



SECTORAL BRIEF

WOMEN AND THE CIVIC SPACE IN SOUTH SUDAN



Photo: UN Women

Introduction

In 2022, the National Ministry of Gender, Child and Social Welfare (MGCWSW), in collaboration with the UN Women South Sudan Country Office, undertook a study to develop the Country Gender Equality Profile (CGEP) for the Republic of South Sudan. The study built on several initiatives by the two institutions, which have been working closely with relevant government ministries, civil society organisations, women groups, academia, and other development partners to promote gender equality and women's empowerment and governance.

The country gender equality profile for South Sudan examined the current status of gender equality, leadership and political participation, women's rights, social justice and civic space, and customs and traditions. It also assessed human and capital development and several social, economic, and development sectors, including education, health, agriculture and environment and how the country is complying with national, regional and international policies and normative standards on women's rights and gender equality.

Findings reveal that South Sudan has made significant strides in domesticating and implementing gender equality policies and programmes. The country is transitioning and implementing the peace agreement, the Revitalized Agreement for Resolution of Conflict in South Sudan (R-ARCSS). Citizens are aware of the gender rights provided and actively participate in implementing peace. Yet, women remain constrained by structural and institutional hurdles in various sectors.

This brief on Women and the Civic Space assesses, analyses and concludes the effects of armed conflict on women and calls for the promotion of gender equality and women's rights by allocating sufficient funding for implementing gender-responsive policies, programmes and plans to improve the lives of women, girls, men, and boys. The brief provides key recommendations and areas of interventions to be addressed by various government sectors, development partners, UN agencies, and civic groups focusing on legal framework, institutional structures, and socio-economic development.

Background

South Sudan has imposed restrictions on civic space by putting restrictive measures such as security clearance for any activity or meeting. Women's activities and programs are also affected, creating fear of speaking up on some of the issues such as politics, governance, human rights and sexual and

gender-based violence. There is a need for civic space so that women can advocate for reforms and promote their rights. Freedom of association is critical for women to group and offer learning, support and experience-sharing platforms.

