

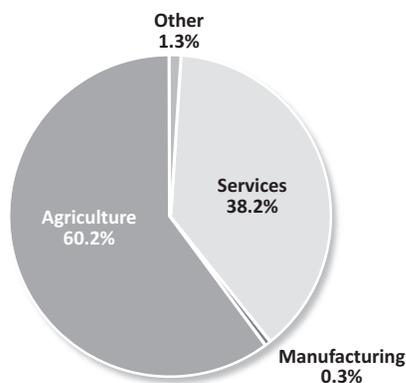
Because South Sudan became an independent state in 2011, 2012 is the first year of reporting on South Sudan. Therefore, no assessment was made regarding the country's efforts to advance the elimination of the worst forms of child labor. Despite ongoing political and ethnic conflict, the Government of South Sudan renewed many of the former government's policies and participated in social programs to combat the worst forms of child labor. The Government has yet to fully enforce its child labor laws, and while progress has been made on demobilizing child soldiers, policies designed to end all forms of child association with the military and armed groups have not been fully implemented. As a result, some children remain in the ranks of rebel and militia groups in South Sudan. In addition, social programs are not sufficient to meet demand. The worst forms of child labor persist, including dangerous activities in agriculture.



Statistics on Working Children and Education

Children	Age	Percent
Working	10-14 yrs.	45.6 (463,624)
Attending School	6-14 yrs.	31.5
Combining Work and School	10-14 yrs.	10.9
Primary Completion Rate		Unavailable

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from Census Survey, 2008.(2)

Prevalence and Distribution of the Worst Forms of Child Labor

Children in South Sudan are engaged in the worst forms of child labor, including dangerous activities in agriculture.(3, 4)

Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(5-7) Children in South Sudan are also engaged in cattle herding. Children herding cattle commonly work long hours and travel great distances.(3, 8-11) In addition, boys are abducted for forced labor in cattle herding and girls are abducted for forced labor in domestic service during inter-tribal and cattle rustling disputes among the Murle, Nuer, and Dinka communities in the Jonglei, Upper Nile, Lakes, and Warrab States.(8, 12-19)

In urban areas, children work on construction sites, reportedly breaking rocks. Although information is limited, there are reports children are also found making bricks.(3, 8, 9, 20) Limited reports suggest that some girls engaged in domestic labor work long hours, and also risk performing strenuous tasks, without sufficient food or shelter.(3, 18, 20) These children may be isolated in private homes and are susceptible to physical and sexual abuse.(3, 20-22)

Some sources indicate that children are engaged in mining. Some girls around the mines are subjected to commercial sexual exploitation.(3) Multiple reports suggest that a significant and growing number of girls (some as young as 10) are subjected to commercial sexual exploitation in cities such as Juba, Bor, Torit, Wau, and Bentiu.(3, 18, 19, 26, 27) Some of these girls are trafficked to South Sudan from Uganda, the Democratic Republic of Congo, and Ethiopia.(3)

The UN and USDOS report that during the year, the Sudan People's Liberation Army (SPLA), the Government of South Sudan's national army, did not actively recruit children into armed conflict and continued to release children from within its ranks. While the SPLA released at least 392 boys during the reporting period (and more than 20,000 children over the past 2 years), the UN reported 252 boys were still being used by the

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SPLA and militia forces, though there were no reports of the use of child soldiers in actual combat during the year.(3, 19, 28-32) UN observational records note that children commonly serve at checkpoints or as assistants for commanders.(27) The UN confirmed reports of children being physically abused by the SPLA during civilian disarmament exercises. Some reports also suggest instances of forced labor and sexual harassment by SPLA forces, including during the exercises.(19, 33-35)

There were no new reports of Lord's Resistance Army (LRA) abductions of South Sudanese children for engagement in armed conflict during the reporting period.(19, 36-38) The UN suggests that some children remain within the ranks of the LRA and are used as cooks, porters, concubines, and combatants. Some of these children have since been taken to other countries, such as the Central African Republic and the Democratic Republic of the Congo.(18, 27)

