

MAPPING AND ANALYSIS OF GENDER EQUALITY IN PUBLIC ADMINISTRATION South Sudan 2022

State/AA Level



UNIVERSITY OF JUBA



The National Transformational Leadership
Institute



Mapping and Analysis of Gender Equality in Public Administration South Sudan 2022 State/AA Level

Conducted by The National Transformational
and Leadership Institute, University of Juba, July
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Welfare, Government of South Sudan



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The research on Gender Equality in Public Administration (GEPA) was conducted in State/Administrative Areas of South Sudan for the first time in 2021. The aim is to establish the current status of women's representation and participation in public administration at the States and Administrative Areas so as to accelerate progress in gender equality and gender mainstreaming in the public sectors to support ongoing transition and peacebuilding efforts.

Unquestionably, there is sufficient evidence showing that when women take leadership roles in public administrations, governments are more responsive and more accountable, and the quality of public services delivered as well as trust and confidence in state organizations are boosted significantly. Thus, this ground-breaking research provides a clear path for making governments, women machineries, and public administrations, more aware of and responsive to the perspectives, interests and needs of both women and men. All of us are responsible for improving gender-sensitive public policies and services to enable women's equal access, retention, promotion and effective participation in decision-making structures. This report is a result of a review of policies, laws and reports; and a participatory process involving government ministries, commissions, parliamentary committees, international and national organizations, private sectors and UN agencies among others.

Many people have contributed to the GEPA research. The Ministry of Gender, Child and Social Welfare (MGCSW) wishes to acknowledge all the women and men of South Sudan who provided invaluable information during consultations and in validation workshop. Specifically, we wish to recognize and thank all gender focal persons from all Ministries, Commissions, Civil Society Organizations, and the Disabled Persons Organizations.

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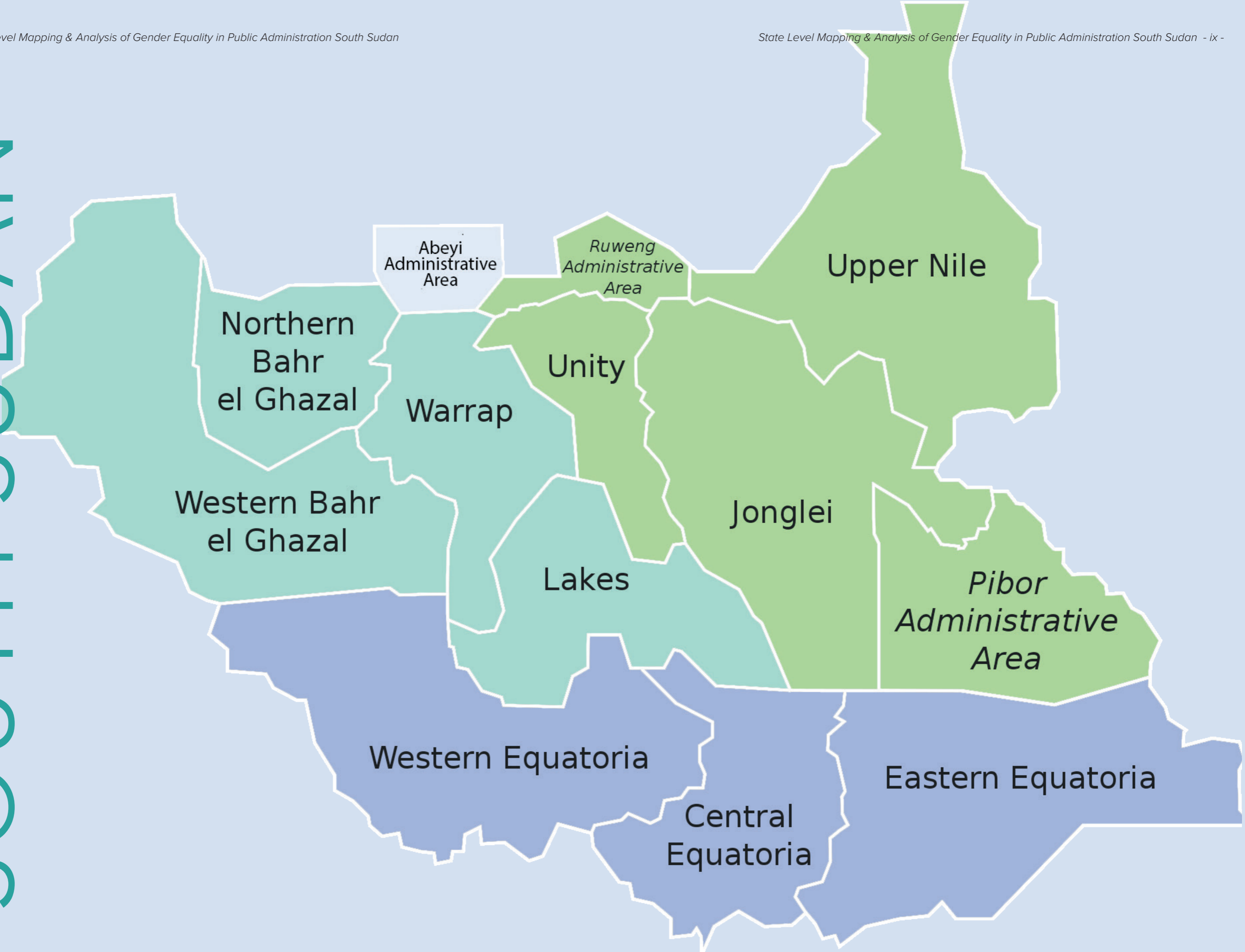


