNWP on this outstanding initiative!”

-Sadhu Ram Sapkota, Joint Secretary, Ministry of Peace and Reconstruction, Government of Nepal

“A beautifully presented, thoroughly documented accounting of what is happening to a resolution that came from the grass roots, was vetted by the grass roots and was lobbied for by women for unanimous adoption by the Security Council. Cheers to the women of the Global Network of Women Peacebuilders for their careful, detailed work. GNWP is also making a unique contribution working at localization. It’s about time that some western based organization relied on local women to plan their own peacemaking program. Local women are planning their own strategies in peacebuilding and adapting UNSCR1325 to meet their needs.”

-Cora Weiss (former President, International Peace Bureau, now its UN representative, President, Hague Appeal for Peace)
The Republic of South Sudan

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South Sudan Women Lawyers Association: Sarah Jonathan
Activist: Peter Lasu

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<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
</tr>
<tr>
<td>CPA</td>
<td>Comprehensive Peace Agreement</td>
</tr>
<tr>
<td>CRC</td>
<td>Constitution Review Commission</td>
</tr>
<tr>
<td>DDR</td>
<td>Disarmament, Demobilization and Reintegration</td>
</tr>
<tr>
<td>FAR</td>
<td>Fellowship for African Relief</td>
</tr>
<tr>
<td>GNWP</td>
<td>Global Network for Women Peacebuilders</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally Displaced People</td>
</tr>
<tr>
<td>MoGEI</td>
<td>Ministry of General Education and Instruction</td>
</tr>
<tr>
<td>MoGCSW</td>
<td>Ministry of Gender, Child and Social Welfare</td>
</tr>
<tr>
<td>NFI</td>
<td>Non Food item</td>
</tr>
<tr>
<td>NLA</td>
<td>National Legislative Assembly</td>
</tr>
<tr>
<td>OAF</td>
<td>Other Armed Groups</td>
</tr>
<tr>
<td>SAF</td>
<td>Sudan Armed Forces</td>
</tr>
<tr>
<td>SGBV</td>
<td>Sexual and Gender Based Violence</td>
</tr>
<tr>
<td>SPLM</td>
<td>Sudan People’s Liberation Movement/Army</td>
</tr>
<tr>
<td>SSLA</td>
<td>South Sudan Legislative Assembly</td>
</tr>
<tr>
<td>SSPS</td>
<td>South Sudan Police Services</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNMISS</td>
<td>United Nations Mission in South Sudan</td>
</tr>
<tr>
<td>UNSCR</td>
<td>United Nations Security Council Resolution</td>
</tr>
<tr>
<td>WAAFG</td>
<td>Women Associated with Armed Forces and Groups</td>
</tr>
<tr>
<td>WFP</td>
<td>World Food Programme</td>
</tr>
</tbody>
</table>
I. Women, peace, and security profile

A. Nature of the conflict

South Sudan’s struggle for self-determination and self-government, which successfully ended when it became an independent state on July 9, 2011 was triggered by a mutiny of Equatorial Corps, a military unit of Southern soldiers stationed in Torit in the Equatorial province. This rebellion that began in 1955, known as Anyanya I, was the Southern response to the disenfranchisement Southerners felt from the then Sudan central government. By the time a ceasefire agreement was signed 17 years later, half a million people had lost their lives. A trial of a southern member of the national assembly and a telegram, which was alleged to be fake, were said to be the immediate causes of the revolt. The main cause was because of disfranchisement the South felt under the new administrative arrangements made between the British and Egyptian governments, which were the two countries that were administering north and south Sudan. Until 1946, “the British government in collaboration with the Egyptian government administered south Sudan and north Sudan as separate regions.” After 1946, a decision was made without consulting the south to merge the two regions into one. In 1953 the British and Egyptian governments agreed to grant Sudan independence. As the January 1, 1956 Independence Day approached, southerners realized that the Muslim north was not keen on creating a federal government but was intent on dominating them. The mutineers thus decided to fight for the rights of the people of the south.

The second war began in 1983 and lasted until 2005 when the Comprehensive Peace Agreement (CPA) was signed. An estimated 2 million people died during this period. As in many conflict zones, South Sudanese women, were not spared from the adverse effects of war. “While there is no data in South Sudan to validate our assertions, we have heard women tell us that they were subjected to torture and rape during the war. Part of our work is to make our voices heard and to bring issues such as these to light.”

The prolonged conflict between South Sudan and Sudan has created a multitude of security risks for women, which makes their lives extremely challenging. War has destroyed much of the community and family structures. It has also created an environment where institutions meant to regulate common life for the protection of all have either been destroyed or rendered ineffective. For example, the lack of an effective and professional police force and an adequate judicial system that can protect the interest of women has made women become more vulnerable to numerous acts of violence. Development indicators also show that South Sudan has severe gender disparities regarding access to education, health, jobs, and participation in governance. In the area of health for example, more “women die in childbirth per capita in South Sudan than in any other country in the world.” The estimate of maternal deaths in South Sudan is 2,054/100,000. This estimate is seen by some people as conservative since effective and accurate monitoring systems still do not exist in South Sudan.

The impact of the war can further be seen in the testimonies of women. The two testimonies given below are only two among the voices of thousands of women who have been negatively impacted by the war.