In 2011, the Republic of South Sudan achieved its independence from the Republic of the Sudan.(3, 8, 19) Prior to this achievement, the 2005 Comprehensive Peace Agreement (CPA) ended a 22-year civil war between northern and southern Sudan with a power-sharing arrangement and permanent cease-fire between the northern interim Government of National Unity (GNU) and the southern Sudan People's Liberation Movement (SPLM).(3, 8, 19, 39) In 2012, with support from the UN and African Union, the two countries signed an MOU on nonaggression and cooperation, as well as a border security agreement.(40-45) However, the status of the Abyei Area and the demarcation of the border between the two countries are yet to be determined, resulting in violence and displacement of border communities.(19, 44, 46-49) The fighting in Sudan's southern states, Southern Kordofan and Blue Nile, has resulted in more than 200,000 new refugees into South Sudan.(19) Delivery of aid and access to education during the year was hampered by ongoing conflict and insecurity in the border regions.(19, 50-52) In addition, reports suggest that refugees, including refugee children, did not receive sufficient food, water, access to education, or protection during the year, and were at risk of violence from armed groups within refugee camps.(19, 51)

While the ILO reports that child abduction and forced labor decreased after the signing of the CPA, the ILO notes that many children remain in forced labor conditions in South Sudan.(8)

Food insecurity and high cost of living may impede access to education in South Sudan as many families may not be able to afford to send their children to school.(53-55) In addition,

during the year, the Government adopted austerity measures that led to a reduced education budget, which resulted in delayed payment of teachers and a diminished quality of education. The lack of access to education and diminished quality of education may increase the risk of children's involvement in the worst forms of child labor. Despite this situation, preliminary reports suggest that, overall, access to education has increased since the CPA was signed.(56)

There are reports of children working on the streets, but specific information on hazards is unknown.(23-25) Limited reports suggest that some street children are used in commercial sexual exploitation and are involved in violent armed gangs and in the drug trade.(8)

Laws and Regulations on the Worst Forms of Child Labor

Under the CPA, the Government of South Sudan was allowed to develop its own laws.(39) The 2008 Child Act sets the minimum age for paid employment at 14.(18, 57) Children 14 years and above are afforded the right to fair compensation and 24 hours of leave per week, as well as other rights.(3) The Child Act permits children between ages 12 and 13 to perform light work if the work does not harm the child's health, development, or school attendance.(3, 57) In addition, the Child Act includes a hazardous labor list that prohibits children from working in military forces; mining and quarrying; herding animals; tobacco production; carrying heavy loads (including heavy agriculture labor); construction and industrial work; commercial sexual exploitation; and bars and hotels.(3, 57) However, the Child Act does not clearly establish a minimum age for hazardous work, which makes children under the age of 18 vulnerable to hazardous child labor.(57) During the year, the Government, with support from the ILO, held a workshop to update the hazardous child labor list.(24) However, the current law does not cover children engaged in street work or domestic labor.

The 2012 Education Bill, the Child Act, and the 2011 Transitional Constitution provide for 8 years of free and compulsory primary education, generally through age 13.(3, 57, 59, 60) However, in practice, parents must often pay fees, and many children (especially in rural areas) do not have access to schools, often due to the lack of infrastructure.(3, 52, 56, 61).

The Child Act and the 2008 Penal Code Act criminalize the sale, trafficking, abduction (and kidnapping), and transfer of control of children under the age of 18, including practices of slavery and servitude.(3, 57, 62) The Child Act and the Penal Code Act prohibit the inducement, buying, and selling

of a child into prostitution.(3, 57, 62) The Child Act bars the use of children in pornographic performances and prohibits the involvement of children in the production, trafficking, or distribution of drugs and other harmful substances.(3, 57) In addition, the CPA prohibits all forms of slavery, including servitude and forced and compulsory labor.(39)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	No
	CRC Optional Protocol on Armed Conflict	No
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	No
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	No
	Compulsory Education Age	14
	Free Public Education	Yes