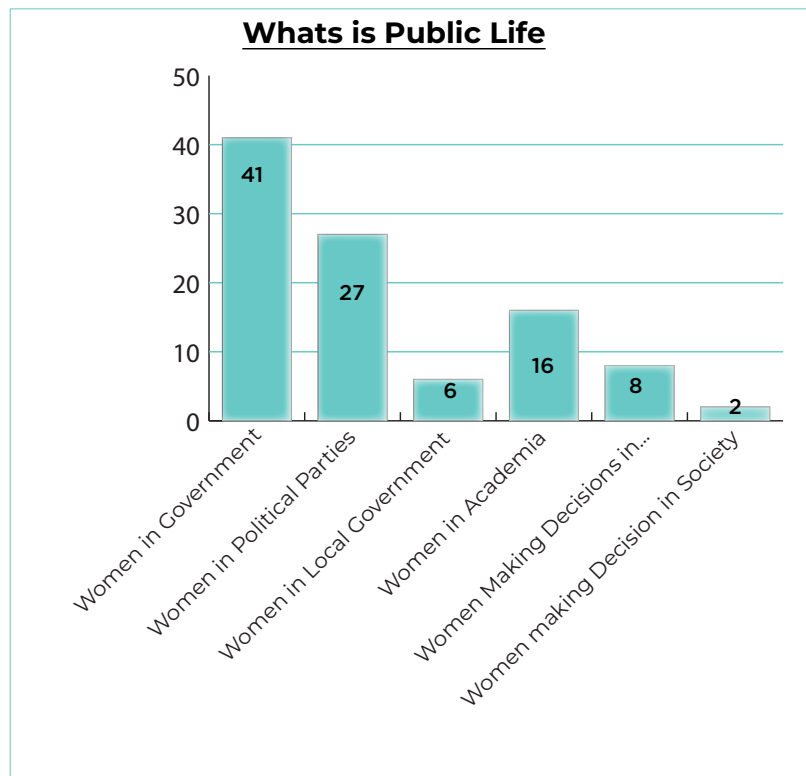


Figure 1: Showing Respondents' Definition of What Public Life Means

The Revitalized Agreement for Resolution of Conflict in South Sudan provides a great opportunity for women to demand increased women participation in leadership and decision-making by 35 per cent quota. During the negotiation, each party nominated at least one woman out of the three delegates to the peace talks, increasing women's gains in representation and leadership of peace implementation.¹ For instance, seven women leaders and 10 civil society members participated in the peace negotiation. Women also became Vice President and chair of the Cluster for Gender and Youth, headed by H.E. Rebecca Nyandeng De Mabior.

Article 14 of the law² guarantees equal rights and protection without discrimination based on

race, ethnic origin, colour, sex, language, religious creed, political opinion, birth, locality, or social status. Article 16 of the Constitution of South Sudan accords women full and equal dignity of the person with men. It further provides women equal pay for equal work and other benefits with men, underscoring the right to participate equally in public life. Although the peace agreement is incorporated in the constitution and allows for women's representation at all levels, the wording of the peace agreement limits the participation of women to only parties who were signatories to the agreement. This has resulted in a small number of women at the local level, as it is unclear how the power-sharing ratio is divided at the local government level.