“I can still remember in 1991 when I was 10 years old, the SPLA was shelling Juba town where I lived with my family. My mother had to wake up early every morning and move us to the riverside for safety and to avoid the shelling. At night I could hear in the neighborhood women crying because the security officers of the SAF had taken their husbands and were being beaten up. Other times the soldiers would come at night and drag out young girls from their houses and rape them at gun point. In one incident a girl in our neighborhood took her life after her father was shot dead in an attempt to protect her after which she was forcefully raped by a soldier. I lost one of my teachers who was killed and I also saw my cousin widowed a month after her wedding. When the situation worsened in 1992, we had to flee to Khartoum amidst beatings and humiliation by the security personnel at the Juba airport. After a month of walking back and forth to the Juba airport we managed to board an antinov cargo plane to Khartoum. We settled in wad el Basher IDP camp where we had to survive for a long

2 ibid
3 ibid
4 ibid
9 South Sudan: The biggest threat to a woman’s life. Retrieved August 2012 from http://www.unhcr.org/refworld/country,SSD,456d621e2,501002b33,0.html
time on food rations from the Fellowship of African Relief (FAR). I have seen women including my mother walk for a distance to fetch water or collect firewood to make ends meet.” - Rita Martin, Juba

“The soldiers were very harsh with people. They took our food. We were constantly on the run and had to eat leaves from the trees and lily flowers from the water. We were on the move for many years.” - Yalok Diu

We had nowhere to take her.” - Yalok Diu

Countries still at the early post-conflict stage face numerous challenges. South Sudan is a good example of such a country. Before the wars, South Sudan did not have an elaborate infrastructure to speak of. War destroyed what little infrastructure there was. The majority of South Sudanese currently do not have access to safe water, good sanitation or essential health services. Women have been disproportionately affected by the wars. Accurate statistics are difficult to obtain because of poor monitoring systems, but women’s illiteracy rate is pegged at 92 percent.1 In 2004, only 500 girls were estimated to have finished school from a population of 7.5 million.14

The continued low intensity war between Sudan and South Sudan, primarily fought by each side’s proxy armed groups has also made any meaningful development in South Sudan difficult to jumpstart. The governments of both South Sudan and Sudan have accused each other of trying to destabilize each other’s government. The armed militia groups that have been fighting the government of South Sudan, for example, claim to have taken up arms because of disputes regarding the April 2010 general election. South Sudan accuses Sudan of arming and training these rebel groups.15

South Sudan’s own internal ethnic conflicts have only destabilized the situation further and do not promote women’s issues and concerns. The stoppage in the production of oil has meant that the government does not have adequate financial resources to implement development projects that would help empower women. The current plight of South Sudanese women therefore makes the advocacy and implementation of UNSCR 1325 imperative.

It is also important to note that although women were negatively impacted by the war, they did not resign to despair but instead became solid pillars that held families and communities together in the chaos of violence brought about by the wars. Women managed to keep a semblance of community life as they went about taking care of their children and doing most of the work done by men, most of whom had gone off to war.

Even though women did play a crucial role in the struggle for independence, in post-conflict South Sudan, “the positive role that women played in the independence struggle is barely featured in the development policy discourse.”16 During the referendum, women were at the forefront campaigning for the separation vote. Post-election statistics show that 52 percent of those who voted for separation were women.17 South Sudan women do not just want to participate fully in all sectors of government and the economy but they would like to create an environment where the country does not go to war again. The token representation of women in policy and decision making bodies in South Sudan is because of the government’s lack of a clear road map to women’s participation. South Sudan’s interim constitution, article 142 (3) provides for a 25 percent representation of women in all governing bodies. In addition, South Sudan, in becoming an African Union Member State “has also adopted the AU’s Post Conflict, Reconstruction and Development strategy which calls for gender main streaming to inform member states’ nation- and state-building projects.”18

Participation in peace building exercises after independence

The role of women in the peace building and transformation of South Sudan is fundamental. Although only a few women were given the opportunity to take part in direct negotiations of the CPA, many more women played a significant role in the shadows. After South Sudan attained its independence, South Sudanese women have not kept silent but have continued to express their desire to be fully incorporated in decision making bodies and other relevant organs of governance. Women realizing that they are the only ones who can effectively speak for themselves on issues important to them, have spoken up about their limited participation in the Constitutional Review Committee (CRC). A few months after the government appointed members to the CRC, a South Sudan Women’s alliance called for inclusion of four women to represent the interests of South Sudanese women on the CRC. The commission only had 22 percent women which fell short of the 25 percent affirmative policy guideline stipulated in article 142 (3) of the Transitional Constitution. This call was also backed by the South Sudan Civil Society Alliance. Women have also begun to speak out against traditional practices they view as repressive. They have decried the practice of polygamy, bride price, which often signifies ownership and usually leads to abuse, and early marriages for teenage girls. Women realized that these issues are best dealt with if South Sudan has a constitution that represents their interests. Furthermore, they have formed an alliance - The South Sudan Women’s Constitutional Coalition - whose main goal is to ensure fair representation of women on the CRC and the gender mainstreaming of issues important to women.

11 ibid
12 Ibid
Despite these concerted efforts by women regarding participation in government, their role in South Sudan’s transformation has not been fully recognized as shown by recent presidential decisions. For example, the South Sudanese delegation involved in negotiations with Sudan under the auspices of the Thabo Mbeki-led African Union High-level Panel does not include any women.\(^{19}\)

**Challenges facing women**

Women face numerous challenges in their quest for full participation in peace building and transformation of the South Sudanese state. The official government’s affirmative action policy as stipulated in the transitional constitution calls for a 25 percent female participation in all organs of the government.\(^{20}\) Unfortunately, there seems to be a lack of political will by some top government officials to promote and implement such a policy. And when women are appointed to leadership roles, they are usually given less influential offices. Women working for the government of South Sudan “are usually not given the same opportunities for advancement as men are, especially in attending trainings and workshops outside the office.”\(^{21}\)

Other challenges include retrogressive traditional roles (such as early marriages for girls), low women’s literacy ratio and limited education opportunities for women, and insecure environments that limit what women can do. In some towns women impose upon themselves early evening curfew for fear of either being raped or violently attacked.