Aya Benjamin Warille,
Minister of Gender, Child, and Social Welfare
Government of South Sudan

AFDB	Africa Development Bank
BSWG	Budget Sector Working Group
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
COVID-19	Corona Virus Disease 2019
CSOs	Civil Society Organizations
DDR	Disarmament Demobilization and Reintegration
DPOs	Disability Persons Organizations
FAO	Food and Agriculture Organization
FBOs	Faith-based Organizations
GBV	Gender-based Violence
GEM	Gender Equality and Mainstreaming
GEPA	Gender Equality in Public Administration
GEWE	Gender Equality and Women's Empowerment
GRSS	Government of the Republic of South Sudan
HIV	Human Immunodeficiency Virus
IDPs	Internally Displace Persons
IGAD	Inter-governmental Authority on Development
IMF	International Monetary Fund
JICA	Japan International Cooperation Agency
MDVA	Ministry of Defence and Veterans Affairs
MGCSW	Ministry of Gender, Child and Social Welfare
MoH	Ministry of Health
NBS	National Bureau for Statistics
NGOs	Non-governmental Organizations
NTLI	National Transformational Leadership Institute
OECD	Organization for Economic Cooperation and Development

PCP	Permanent Constitution-making Process
PCRC	Police Community Relations Committee
POC	Protection of Civilians
PRA	Participatory Reflection Action
R-ARCSS	Revitalized Agreement on the Conflict Resolution in the Republic of South Sudan
R-TGoNU	Revitalized Transitional Government of National Unity
SDGs	Sustainable Development Goals
SEA	Sexual Exploitation and Abuse
SMEs	Small and medium size enterprises
SSNDS	South Sudan National Development Strategy
SSPDF	South Sudan People's Defense Force
SSR	Security Sector Reform
TCSS	Transitional Constitution of the Republic of South Sudan
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commission for Refugee
UNICEF	United Nations International Children's Emergency Fund
UNMISS	United Nations Mission in South Sudan
UN WOMEN	United Nations Women
USAID	United States Agency for International Development
WFP	World Food Programme
WHO	World Health Organization
WPS	Women, Peace and Security
WROs	Women's Rights Organizations

SOUTH SUDAN





The research on Gender Equality in Public Administration (GEPA) in the State/Administrative Areas of South Sudan aimed to establish the current status of women's representation and participation in public administration in South Sudan in order to accelerate the progress of gender equality and gender mainstreaming in the public sectors to support the ongoing transition and peacebuilding efforts.