¹IGAD communiqué of May 24, 2018 to the parties to the conflict

²2011 as amended

Women in National Government

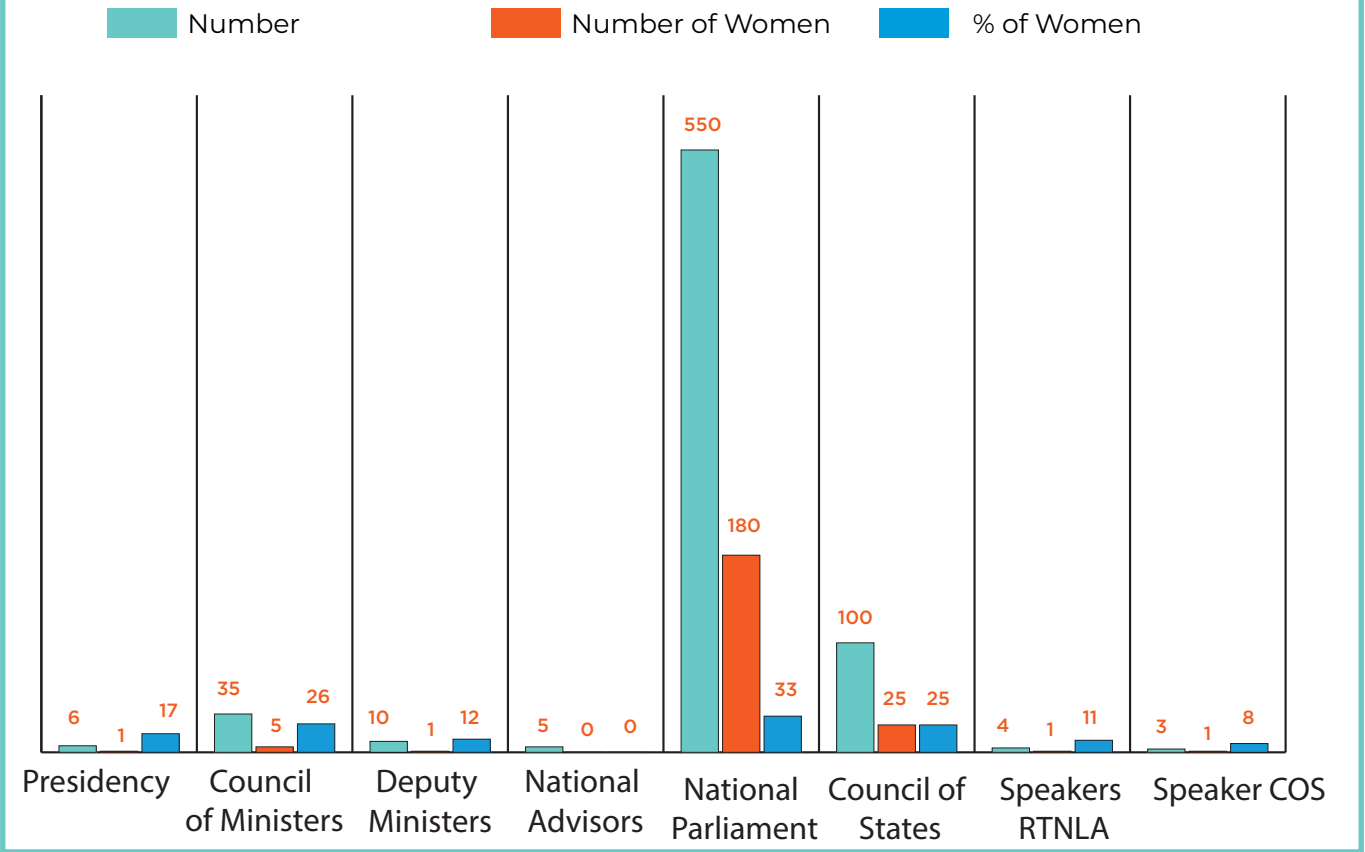


Figure 2: Chart showing women's representative at the National Government

Women Quota at State Level

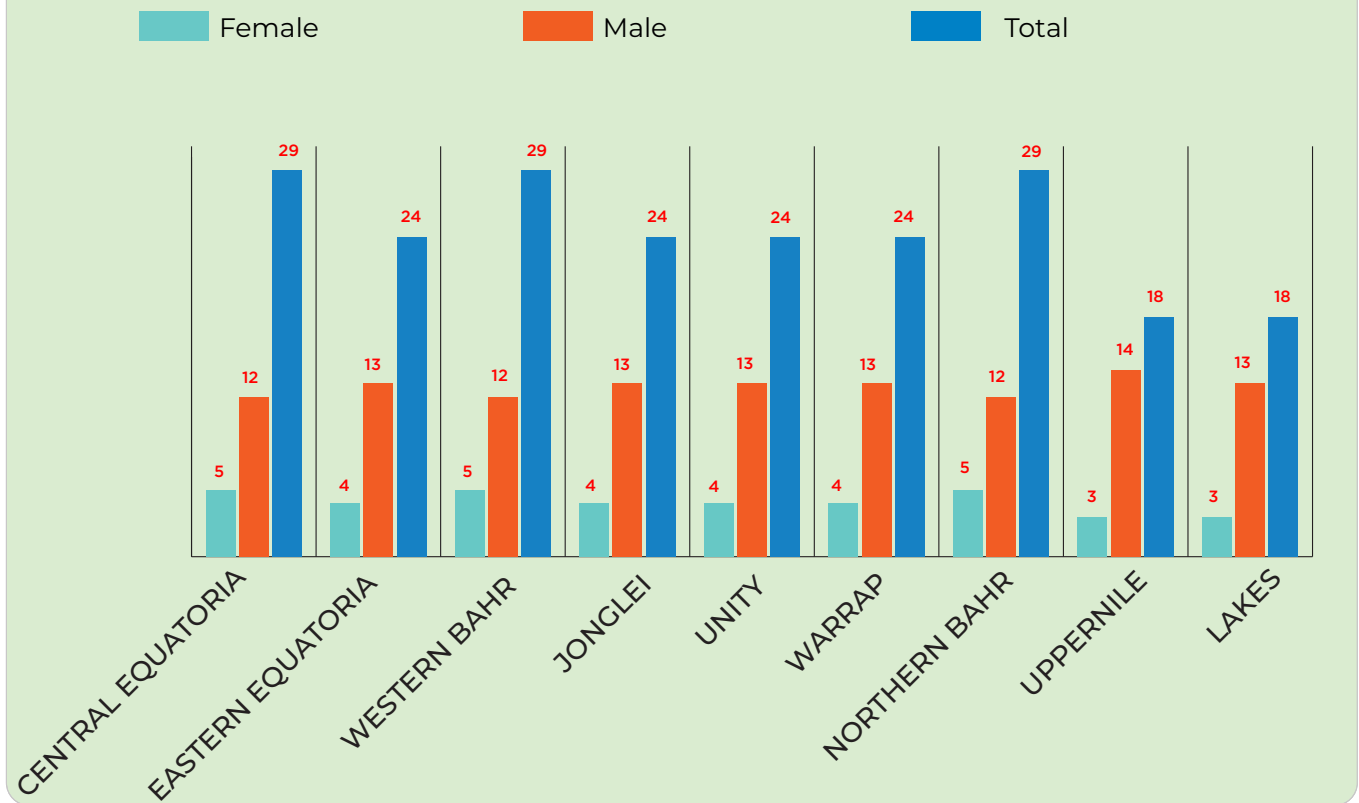


Figure 3: below shows the percentage of women at State levels of government

Reasons for Women's Right Violations



Figure 4: Chart showing reasons why these rights were violated

Despite the formation of the Revitalized Transitional Government of National Unity (RTGONU), the women's participation is below the