It is in this climate of numerous challenges and many competing government priorities that this report is going to examine the level of women’s inclusion, as recommended by UNSCR 1325, in the various policy and decision making bodies of the South Sudan government.

**II. Data presentation and analysis**

**A. Participation**

The data collected for this report reflects the implementation of UNSCR 1325 in South Sudan both at the national and local levels. Data was collected using the guiding analysis questions provided by the Global Network of Women Peacebuilders (GNWP). Data for this report was collected and compiled by some of the members of the South Sudan SCR 1325 monitoring committee, which is composed of the different CSOs within South Sudan. The committee relied mainly on secondary data from different institutions, and focus groups. It also conducted extensive interviews with individual activists and stakeholders from the government, the private sector, UN agencies, and Non-Governmental Organizations (NGOs) and CSOs.

**Indicator 1 - Women’s participation in governance**

The base of our analysis is the 25 percent affirmative action stipulated in article 14 of the Transitional Constitution of the Republic of South Sudan. Figure 1.1 below represents the current government structure, which was established in 2011. The South Sudan Government is composed of the Legislature, the Executive and the Judiciary. The National Legislative Assembly (NLA) of South Sudan was established in 2011 by the interim constitution of the Republic of South Sudan, and all ministerial positions are appointed by the President of the Republic of South Sudan. The most senior position at the National legislative Assembly is the Speaker followed by the Deputy Speaker. At the National Ministerial levels, the Minister is the most senior, followed by the Deputy Minister, the Undersecretary and the Director General. At state level, the Governor is the most senior, followed by the State Ministers. The local government is headed by the Chairman and supported by the board members. The executive organ includes the Undersecretary and the Director General.\(^{22}\)

![Figure 1.1: Women’s participation in government](image)

<table>
<thead>
<tr>
<th>Office of the President</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Male %</th>
<th>Female %</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>President advisors</td>
<td>5</td>
<td>1</td>
<td>6</td>
<td>83</td>
<td>17</td>
</tr>
<tr>
<td>National Legislative Assembly</td>
<td>237</td>
<td>95</td>
<td>332</td>
<td>71</td>
<td>29</td>
</tr>
<tr>
<td>Council of States</td>
<td>44</td>
<td>6</td>
<td>50</td>
<td>88</td>
<td>12</td>
</tr>
<tr>
<td>Chairpersons of Specialized Committees (NLA)</td>
<td>13</td>
<td>5</td>
<td>18</td>
<td>72</td>
<td>28</td>
</tr>
<tr>
<td>National Ministers</td>
<td>24</td>
<td>5</td>
<td>29</td>
<td>83</td>
<td>17</td>
</tr>
<tr>
<td>Deputy National Ministers</td>
<td>17</td>
<td>10</td>
<td>27</td>
<td>63</td>
<td>37</td>
</tr>
<tr>
<td>Undersecretaries</td>
<td>27</td>
<td>4</td>
<td>31</td>
<td>87</td>
<td>13</td>
</tr>
<tr>
<td>State Governors</td>
<td>9</td>
<td>1</td>
<td>10</td>
<td>90</td>
<td>10</td>
</tr>
<tr>
<td>Chairpersons of Independent Commissions and Institutions (ICI)</td>
<td>18</td>
<td>2</td>
<td>20</td>
<td>90</td>
<td>10</td>
</tr>
<tr>
<td>Deputy Chairpersons of ICI</td>
<td>15</td>
<td>5</td>
<td>20</td>
<td>75</td>
<td>25</td>
</tr>
<tr>
<td>Central Back of South Sudan</td>
<td>6</td>
<td>0</td>
<td>6</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Internal Security Affairs</td>
<td>6</td>
<td>0</td>
<td>6</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Ambassadors</td>
<td>81</td>
<td>9</td>
<td>90</td>
<td>90</td>
<td>10</td>
</tr>
<tr>
<td>Austerity Measures Committee</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>100</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: The Republic of South Sudan Magazine 2011.Cde.Larco Lomayat

The figure below shows that only four areas of governance attained the 25 percent female participation benchmark. These are: the National Legislative Assembly (29 percent), Chairpersons of Specialized Committees (28 percent), Deputy National Ministers (37 percent), and Deputy Chairpersons of Institutions and Commissions (25 percent). Women’s participation in other governmental organs is far below the 25 percent benchmark.


representation in other sectors of governance falls well below the 25 percent benchmark. South Sudan has 29 national ministerial posts. Of these, only 5 (17 percent) are occupied by women. It is important to note that of the 5 women appointed to ministerial positions, none of them hold the key ministries of finance, defense, interior, or foreign affairs.

Women are also underrepresented in the Council of State (12 percent). The Council of State is an important body because it is one of the two bodies that make up the National Legislative of South Sudan. Included among some of the important functions of this council are “issuing resolutions and directives to guide all levels of government, and overseeing national reconstruction, development and equitable service delivery in the states.” Gender mainstreaming certainly does not appear to be a priority if such an important body only has a 12 percent female representation.