Studies conducted elsewhere have shown that when women take leadership roles in public administrations, governments are more responsive and more accountable, the quality of public services delivered is improved significantly, and public trust and confidence in state organizations is also boosted. Yet, in the context of South Sudan, there remain deep-seated historic, cultural, and socio-economic obstacles undermining women's presence in decision-making structures to ensure that resources and power are more equitably distributed.¹ Amidst calls for adherence to at least 35 percent gender quota in the appointment and recruitment of women in all decision-making levels, as agreed in the Revitalized Agreement on the Resolution of Conflict in South Sudan (R-ARCSS) and subsequently enshrined into the Transitional Constitution of South Sudan (TCSS 2011) as amended, it is vital to assess the current situation in terms of gender equality in public administration in the country, to address challenges and boost gender equality efforts.

The GEPA research was carried out by the National Transformational Leadership Institute (NLI) at the University of Juba in partnership with the Ministry of Gender, Child and Social Welfare (MGCSW) and United Nations Development Programme (UNDP) South Sudan Country Office. The research employed the framework of UNDP's global GEPA initiative and an adapted version of the Organization for Economic Cooperation and Development) Toolkit for Mainstreaming and Implementing Gender Equality in Public Life (UNDP-OECD).²

The toolkit consists of four pillars: 1) Institutional and governance frameworks for gender equality and mainstreaming (GEM); 2) Gender-sensitive practices in parliaments; 3) Gender-sensitive public employment systems; and 4) Gender-sensitive practices in the judiciary. This study focuses on selected key aspects of each of the UNDP-OECD pillars as relevant and important in the context of South Sudan, with a particular emphasis on Pillars 1 and 3 in view of the already established systems.

¹ UNDP (2021): Gender Equality in Public Administration <https://www.undp.org/sites/g/files/zskgke326/files/2021-07/UNDP-UPitt-2021-Gender-Equality-in-Public-Administration-EN1.pdf>

² See Annex 1 for details.

The research employed both qualitative and quantitative methods of data collection including surveys, face-to-face interviews, consultation workshops and focus group discussions with gender focal points from a broad cross-section of government institutions (ministries, commissions and parastatal organizations), as well as the organized forces and academia. Other stakeholders consulted included Faith Based Organizations (FBOs), Civil Society Organizations (CSOs) and Disability Persons Organisations (DPOs). Findings from the research offer an in-depth understanding of the current situation, progress made, successes and challenges and, more importantly, the progress of institutional and governance frameworks on mainstreaming gender equality established in the country.

The research generates an important overview of the current status of gender equality in the country by showing that the Government of the Republic of South Sudan (GRSS) has a clear vision for gender equality that is anchored in key government documents, which are aligned to the international and regional benchmarks. These include the 1979 United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW); the 1995 Beijing Declaration and Platform for Action; UNSCR 1325 on Women, Peace and Security; the United Nations Sustainable Development Goals (SDGs)—especially Goal 5 on gender equality; the Maputo Protocol; and the African Union and East African Community Gender Policies. It then points out the positions of women in the public sector, while underscoring the gaps and barriers to gender equality and women's role in decision-making in public sector institutions (such as the civil service, parliament, and academia). Such findings are significant because making institutions more sensitive to gender requires a better understanding of both numerical representation and institutional environment in which formal and informal policies, practices and procedures interact and often reinforce gender inequalities and gender-based stereotypes—all of which may undermine the attainment of gender equality. The research concludes by underlining areas demanding more attention and provide strategic recommendations for further policy-oriented and programmatic actions.