The law defines the minimum age for voluntary military service in the South Sudanese army as 18.(3, 57) The Child Act and the Transitional Constitution ban the use of children in military and paramilitary positions as cooks, spies, laborers, transporters; and in sexual exploitation.(3, 57, 59) During the reporting period, the Government renewed its Action Plan to combat the use of child soldiers, which includes criminal liability of military officers who recruit and use child soldiers in their ranks.(27)

A 2012 Labor Bill is being finalized, and reports suggest that it might be passed by the National Legislative Assembly in 2013.(24)

Institutional Mechanisms for Coordination and Enforcement

During the reporting period, the Ministry of Labor and Public Service established a National Steering Committee on Child Labor to coordinate efforts to combat the worst forms of child labor.(60)

In January 2012, the Government approved the appointment of Chairpersons and Deputy Chairpersons for labor, human rights, and education ministries, committees, and commissions.(63) During the year, the Government's Child Protection Unit (CPU), the Disarmament Demobilization Reintegration Commission (DDRC), UNICEF, and the UN Mission continued to oversee and coordinate implementation of the 1-year Action Plan to combat the use of child soldiers.(22, 53) The UN Security Council suggests that mechanisms for monitoring and reporting on children and armed conflict be strengthened.(38)

The Government's Committee to Eradicate the Abduction of Women and Children (CEAWC) is responsible for facilitating the return of enslaved or abducted persons (including children), but it did not return abducted persons during the year, as the Government did not provide the Committee with any funding.(64) The Government's Relief and Rehabilitation Commission is responsible for implementing repatriation policies.(65)

The Ministry of Labor and Public Service is charged with developing labor policies, enforcing child labor laws, conducting workplace inspections, and overseeing the operation of vocational training centers.(3, 57, 66) The Ministry has an estimated 10 labor inspectors, which appears to be insufficient for the size of the population.(60) No child labor violations were reported to the Government during the year. Research did not uncover the number of labor inspections or prosecutions that were performed during the reporting period.(60) The Government of South Sudan established the Federal Labor Statistics and Information Center to compile statistics and publish reports, including those on labor inspection activities.(67) However, it appears that the Government did not collect, maintain, or make such information accessible to the public.(60) In addition, prosecutors and law enforcement officials are not familiar with the Child Act.(58)

The Ministries of Interior and Justice and the South Sudan Police Services are responsible for enforcing criminal laws to combat the worst forms of child labor.(3) In particular, the Ministry of the Interior is responsible for establishing and maintaining a database on crime statistics.(68) Research did not uncover additional information about the database. The Ministry of Justice is responsible for protecting citizens' rights and enforcing relevant provisions of the CPA and the Transitional Constitution.(69) Likewise, the Government's Human Rights Commission has a mandate to investigate

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complaints regarding human rights violations, such as human trafficking.(70) Research did not uncover the number of investigations the Human Rights Commission conducted during the year.

The Government's DDRC is responsible for the disarmament and demobilization of rebels and the reintegration of children engaged in armed conflict. The DDRC oversees implementation of the Action Plan to combat the use of children in the armed forces with the SPLA's CPU.(3, 19, 27, 71) During the reporting period, the SPLA, CPU, and DDRC supported the release of about 200 children from the ranks of the SPLA and rebel groups.(3, 72, 73) However, the Government did not provide sufficient specialized training on the worst forms of child labor to police, military, or judicial personnel during the year.