The percentages of women in various categories of the civil services are also mostly below the 25 percent baseline mark. South Sudan has 90 Ambassadors of which only 9 are women. Of the 9 women, none have been appointed to a Grade 1 ambassadorial position. Women have a very minimal representation in the Judiciary and Presidential Advisory Group and are altogether absent from the following bodies: Office of the President, Internal Security, the Central Bank, and the Austerity Measures Committee. On the state level, only 3 states as shown in Figure 1.2 below had reached the 25 percent affirmative action mark before South Sudan gained its independence. New figures of women representation in State Assemblies after independence were difficult to obtain.

Figure 1.2: Percentage of women in States Assemblies before the independence 9 July 2011

<table>
<thead>
<tr>
<th>States</th>
<th>No. of Female MPs</th>
<th>No. of Male MPs</th>
<th>Total No. of MPs</th>
<th>Percentage of Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Equatoria</td>
<td>11</td>
<td>37</td>
<td>48</td>
<td>22</td>
</tr>
<tr>
<td>Eastern Equatoria</td>
<td>8</td>
<td>40</td>
<td>48</td>
<td>16</td>
</tr>
<tr>
<td>Western Equatoria</td>
<td>12</td>
<td>36</td>
<td>48</td>
<td>25</td>
</tr>
<tr>
<td>Jonglei</td>
<td>10</td>
<td>38</td>
<td>48</td>
<td>20</td>
</tr>
<tr>
<td>Unity</td>
<td>11</td>
<td>37</td>
<td>48</td>
<td>22</td>
</tr>
<tr>
<td>Upper Nile</td>
<td>10</td>
<td>38</td>
<td>48</td>
<td>20</td>
</tr>
<tr>
<td>Lakes</td>
<td>14</td>
<td>34</td>
<td>48</td>
<td>29</td>
</tr>
<tr>
<td>Western Bahr El Ghazal</td>
<td>13</td>
<td>35</td>
<td>48</td>
<td>27</td>
</tr>
<tr>
<td>Northern Bahr El Ghazal</td>
<td>10</td>
<td>38</td>
<td>48</td>
<td>20</td>
</tr>
<tr>
<td>Warrap</td>
<td>10</td>
<td>38</td>
<td>48</td>
<td>20</td>
</tr>
</tbody>
</table>

Source: Department of research and Library - SSLA

It is clear from the above figures that in most areas of the government structures, the 25 percent benchmark had not been met. This is basically due to male dominance and lack of political will to practically implement the 25 percent and instead it is being used as political propaganda to show that the government is gender sensitive and would like to mainstream gender. The government and political parties do not put enough efforts into engaging women and including enough women in their party lists to meet the 25 percent.

Though few women have formal education, that does not make them any less than men since there are also a large number of men in government structures that do not have formal education either. Although the 25 percent quota is clearly stipulated in the transitional constitution of South Sudan, it practically remains political talk.

Indicator 2 - Women in peace negotiating teams

A relatively high number of women participated in the drafting of the CPA. There were also women who participated in the CPA negotiating process. It should be noted that we could not verify the exact or estimated number of women participants in the peace process since it had been done in different locations, at different times and for six different protocols. The relatively high participation of women in negotiating teams was as a result of lobbying by different women activists and women from CSOs. Although gender issues were not at the center of discussions during the CPA, a major accomplishment of the negotiations regarding women’s interest was the inclusion of the 25 percent women’s participation in governance quota. Unfortunately the CPA peace negotiations were the only peace negotiating teams where women were to have significant participation. In the recent ongoing negotiations on issues concerning border demarcation, oil and security, South Sudanese women have also been left out. The recent negotiations involve the governments of South Sudan and Sudan seeking to reach agreements on economic and security issues in order for the two neighbors to co-exist peacefully and not go back to war. One of the major reasons that explain the exclusion of women is that men have not seen them as major players in the two wars, and that men still have to realize the importance of including women in peace negotiations.

Indicator 3 - Women’s participation in the justice and security sector and peace keeping missions

Women in the Judiciary: The constitution of South Sudan mandates the establishment of the Judiciary of Southern Sudan (JOSS) as an independent decentralized institution. The overall management of JOSS; and its composition and functions, shall be prescribed by law, in accordance with provisions of the constitution.

Figure 3.1: Number and percentage of women in the judiciary

<table>
<thead>
<tr>
<th>Male</th>
<th>Female</th>
<th>Total</th>
<th>Male %</th>
<th>Female %</th>
</tr>
</thead>
<tbody>
<tr>
<td>President of Supreme Court</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>Deputy President of Supreme Court</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>100</td>
</tr>
<tr>
<td>Courts of Appeal (Justices)</td>
<td>9</td>
<td>0</td>
<td>9</td>
<td>100</td>
</tr>
<tr>
<td>High Court Judges</td>
<td>18</td>
<td>2</td>
<td>20</td>
<td>90</td>
</tr>
<tr>
<td>First Grade County Courts Judges</td>
<td>81</td>
<td>11</td>
<td>92</td>
<td>88</td>
</tr>
</tbody>
</table>

Source: http://www.gurtong.net/Governance/JudiciaryofSouthSudan/tabid/344/Default.aspx
The Judiciary of South Sudan is structured as follows:

- The Supreme Court of South Sudan
- Courts of Appeal
- High Courts
- County Courts
- Other courts or Tribunals as deemed necessary to be established

As can be seen in Figure 3.1, few women are represented in the judicial system. The reason is that there are only a few women engaged in this field. In order to address the majority of injustices in post-conflict committed against women, women should be encouraged to join this field.