promise of the 3 per cent affirmative action. Women occupied senior positions, including Vice President H.E. Rebecca Nyandeng De Mabior,³ Hon Jemma Nunu Kumba, Speaker of the RTNLA, Mary Aya Mijok,

first Deputy Speaker of Council of States, and Hon Angelina Teny, Minister of Defence and Veterans Affairs. At the time of the research, although all States and administrative areas had formed the State government, women's representation had fallen short of the 35 per cent affirmative action.⁴

Why Affirmative Action is not Implemented

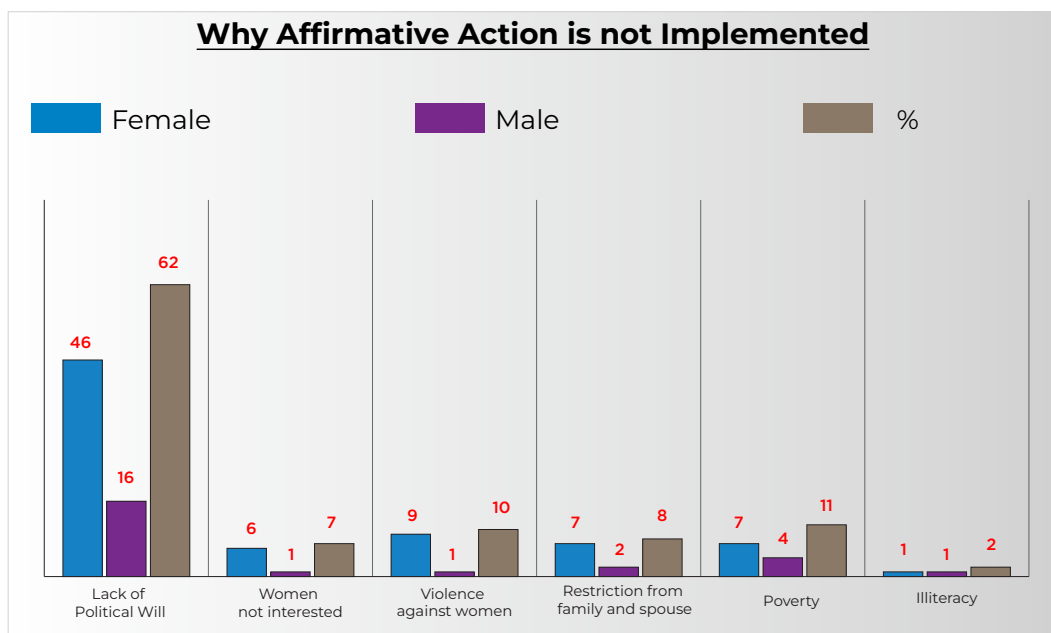
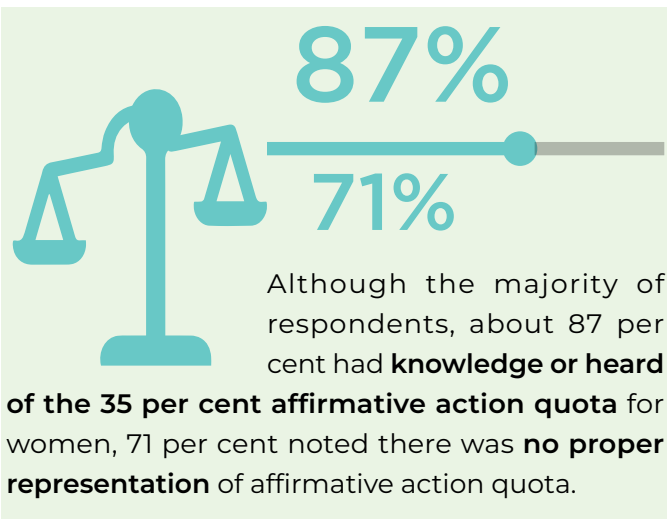