HEADLINE FINDINGS

LEGAL AND INSTITUTIONAL FRAMEWORK FOR GEPA

- 1. There is a broad comprehensive legal and policy framework for GEPA** (through the TCSS (2011) as Amended, R-ARCSS and key pieces of national legislation), together with a solid National Gender Policy and Strategic Plan. However, gaps remain in the legal framework in relation to GEPA with considerable shortfalls in its implementation.
- 2. The National Gender Policy (2013) includes a comprehensive intergovernmental gender machinery at national and state levels** to coordinate gender mainstreaming. Still, resources are a major challenge, with less than 0.3 percent of the national budget allocated to the MGCSW, and a high level of dependence on donor funding for GEPA programmes.
- 3. The Labour Act and Civil Service Act are progressive in ensuring the rights of both men and women employees are observed at the work place.** However, there is a need to intensify sensitization and awareness to reduce gender stereotypes and biases in education and the labour market and to encourage fathers to take parental leave, whether on salaried jobs or self-employment to promote the proportion of women in management.
- 4. There are various gender equality monitoring processes but these need to be consolidated and strengthened,** including with reference to GEPA (where there is no gender-disaggregated database for tracking women's representation (including implementation of the minimum 35 percent threshold). The affirmative Action Bill is under finalization but a key gap is the absence of an adequate independent accountability and oversight mechanism to enforce and sanction parties and institutions for non-implementation of 35 percent gender quotas.



NUMBER OF WOMEN IN DECISION MAKING POSITIONS



PUBLIC ADMINISTRATION

333 OF 2,030	TOP CIVIL SERANTS
36 OF 180	STATE MINISTERS
1 OF 10	STATE GOVERNORS
0 OF 13	SECRETARY GENERALS
1 OF 13	TOWN MAYORS
12 OF 339	PAYAM ADMINISTRATORS
6%	PUBLIC UNIVERSITIES



JUDICIARY AND LEGAL

8 OF 54	LEGAL ADVISORS
4 OF 36	HIGH COURT JUDGES
1 OF 15	FIRST HIGH COURT JUDGES
2 OF 13	SECOND HIGH COURT JUDGES



STATE LEVEL PARLIAMENT IS THE EXCEPTION

31.3% = 336 OF 1,075	MEMBERS OF PARLIAMENT
26.6% = 4 OF 15	SPEAKERS OF PARLIAMENT
50% = 4 OF 8	DEPUTY SPEAKERS
26.6% = 88 OF 335	TOP PARLIAMENTARY POSITIONS IN STATE & ADMIN AREAS



The target of 35 percent set for women—in all but 1—decision-making positions **has not been met.**

GENDER MAINSTREAMING IN THE PUBLIC SECTOR

- There are a series of cross-government and sectoral gender mainstreaming mechanisms with focal points in all key institutions and a range of coordination mechanisms. However, limited financial and human resources are key factors constraining mainstreaming of gender in public bodies.
- Gender analysis is ad hoc (mainly funded by donors) and not yet systematic. A systematic approach to gender-responsive budgeting needs to be put in place at national and state levels.

GENDER EQUALITY AND WOMEN'S PARTICIPATION IN PUBLIC ADMINISTRATION

- There is systematic under-representation of women in the public sector:
 - Out of the States/Administrative Areas (AA) public workforce of 77,874 (excluding the South Sudan People's Defense Force (SSPDF)) women constitute only 32.3 percent.
 - Most of the women in the public administration have low educational qualifications: 53.2 percent have no educational qualifications, and only 19.7 percent of civil servants with postgraduate qualifications are women.
 - Efforts to appoint one third of judges as female have not been sustainable, with a large proportion of qualified women opting to leave the sector because of low wages or delayed payment of salaries.
 - There is limited documentation and inadequate data of women's representation in the security sector. This lack of important information undercuts women's role in peace and security initiatives. Women's participation is required in conflict resolution peace building, in the prevention of violence against women and girls, and to advocate for their increased access to justice and health services.

77,874

24,919



At the state level women make up only **32.3%** of the public workforce.

8. Other than women parliamentarians,³ women are under-represented in almost all decision-making positions in public administrations in the ten states and three administrative areas. (States/AA) of South Sudan.

- All 13 state and administrative Secretary Generals are men. There are only 5 women out of 53 Chairpersons of Commissions; and only 8 women out of 44 Deputy Chairpersons.
- Out of 83 county commissioners, only 2 are women, while only 12 out of 339 Payam Administrators are female.⁴
- Out of the 13 Town Mayors in the States/AA, only 2 are women.
- Women hold 78 of the 811 top executive positions in the States/AA.
- Women hold 333 (16.4%) of the 2,030 top civil service positions. Only 32 (11.2%) of 254 Director Generals are women, and 149 (16 %) of 932 Directors are women, while 144 (19.1%) of the Deputy Directors are women and 8 (14%) of 57 Executive Directors are women.
- In the public universities, women only occupy 6 percent of top decision-making positions.