Women in the Military: Following the independence of South Sudan in 2011 the SPLA became the regular army of the new republic. As of 2010, SPLA was estimated to have 140,000 fighters. The SPLA is divided into divisions of 10,000-14,000 soldiers. However the monitoring committee was not able to get an estimate of the number of women in SPLA.

Women in the Police: “Unconfirmed official estimates puts the number of South Sudanese female police officers” at 25 percent.

Peacekeeping Missions: Given the current conflict with Sudan and the many internal ethnic conflicts that South Sudan is facing, the country is definitely not in a position to send its troops out to any peacekeeping missions. South Sudan has first to establish lasting peace within its own borders. The country, on the contrary, is a beneficiary of the United Nations Mission in South Sudan (UNMISS) peacekeeping mission, which has been operating in the country since the signing of the CPA. However the number of UNMISS female personnel in uniform is low. This also shows that UNMISS is not fully adhering and implementing UNSCR 1325. Had the number been higher, it would probably have influenced the South Sudan government to have more of South Sudanese women in uniform. It is to be noted though that the head of UNMISS in South Sudan is a woman.

<table>
<thead>
<tr>
<th>Military Experts</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Troops</td>
<td>5,210</td>
<td>91</td>
</tr>
<tr>
<td>Individual Police</td>
<td>437</td>
<td>79</td>
</tr>
<tr>
<td>Formed Police Units</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Indicator 4 - Women’s participation in each type of constitutional or legislative review

In January 2012, the Constitutional Review Commission (CRC) was sworn in. The CRC will conduct the first constitutional review process in the new nation. The government has not yet produced a substantial list of commission members to confirm the number of women in the CRC. Members are being sworn in groups, which makes it difficult to determine the percentage of women. It is also important to note that when appointments for this commission were being made, the government did not make any consultation with stakeholders as stipulated in the transitional constitution of South Sudan. The addition of women on the CRC was as a result of pressure put on the government by CSOs through press conferences. The exact roles that women will play on the CRC are yet to be clarified.

Meanwhile, the government has also established the National Election Commission. Out of the nine members of the commission, two are women. This is the first time that the government actually consulted with CSOs and other stakeholders before making National Election Commission appointments.

Indicator 5 - Percentage of civil society organizations in task forces on UNSCR 1325 and 1820

South Sudan does not have an official task force on UNSCR 1325 and 1820. Government officials both at national and state levels of governance are largely not aware of UNSCR 1325. In South Sudan, only a few women CSOs work in this vast and important field. This was evident when EVE organization in collaboration with Operation 1325 and the Global Network of Women Peacebuilders organized a training on the advocacy and implementation of UNSCR 1325 in South Sudan in June 2012. During the course of the training, two civil society committees were formed to work on a UNSCR 1325 National Action Plan. One committee was tasked with monitoring 1325 in South Sudan while the other committee was tasked with advocating and coordinating with the government and other stakeholders on the process of developing a National Action Plan for South Sudan.

1. CSO Committee for monitoring UNSCR 1325 in South Sudan: This committee is responsible for collecting data and compiling the monitoring reports on how UNSCR 1325 is being implemented in South Sudan. The outcome of the work of this committee will form the basis of the beginning of a rollout of a National Action Plan for the Republic of South Sudan.

2. CSO Committee for the UNSCR 1325 and 1820 National Action Plan process in South Sudan: This committee will work closely with the Government and in particular the Ministry of Gender, the Women Caucus in the NLA, the UN, private sector and other stakeholders to advocate for a UNSCR 1325 and 1820 National Action Plan for South Sudan.

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Possible barriers to the low representation of women
The government’s lack of political will in including women in governance as stipulated in the constitution is the major barrier in achieving the 25 percent female representation at both the national and state levels. It has been observed that there has not been a deliberate rollout plan by the government on the implementation of the 25 percent quota. No consultations have been made with CSOs, women activists or private sector during appointments. The government instead gives excuses of absence of qualified women to fill government positions. How will the government know if there are qualified women or not if it does not consult with CSOs, women activists or the private sector? It is important to note that this excuse of a lack of qualified women does not hold true because there are women graduates in South Sudan who are well educated and capable and ready to take up appointments at all levels of the government. What is clear is that the government is not investing enough time and resources in identifying women to fill the 25 percent quota. Nonetheless, the issue of illiteracy among women is still a challenge and a reality that all stakeholders should work together to address.

Other barriers that contribute to the lack of attainment of the 25 percent quota include cultural barriers, such as customary laws and traditions that do not promote affirmative action for women such as early marriages. The lack of unity among women themselves and the negative stereotyping of women who want to run for public office, as ambitious women with self-serving political or economic goals, are two other factors that hinder women’s representation in public office. The stereotyping of women according to Dr. Anne Itto, the Deputy Chairperson of SPLM/A “is also a big hurdle that women have to deal with. Some women can be scared by stereotyping. As a woman climbs up the ladder she encounters more enemies, more insults. Some people do not want their families to hear such insults so they sit back.”

Many of the women who have ascended to positions of power and influence have done so through their own hard work and perseverance. Usually, more is demanded and expected of women in terms of qualifications and experience than of men. It is therefore important that CSOs, the UN, and activists fighting for the rights of women demand that the government creates an environment where women are given an equal chance with men.