Figure 5: Chart Responses on why affirmative action is not implemented

³Sudan Post 2021 <https://www.sudanspost.com/vice-president-rebecca-garang-moves-to-new-office-near-Juba-airport/>

⁴.

Gaps and Challenges



In a focus group discussion in Torit, participants noted women are not participating in politics and governance because the majority of women do not inherit or own property, lack adequate skills in advocacy and lobbying, lack strong collective voices and lack self-esteem and confidence among women to pursue leadership and own rights.

Women's Rights and Equal Participation

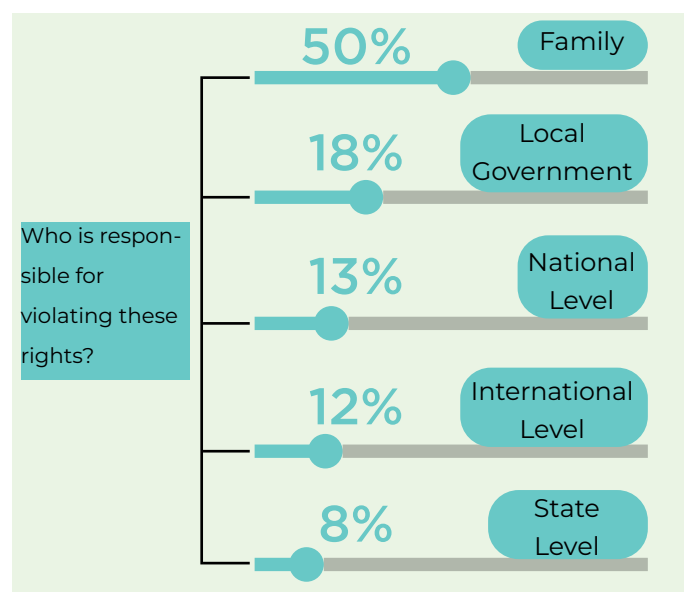
Women in South Sudan continue to navigate a fragile legal environment regarding human rights and gender equality, where national frameworks like the Transitional Constitution provide theoretical protections yet often fall short in practice. The inclusion of a 35 per cent quota for women's representation in governance marks a significant stride. Still, participation rates frequently lag, particularly at local levels where power-sharing arrangements remain ambiguous. Notably, women have occupied significant positions of influence, such as vice president and senior leadership roles in the national assembly. Yet, persistent barriers related to cultural and customary practices hinder broader engagement and effective representation of women's interests across the governance spectrum.