9. Out of the parliaments of the ten state and three administrative areas:

- On average only 25 percent of women hold top parliamentary positions at both the national and State/AA level. This is well below the 35 percent quota.
- There are only 536 women out of 1,725 (31.07%) members of parliament in the TNLA, Council of States, State and AA Assemblies combined.
- 4 of the 15 (27%) speakers are women.
- 4 out of 17 (26%) deputy speakers are women
- 3 out of 32 (9.3%) chief whips are women.
- Only 1 of the 16 (6%) parliamentary clerks is a woman.
- Surprisingly, there are no women legal advisors in any of the legislative assemblies, some States/AAs yet to appoint a legal advisor.
- 49 of the 175 (28%) chairpersons of specialized parliamentary committees are women
- 47 of the 167 deputy chairpersons (28%) are women.

³ Pending confirmation of the final 2021 R-TNLA membership as meeting the 35% women's quota.

⁴ Previously, only 2-3 county commissioners out of 79 were female at any given time.

10. In the judiciary and legal system in the State/AAs:

- 8 (14.8%) of the 54 legal advisors are women.
- At the High Court, there are 4 (11%) women judges out of the 36 judges. Only 1 woman first judge of the 15 first high court judges, 2 women second judges of the 13 second high court judges, and only 1 woman is a third high court judge of 8 third high court judges.

GENDER EQUALITY IN HUMAN RESOURCE MANAGEMENT



11. **Recruitment, promotion, professional development and flexible working environment:** Existing recruitment procedures, appointment mechanisms, promotions system and retention plans, poor working conditions, plus the absence of mentoring schemes undermine the attainment of gender equality in the public administration.

12. **Gender norms and workplace harassment:** Discrimination, gender-based violence (GBV), sexual exploitation and abuse (SEA) and harassment among others, are key issues affecting women in public administration. There are a range of cross-party bodies such as women's parliamentary caucuses, sub-cluster meetings and networks with civic groups, which if well-equipped, can help to highlight discriminatory behaviours and practices.

GEPA INITIATIVES

13. **There are a range of GEPA initiatives, but more effort is needed** in many areas including gender-responsive budgeting, gender analysis and monitoring, gender-sensitive public sector employment practices, and gender equality in the security sector and the judiciary.

SUMMARY OF CHALLENGES AND CONCLUSIONS

Overall, the findings reveal that gaps persist between policy and practice, which undercut successful inclusion of women in the public sector and other decision-making structures.

Seemingly, the signing of the R-ARCSS in September 2018 and its implementation has become a new catalyst and a game changer, and has also stirred up the conversation on the underrepresentation of women in both public life and public administration. Overall findings reveal that gaps persist between policy and practice, which undercut successful inclusion of women in the public sector and other decision-making structures. There are human resource policies and procedures in government to support women's advancement, but institutional environment is poor and there is limited implementation and enforcement mechanisms. This discourages and complicates the judicious efforts calling for the equal access and presence in the executive, the judiciary, the senior civil servants, and the supreme audit bodies, which are imperative institutions of accountability.

The continuous advocacy and lobbying by civic groups have also become 'a push factor' for the gradual numeric representation of women in the executive, in parliament, in peace mechanisms, and in other public offices at national and sub-national levels. While it could be argued that the realized women's access and presence in public life can potentially trigger their increment in the public institutions, we argue that the relationship is not always straight forward because of the past experiences of "rule breaking and rule-bending", and absence of accountability measures. The 35 percent quotas could remain underplayed and ill-conceived as a "glass ceiling" which can potentially undermine women's advancement and promotion to key decision-making positions.

More efforts ought to be directed towards allocating funding support to the aspirants, the newly recruited, and existing women leaders to advance their careers and capacities so they can participate in decision-making and engage effectively in policy and programming with a gender perspective.