A. Prevention and protection

Indicator 6 - Number of reported cases of sexual and gender-based violence (SGBV)

Currently, South Sudan does not have adequate reporting mechanisms in place to accurately document cases of sexual and gender-based violence (SGBV). According to the Ministry of Justice, 56 cases of SGBV were reported in 2011. The ministry was not able to provide a breakdown of the places and numbers where these cases occurred. Most of these reported cases have not been properly prosecuted because of lack of evidence. Suspected perpetrators therefore walk away free.

<table>
<thead>
<tr>
<th>State</th>
<th>Number of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Equatoria</td>
<td>9</td>
</tr>
<tr>
<td>Lake</td>
<td>8</td>
</tr>
<tr>
<td>Warrap</td>
<td>4</td>
</tr>
<tr>
<td>Central Equatoria</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: Report from the National ministry of Justice

In terms of child marriage and forced marriage, some girls are forced to marry under the age of 18 in some communities and in others as early as 9 to 13. In Unity State, it is estimated
that about 24 percent of girls marry by age 15 without their consent.29 Furthermore SGBV against women is used for various reasons that include pursuit for political power, intimidation, and sometimes just for sheer thrill.

The culture of abducting women and children and assimilating them into different communities other than their own indigenous communities has persisted because the government has not yet come up with an effective strategy to curb this scourge.

Currently in post-conflict South Sudan, domestic violence is the most common form of violence in the communities. It is estimated that 1 in every 3 women in South Sudan is subjected to some form of domestic violence which can be physical, emotional, or psychological.29 Most acts of violence against women can be attributed to one form or another of retrogressive cultural traditions that affects women by relegating and confining them to the domestic roles of cooking, nurturing children and taking care of their families. Women are largely expected to be submissive to men and any attempt to assert themselves is usually met with violent acts from mostly men.

Another form of SGBV that is fairly prevalent is sexual harassment in the workplace and in public places. This form of harassment, which may both be physical and verbal, is common in many government and private institutions. Sexual harassment usually involves men taking advantage of women in both overt and subtle ways. Harassment has been reported to be one way through which some good performing women have been forced to quit government institutions. “Although no statistics were available, observers noted that sexual harassment was a serious problem throughout the country, particularly by police. In 2010 the local press reported that newly trained police in Juba harassed women for wearing jeans and short skirts.”30 Communities sometimes undermine women aspiring for a political career by branding them as women with loose sexual morals.

There is no accurate data on SGBV in South Sudan because of a number of challenges. First, since South Sudan is a new nation monitoring and evaluation processes in this area are not yet fully developed making it difficult to collect accurate data. Second, common beliefs among a significant number of both men and women that domestic violence is a family and not judicial issue block women from reporting acts of violence against them. Third, the inadequate and sometimes total absence of training on gender related issues in police academies results in insensitivity to victims of SGBV. This makes it difficult for girls and women who are exposed to SGBV to report due to fear of re-traumatization. Fourth, a woman may not report rape to protect her dignity. Women who have suffered rape fear to be looked down on by their communities, if knowledge of what happened to them goes into the public arena. Women will therefore choose to keep silent rather than risk stigmatization and loss of self-esteem and confidence.


Indicator 7 - Number and quality of gender responsive laws and policies

Below are some of the legal provisions that are gender responsive. However, it has to be noted that South Sudan is at its early development stage in terms of laws and policy development. There is no data to suggest that these provisions were developed as a result of advocacy from CSOs or gender activists.

The Transitional Constitution of the Republic of South Sudan (TCSS)

The TCSS set out to rectify historical injustices that have affected women. To do so it included an Affirmative Action Clause designed to increase the number of women in key positions throughout institutions of governance. Part II of the TCSS (The Bill of Rights), Section 16 (1-5) provides for several rights for women, one of which is “the right to participate equally with men in public life.”12 Section 16(4) mandates that all government institutions must promote the following: “women participation in public life and their representation in the legislative and executive organs by at least 25 percent as an Affirmative Action to redress imbalances created by history, customs, and traditions.”13 Other rights include “equal pay for equal work”14, provision for “maternity and childcare, medical care for pregnant women”15 and the “right for women to own property and share in the estates of deceased husbands.”16 Part IX, Ch. II, Sec. 142(3) provides that the National Government ensures that 25 percent of the seats on Independent Institutions and Commissions shall be allocated to women.17 Part VI, Ch. III, Sec. 108(3) deals with the National Council of Ministers and requires the President to ensure that at least “twenty-five percent of members of the Council of Ministers are women.”18


Section 26: Rights of the Female Child. (1) Every female child has a right to be protected from sexual abuse and exploitation and gender-based violence, including rape, incest, early and forced marriage, female circumcision and female genital mutilation. (2) Every female child has the following rights: (a) the right of equal participation on a nondiscriminatory basis as partners with a male child in social, economic and political activities; (b) equal rights to succession and inheritance to property and reasonable provision out of the estate of a deceased parent without discrimination; and (c) the right to develop their full potential and skills through equal access to education and training (3) No female child shall be expelled from school due to pregnancy or motherhood or hindered from continuing her education after one year of lactation.

2. The Land Act (2009)

Section 1.4: Gender states that women shall have the right to own and inherit land together with any heirs of the deceased.


Section 48: Treatment of Female Prisoners states that female prisoners shall be kept in a separate section equipped with the necessary requirements for their care and treatment. In respect
the DDR program from June 2009-February 2011.