Women's Rights and Equal Participation

- ▶ About 81 per cent of the respondents agreed that women should be adequately represented

or participate in civic processes. Respondents justified women's participation, noting that most women are peacemakers and human rights defenders, and women's views guarantee protection against SGBV. Respondents also pointed out that to achieve lasting peace, it is important to include women. South Sudan played an important role during the liberation struggle by providing food to the fighting forces and caring for families while their husbands and sons were fighting the war.

- ▶ Women still face challenges to achieving gender equality due to cultural biases and stereotypes against women, such as 'Mara Sakit,' meaning 'just a woman,' high illiteracy rate, and lack of political will.⁵ The society prefers to support the boy child in school than the girls because of the belief that girls can be married off and cared for by their husbands in the future.⁶
- ▶ On the question of who is responsible for violating these rights, 50 per cent of respondents pointed to the family level as the major violator of these rights because of negative customs and traditions, 18 per cent indicated violations at the local government levels (county, payam and boma), 13 per cent indicated national level violations while 12 per cent noted violations at international level but could not mention which violations were carried out at national and international level respectively while 8 per cent indicated violations by the State levels.



⁵Calderbank Tony (2013). The women of South Sudan. Accessed <https://www.britishcouncil.org/voices-magazine/empowering-women-south-sudan>

⁶UNICEF (2020). What is affecting the girl child in South Sudan. Accessed

- ▶ The government should enact laws that combat harmful customs and traditions that undermine the dignity and status of women.⁷ In a patriarchal society like South Sudan, where women's roles are set and defined by societal norms, women must be empowered to choose their own roles, make decisions about their own lives, including on family and marriage issues, and be made aware of their fundamental rights and freedoms. Including men who support these rights through advocacy and awareness-raising sessions is also important.
- ▶ For gender equality to be realized in South Sudan, deliberate actions must be taken to ensure the fair treatment of women, demonstration of political will and high leadership support in ensuring equal and fair treatment of women, promotion of free education for women, empowerment of women to make decisions, pursue justice, and meaningfully lead the 35 per cent affirmation at all levels.

Conclusions

Civic space in South Sudan is characterized by legal frameworks that endorse the rights to freedom of expression, access to information, and peaceful assembly, as outlined by international agreements such as the Universal Declaration of Human Rights and the African Charter. The Transitional Constitution of South Sudan (TCSS) reaffirms these rights, emphasizing the role of various levels of government in facilitating civic engagement and supporting civil society organizations. Despite this legal backing, the active participation of citizens remains limited, particularly among women, as evidenced by **53 per cent of respondents reporting freedom of speech**. Additionally, while civil society and women's groups engage in advocacy and humanitarian interventions, there is a notable lack of comprehensive data on women-led organizations. This hampers evidence-based interventions and highlights the need for gender-disaggregated data in civic engagement efforts. Social media platforms, especially Facebook and WhatsApp, have become crucial for information sharing and discussions among South Sudanese, indicating a growing, albeit constrained, digital civic space.

Recommendations

There is a need to allow for civic space so that women can advocate for reforms of the laws and removal of restrictions and requirements for women's groups or associations. Freedom of association is critical for women's empowerment as it offers learning and experience-sharing platforms. Respondents also recommended the government to create a space and platform for women to speak freely, implement the 35 per cent quota for women, hold round table meetings of women and implement security arrangements.

Advocate for freedom of speech, access to information and freedom of media. These fundamental rights and freedoms shall encourage women to raise issues that affect them and work on addressing barriers jointly through networks or as institutions and individual activists.

The government should subsidise taxes on telecommunications and make them accessible and affordable to the people so that they can trade online, learn, and network.

⁷Article 16 (4) b

Lift the ban on social media platforms and online news to allow more women access to education, economy, politics and development information.

Encourage flexible online learning for women, especially targeting mothers and rural communities who could not otherwise afford formal in-house learning. Distant learning requires information sharing with learners and this can be done with accessible and affordable internet, access to information in country and online literature.