RECOMMENDATIONS

Institutional frameworks for gender equality in public administration:

- ▶ **GRSS to conduct a review of the legislative and policy frameworks to integrate the minimum of 35 percent quotas for women in all public administration** (National Gender Policy, National Strategic Plan Framework, Labour Act, 2017, Civil Service Act, and public service regulations), Gender-sensitive public employment practices to consider the review of legislation, working environment, development of guidelines for access, promotion and retention procedures and institute flexible working hours for various groups.
- ▶ **GRSS to establish an independent oversight mechanism and Affirmative Action Bill** to monitor the implementation of quotas and sanctions for non-compliance.
- ▶ **Strengthen the coordination mechanisms with partners and civil society** to participate and provide feedback on the overall implementation of the gender equality strategy.

Gender mainstreaming in the public sector:

- ▶ **MGCSW to work with partners to build capacity of gender focal points in all ministries**, commissions, authorities, and women in general through trainings, mentoring and coaching for effective implementation and monitoring of gender equality agenda in their institutions.
- ▶ **MGCSW to work with the National Bureau for Statistics (NBS) to establish robust monitoring and evaluation mechanisms** to collect sex-disaggregated data against national gender impact indicators and gender equality goals.
- ▶ **The MGCSW to take forward gender-responsive budgeting nationally and at state level**, and build capacity of undersecretaries, gender focal points. Budget and planning officers to budget with a gender lens and integrate gender equality programmes with the support of key partners such as UNDP and UNICEF.

Gender-sensitive parliamentary practices:

- ▶ **MGCSW to work with Ministry of Parliamentary Affairs** and parties to introduce internal measures to promote women's advancement, candidacy and leadership,
- ▶ **Ministry of Parliamentary Affairs to support the formal or informal cross-party women's caucuses** and convene meetings for budget plans, law, and policy review.

Gender-sensitive practices in the judiciary:

- ▶ **The R-TGoNU to establish an adhoc Judicial Reform Committee** for the transformation of the judiciary as per R-ARCSS Article 1.17.3 and restructuring of the Judiciary during the transitional period as per Article 1.17.6.
- ▶ **Security Sector Reform:** Take stock of gender issues in the security sectors and develop gender responsive guidelines to intergrate gender equality in various decision-making structures.

INTRODUCTION



1.1 BACKGROUND

The Ministry of Gender, Child and Social Welfare (MGCSW) has a National Gender Policy (2013) with programmes and plans that promote gender equality and women's empowerment, child protection, social welfare, and social protection. Since its establishment, MGCSW has been working in partnership with like-minded institutions at national and state levels to mainstream gender equality in all government institutions, systems and structures. **As a fundamental principle of human rights, gender equality is a vital strategy to improve the lives of the most vulnerable people as it offers a broad and positive implication for achieving the goals of eradicating poverty, promoting economic growth, and sustainable, peaceful development.**

There is a wealth of evidence suggesting that, given an enabling cultural and legal context, greater gender equality can lead to a more productive workforce. This in turn leads to an increase in investment and growth, women's access to education and employment opportunities, access to political and financial institutions, and improve utilization of natural resources (World Bank 2019; UNFPA 2018, OECD 2018, UNDP 2019). Similarly, integrating gender equality is an important ingredient in assessing and alleviating poverty and hunger, improving maternal and child health, building resilience in communities, and promoting sustainable development. During implementation of policies and programmes several successes and challenges in the areas of participation, prevention, protection, and economic empowerment have been registered. However, the reports continue to show gaps in women's access to information, employment, capacity enhancement, promotion, and representation in public spheres. There is also a lack of justice and reporting in matters pertaining sexual abuse and harassment in workplaces. Even though there are commissions to address human rights and employees' justice related issues, there is inadequate systematic documentation to understand the magnitude of the problem.