One of the biggest challenges is the implementation of these provisions. Although the Land Act, for example, gives women the right to own property left by their husbands, a significant number of widows are not able to inherit their deceased husband’s land because land issues are still regulated by customary practices that deprive widows from owning property. As concerns the provision protecting the female child, it is important to note that women and girls are subjected to degrading practices such as forced and early marriage, wife-inheritance and that girls are sometimes used to pay debts.

Indicator 8 - Number and nature of provisions/recommendations in the Truth and Reconciliation Commission (TRC) and other transitional justice reports on women’s rights

The 20 years of civil war and continued ethnic conflicts that have flared up time and again have created a lot of injustices and have increased the number of victims of all forms of violence. Although South Sudan has a Peace and Reconciliation Committee at the NLA and a Commission for Peace and Reconciliation, the civil society committee for the monitoring of 1325 could not get any data with regard to the number and nature of provisions/recommendations available in the TRC. Having provisions and recommendations on women’s rights from such an entity would give women a chance to have their voices heard regarding the different forms of SGBV they were subjected to during the civil wars and the ethnic conflicts.

Indicator 9 - Percentage of women (versus men) who receive economic packaged in conflict resolution and reconstruction processes

Figure 9.1: Number of men and women who participated in the DDR program from June 2009-February 2011

Since the WAAFG lists were produced by the SPLA, there were concerns some commanders would exclude women who were not on good terms with them and instead include women who they liked but were not eligible. DDR program participants received NFI kits worth about SUSD 200, three months food voucher rations from the World Food Program, and a SUSD 345 reintegration grant to support their transition into civilian life. The reintegration grant was meant to cover transportation cost. Participants, regardless of gender, received similar benefits. To procure the benefits, participants had to avail themselves at designated distribution and training centers. The assistant given to participants is different from humanitarian aid because it enabled most of the ex-combatants to gain job skills and to later become self-reliant. Participants learned about the program through the government. However, some women expressed anger at being the primary target of the DDR program. This is because they have not been given “equal job opportunities, training and salaries for women

34 ibid
35 ibid
37 ibid

South Sudan's, Disarmament, Demobilization and Reintegration (DDR) program of ex-combatants placed an emphasis on the inclusion of women. By January 11, 2011, six years after the program had been implemented only 13 percent of the Sudan People’s Liberation Army (SPLA) had completed the program and the majority of participants were women. The initial target for SPLA was 90,000 ex-combatants. From the outset of the program, SPLA was not keen in demobilizing because of its worry of future possible aggression from the North. Demobilizing troops during the CPA interim period when a clear road map for the South’s future was not in place was neither an attractive prospect nor a wise move to most senior SPLA military commanders. A conscious decision was therefore taken by the SPLA leadership to demobilize the elderly, the disabled, and women, since "the army had little use for female support during peace time."
that are commensurate to those of their male colleagues must be provided." Their demobilization, they said, locked them out of continued job opportunities in the army and later in the new police force and fire brigades of the new nation of South Sudan. They feel that their male counterparts, in letting them continue working in the army, later got better career opportunities.

C. Promotion of a gender perspective

Indicator 10 - Number and percentage of pre-deployment programmes for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights, instruments, and international humanitarian law

As an emerging police force, the South Sudan Police Services (SSPS) has heavily relied on the expertise of UNMISS police. The UNMISS strategy of building SSPS capacity has been through training and mentoring. For example, they advised the SSPS both at the national and local levels on how to fulfill their responsibility of protecting civilians. UNMISS has also given advice to SSPS on policy, planning and legislative development. In addition, UNMISS police, in cooperation with other international partners, supports the South Sudanese government, in developing strategies for security sector reform and rule of law, including human rights. Under this initiative, training on human rights related issues has been conducted for SSPS. One such training conducted for 21 SSPS officers based in Juba was titled Gender, Children and Vulnerable Persons Protection Course. The course's objective was to equip participants with skills on how to deal with gender-based violence related issues.

A number of trainings have been approved for the fiscal year 2011-2012. The trainings include Community Policing, NCO Leadership, Gender, Child and Vulnerable Persons Protection, Training of Trainers, and Traffic Accident Investigation course. All the above listed trainings, except the Traffic Accident Investigation course, which will only be offered in Juba, will be offered in all the ten states of South Sudan. In the Sudan Peoples' Liberation Army (SPLA), the monitoring team was not able to establish that there is training on UNSCR 1325, UNSCR 1820, International Human Rights, Instruments, and International Humanitarian Law; or gender training in the army.

Indicator 11a - Allocated and disbursed funding marked for WPS projects and programs to CSOs

In South Sudan there is currently no clear disbursement of funds for work on women and peace and security (WPS). Women's groups rarely get funds from either the UN or other donor groups within South Sudan. A number of donors have frequently raised the hope of South Sudan civil society organizations, by conducting studies in South Sudan and inviting CSOs for interviews and to validate studies they have conducted. Unfortunately, these donors leave and nothing is heard from them thereafter. Most CSOs do their own lobbying and source their own funds from mainly external donors. However, some of the CSOs do not share information on how much funds they receive. The reason for not divulging information could not be established.

III. Conclusions and recommendations

As reported, numerous significant challenges exist that range from unavailability of adequate statistics and other information from different stakeholders in South Sudan; to low awareness of UNSCR 1325 and 1820; to not having an official taskforce to develop the national action plan. Raising awareness of the resolutions and developing a national action plan requires the full participation and coordination between the South Sudan government, CSOs and other national and international stakeholders. The main advantage that South Sudan has at the moment in terms of implementation of the UNSCR 1325 is that it is still a new country that is in the process of developing policies. If South Sudan is given attention and support by the international community and if local actors coordinate properly, it will be able to develop policies, set up frameworks, and develop strategies that support the welfare of women and
the girl child and that take into consideration the promotion and participation of women at all levels of governance.