Government Policies on the Worst Forms of Child Labor

In March of 2012, the Government's SPLA renewed its commitment to an Action Plan to combat the use of child soldiers, with support from the UN.(74, 75) The Action Plan requires the SPLA and militias that join the SPLA to demobilize children within their ranks.(76) During the year, the SPLA continued to remove children from within their ranks, in part by issuing military orders for the release of such children.(3, 31, 72, 77) However, the Government has repeatedly missed its agreed-upon deadlines for demobilizing all child soldiers since the 2005 CPA; most recently, the Government missed an April 2011 deadline to demobilize child soldiers.(3, 72, 78, 79)

During the reporting period, the Government developed several other policies that pertain to the worst forms of child labor. The U.S. Embassy and the Government of South Sudan developed a roadmap to address the issue of sex trafficking.(80) The Ministry of Labor, Public Service, and Human Resource Development developed a 5-year Strategic Plan to address labor issues in the country.(81) The Governments of South Sudan and Uganda agreed to fight cross-border crimes jointly.(82) At the time this report was prepared, no additional information was available on these plans.

The Government drafted a UN Development Assistance Framework (2012-2013) for improving education access and quality. The Framework includes provisions for social protection and the reintegration of ex-combatants.(83) However, it is unclear whether the Framework was adopted

or if it is being implemented.(83) The War Disabled, Widows and Orphans Commission Policy (2010-2014) aims to provide orphans with services such as education, training, and employment awareness activities.(84) However, it is unclear whether an implementation timeline and budget exist for the policy.(84) The South Sudan AIDS Commission has an HIV/AIDS Policy (2008-2012) that aims to promote the rights of orphans and vulnerable children.(85) However, research was unable to determine whether an implementation timeline and budget exist for the policy.(85)

The Governments of Sudan and South Sudan signed an MOU to allow for the voluntary repatriation of the South Sudanese from Sudan to South Sudan, with a deadline of April 8, 2012.(50) The UN reports that an estimated 350,000 South Sudanese have been repatriated to the country since the signing of the CPA.(9, 19)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government of South Sudan publicly announced plans to fully address the issue of child soldiers and children engaged in armed conflict in the country.(19, 78, 86, 87)

During the reporting period, the Government of South Sudan, with support from UNICEF, continued to repatriate and reintegrate children formerly associated with the SPLA, LRA, and rebel and militia groups, and provided services such as vocational training.(88) The Government also donated the land for a UN-constructed training center to rehabilitate former soldiers (including child soldiers); this center has a capacity of 500 people and is jointly run by the DRR and the UN.(89) The Government continued to participate in the multi-donor funded, UNDP-implemented \$122.9 million (southern and northern) Sudan DDR Program, which supports national institutions with the DDR process and reintegration of persons (including children) associated with armed conflict, through June 2012.(90) The Government also continued to participate in the multi-donor funded, UNDP-implemented, \$4.79 million Promoting Access to Justice and Fostering a Culture of Human Rights in Southern Sudan project, which aims to train and build the capacity of the Human Rights Commission (which covers trafficking issues) and community-based organizations, through December 2012.(91) However, reports suggest that the level and amount of rehabilitation services provided to child soldiers are still not sufficient to meet the total need.(72, 92)

The Government adopted austerity measures in the form of 50 percent budget cuts from February through December 2012 as a result of the decline in oil revenues. The Government was able to pay little more than salaries and some operating expenses under the austerity measures. Reports indicated that this may have negatively impacted the Government's capacity to fund and participate in social programs.(47, 77, 93)

During the reporting period, the Government of South Sudan signed a 3-year MOU with the Government of Sudan to pay for South Sudanese secondary education examination fees (taking place in Sudan) in the amount of \$885,600.(94) The Government of South Sudan participated in distribution of 9.3 million primary school textbooks to schools throughout South Sudan, with support from the British Government valued at \$16 million.(95, 96) USAID contributes \$40 million per year to South Sudan's education through activities focused on increasing access and quality in primary, secondary, and tertiary level education, as well as overall system wide support and policy reform. The United Kingdom's Department for International Development provided funding for school construction as part of a 3-year project that will benefit 35,000 children and teachers.(97) The EU allocated \$14.3 million to improve the primary education system and build the capacity of the Ministry of Education.(98) The Government also participates in a \$12 million, 3-year project, funded by Qatar, to increase the quality of and access to primary education for 25,000 children throughout South Sudan.(99) With support from the Government, UNICEF aims to improve the quality of and access to education, including the provision of teaching and learning materials to schools in 10 states.(100-102)

The Government continued to participate in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is active in approximately 40 countries. In South Sudan, the project aims to build the capacity of the national government and develop strategic policies to eliminate child labor and forced labor.(103) The Government of South Sudan continued to participate in the 4-year (ending in 2012), EU-funded project Tackling Child Labor through Education (TACKLE).(104-107) This \$13.5 million project combats child labor through the provision of educational services in South Sudan and 10 other countries.(104-106) In South Sudan, the project is working with the Government to develop a hazardous labor list, provide training, and help develop national action plans, among other activities.(108)

The Government of South Sudan participates in the World Bank-funded \$9 million grant to improve employment and financing opportunities, focusing on youth and women. The project aims to support 50,000 small business entrepreneurs and generate 250 jobs.(109) During the year, the War Disabled, Widows and Orphans Commission distributed tricycles to vulnerable groups to encourage economic empowerment of such groups.(110) During the reporting period, the Government participated in the Sudan Productive Capacity Program, which aims to make the country food self-sufficient by 2014 by providing agricultural assistance to rural farmers, including assistance in the form of livestock, fishing gear, seeds, and other livelihood assets. The project is funded by the Food and Agriculture Organization of the United Nations at an estimated \$54 million, and the Government has pledged an additional \$5 million.(53, 111, 112)

During the reporting period, the Government participated in projects with the United Nations High Commissioner for Refugees, nongovernmental, and other organizations (such as IOM) to assist displaced persons and to support the voluntary return of the South Sudanese (including families and children) from the north. This included provision of food, shelter, and other support to South Sudanese refugees.(19, 50, 113) In FY 2012, USAID's Office of Disaster Assistance provided more than \$94 million toward emergency reintegration and livelihoods assistance to refugees and other victims in South Sudan. USAID's Office of Food for Peace provided emergency food supplies to refugees and other victims in South Sudan, and the U.S. Department of State's Bureau of Population, Refugees, and Migration provided funding for multi-sectoral humanitarian assistance to refugees and other victims in South Sudan.(114) The European Commission also contributed an estimated \$45 million to the relief efforts in border regions.(54, 115, 116) The impact of livelihoods, refugee support, and other programs on the worst forms of child labor does not appear to have been assessed.

While the Government of South Sudan attempted to address part of the child labor problem, the scope of existing programs is insufficient to address the magnitude of the problem, including in agriculture and armed conflict.

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Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in South Sudan:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the labor code to include protections for children engaged in work on the street and in domestic labor.	2012
	Implement the Transitional Constitution and Child Act provisions that provide for free education.	2012
	Clarify a minimum age for hazardous labor for children that is in line with international standards.	2012
Coordination and Enforcement	Provide sufficient human resources and personnel training for effective inspection and enforcement efforts.	2012
	Expand efforts to investigate, prosecute, and enforce child labor cases.	2012
	Track and make publicly accessible information on the results of the inspections and investigations.	2012
	Fully fund the CEAWC.	2012
	Sustain efforts to demobilize and reintegrate child soldiers from the ranks of the SPLA and rebel and militia groups, while adhering to international standards regarding military codes of conduct.	2012
Policies	Reinvigorate efforts to implement existing policies, such as the Action Plan to combat children engaged in armed forces and the UN Development Assistance Framework.	2012
	Ensure that policies such as the War Disabled, Widows and Orphans Commission Policy and the HIV/AIDS Policy have appropriate budgets and implementation timelines.	2012
Social Programs	Establish and implement a program to address the lack of school infrastructure, which impedes children's access to education.	2012
	Develop and implement programs to lessen the impact that food insecurity and the high cost of living may have on rural populations.	2012
	Increase the scope of social programs to reach more children at risk of the worst forms of child labor, including in agriculture and armed conflict.	2012
	Assess the impact that livelihood, refugee support, and other programs have had on efforts to eliminate the worst forms of child labor.	2012

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