Following are some of the recommendations to the South Sudanese government, the United Nations, various donor groups and CSOs:

**To the government of South Sudan:**

- The government of the Republic of South Sudan needs to develop a clear road map and a time table on how it is going to meet the 25 percent female participation quota as stipulated by the interim constitution. The government also needs to work with CSOs and other stakeholders to map out a systematic and strategic consultative process on how to identify capable women for participation in governance.

- The government of the republic of South Sudan needs to ratify CEDAW and the Maputo Protocol and all other international conventions that will benefit South Sudanese women.

- It is important for the government of the republic of South Sudan to develop a proper monitoring and reporting system for SGBV.

- The government of the republic of South Sudan needs to immediately spearhead the formation of a task force that will develop the UNSCR 1325 National Action Plan for South Sudan. The government and the UN also need to allocate sufficient funds to this task force.

- The Ministry of General Education and all other stakeholders in South Sudan need to support women by providing scholarships to improve their careers. Women need to be encouraged to study online and when opportunities arise, to study at universities either within the country or outside. The government and all other agencies and institutions also need to be flexible in allowing women to go for studies. This approach should be applied by the government, the UN, NGOs, and other international private companies.

- The government should ensure that all agencies, government and private sector accept women graduates as interns in their agencies to enhance their capacity. This should be made mandatory to all agencies, International NGOs and private sector at all levels.

- The South Sudanese government needs to improve national security in order to protect the rights of women and girls.

**To the UN:**

- UN agencies should allocate more funds for WPS projects and be transparent in the allocation of funds to the different women groups.

- The UN should support potential Women CSOs to develop their institutional capacity in order for them to provide effective services to women.

**To the donor community:**

- Donor community needs to be more active in committing funds for the CSOs monitoring of UNSCR 1325 and the process of developing the NAP in South Sudan.

- International universities and foundations worldwide should give special attention to women from South Sudan by providing special offers and scholarship for South Sudanese women to further their education.

- Given the austerity measures, donors should consider allocating extra funds to the Ministry of Gender in support of WPS projects.

- All international Organizations should also work towards comprehensively incorporating UNSCR 1325 in their activities.

**To CSOs:**

- Civil Society organizations should work hand in hand with the government, UN agencies and International Organizations to ensure implementation of UNSCR 1325 in South Sudan.

- CSO Committee for the UNSCR 1325 and 1820 National Action Plan process in South Sudan should take the lead and follow up with other stakeholders on the process of a NAP in South Sudan.

- CSOs should raise more awareness on women peace and security at the grassroots level.

- CSOs should advocate for the implementation of gender responsive laws and policies.

- CSOs should ensure that women representatives, regardless of education level or socio-economic status, be engaged in developing a strategic framework for achieving the 25 percent quota.

- Given that most of the hurdles to women's participation come from some negative traditional practices and beliefs about women, open discussions need to be initiated between CSOs working on women's issues and traditional leaders to find ways to tackle traditional barriers to women's participation in governance and political and economic spheres.
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"All peace and security advocates – both individually and as part of organizational work - should read the 2012 civil society monitoring report on Resolution 1325! It guides us to where we should focus our energies and resources to ensure women’s equal participation in all peace processes and at all decision-making levels, thereby achieving sustainable peace.” - Ambassador Anwarul K. Chowdhury, Former Under-Secretary-General and High Representative of the United Nations

“The GNWP initiative on civil society monitoring of UNSCR 1325 provides important data and analysis on the implementation of the resolution at both the national and local levels. It highlights examples of what has been achieved, and provides a great opportunity to reflect on how these achievements can be further applied nationwide. In this regard my Ministry is excited to be working with GNWP and its members in Sierra Leone on the Localization of UNSCR 1325 and 1820 initiatives!” - Honorable Steve Gaojia, Minister of Social Welfare, Gender & Children’s Affairs, Government of Sierra Leone

“The 2012 Women Count: Security Council Resolution 1325 Civil Society Monitoring Report uses locally acceptable and applicable indicators to assess progress in the implementation of Resolution 1325 at the country and community levels. The findings and recommendations compel us to reflect on what has been achieved thus far and strategize on making the implementation a reality in places that matters. Congratulations to GNWP-ICAN on this outstanding initiative!” - Leymah Gbowee, 2011 Nobel Peace Prize Laureate

“The civil society monitoring report on UNSCR 1325 presents concrete data and analysis on the implementation of the resolution at national level. It helps us identify priorities for implementation and allocate resources to ensure women’s participation in all peace processes and achieve long lasting peace. A must read for all peace and security actors and advocates. Congratulations to GNWP on this outstanding initiative!” - Sadhu Ram Sapkota, Joint Secretary, Ministry of Peace and Reconstruction, Government of Nepal

“A beautifully presented, thoroughly documented accounting of what is happening to a resolution that came from the grass roots, was vetted by the grass roots and was lobbied for by women for unanimous adoption by the Security Council. Cheers to the women of the Global Network of Women Peacebuilders for their careful, detailed work. GNWP is also making a unique contribution working at localization. It’s about time that some western based organization relied on local women to plan their own peacemaking program. Local women are planning their own strategies in peacebuilding and adapting UNSCR1325 to meet their needs.” - Cora Weiss (former President, International Peace Bureau, now its UN representative, President, Hague Appeal for Peace)