The formation of the Revitalized Transitional Government of National Unity (R-TGoNU) offered an opportunity to review and craft gender responsive policies and laws, and so MGCSW, NTLI and UNDP undertook research on Gender Equality in Public Administration (GEPA) to take stock of the current status and inform initiatives aimed at increasing women's access to public administration. It is worth noting that since 2005, there has not been a comprehensive gender analysis of government institutions to provide substantive information on the experiences, successes, and challenges undercutting the promotion of women. Such information is needed to inform policy review and development in order to attain gender equality in democratic governance and development in general.

The gender analysis has generated the following outputs:



- ▶ **Status on the plans and achievements** of the government's commitments on gender equality.
- ▶ **In-depth information and analysis** of the gender issues prevailing in the line ministries and commissions.
- ▶ **Existing resources and efforts directed to improve visibility of gender equality** activities in all government's policies and documents.
- ▶ **Gender equality programmes undertaken by the R-TGoNU** and the extent the strategies put in place are responding to specific needs and priorities of women.
- ▶ **Recommendations for development of a new strategic policy** that will allow the MGCSW to play a more visible role in promoting gender-responsive development and build gender capacity within the government's ministries, sectors, and commissions.

1.2 METHODOLOGY

The study has employed a combined Organization for Economic Cooperation and Development Tool Kit for Assessing Gender Equality in Public Administration and Public Life (UNDP-OECD) as set out in Annex 1. The assessment involves the triangulation of cross-sectional qualitative and quantitative research, utilizing a participatory reflection and action (PRA) approach.

This second phase of the GEPA research was carried out at subnational level,⁵ with target institutions including: Executive leadership, Director Generals, Directors, senior human resource managers, policy and budget officers, gender focal persons, line ministries, national statistical offices, central civil service management departments, parliaments and parliamentary committees, the women's parliamentary caucus on gender equality/women's affairs, political parties, electoral management bodies, academia, the judiciary, civil society, and faith based

⁵ There is a second phase covering the subnational level, the first phase was covering the national level.

organizations. Representatives of civic groups were considered key respondents, as they participate and provide feedback on the government's implementation of its Gender Equality and Mainstreaming Strategy.

A team of 17 researchers, comprised of a team leader, two supervisors, a statistician, and 13 research assistants, administered a structured questionnaire tool, Key Informant Interviews (KIIs), Focus Group Discussions (FGDs) and consultative meetings in each State/AA. Three workshop were held to prepare and orient the data collectors on the key concepts and essence of the research, internal validation, and external validation workshop involving key stakeholders and gender focal persons. Data collected included: the size of national public service; the number of women represented in key decision-making positions; academic and professional qualifications; policies and budget. Other information collected included norms and rules for recruitment, promotion and rewarding mechanisms, codes of conduct; and success and challenges constraining access and retention of female professionals. All ethical considerations were followed, together with and COVID-19 preventive measures during data collection. Data cleaning, analysis and internal validation were undertaken by the team to ensure clarity of data collection.



2. THE NATIONAL GENDER EQUALITY CONTEXT

The attainment of a fair and non-biased gender equality framework remains a challenge in South Sudan and Africa in general.⁶ The numerous conflicts and particular insecurity situation in the country constrict financial resources that could be used for development programmes. Instead, the meagre resources are directed towards humanitarian assistance.

In 2020, communities were hit hard by the triple shock of intensified conflict and sub-national violence, a second consecutive year of major flooding, and the impacts of COVID-19, worsening an already dire humanitarian situation. The living standards deteriorated as the pandemic disrupted livelihoods (UNDP and UoJ 2020).⁷ Surveys conducted in June 2020 showed that 51.2 percent of respondents had reduced earnings from their main income source; and 50.7 percent of the respondents reported reduced incomes by October 2020.⁸ Following the independence in 2011, the Government of the Republic of South Sudan (GRSS) adopted different strategic and special measures to accelerate de facto equality between men and women. Although the country was plunged back into prolonged period of conflict for some years, resulting to untold impact on institutions and governance, this did not deter its efforts of curbing discriminatory practices.

Gender equality, women's representation, access, and involvement in Public Administration are linked to multiple structural and functional constraints, which differ across sectors in South Sudan. Analysis from this study clearly underlines that participation in and access to formal political power structures is impeded by inherent gender imbalance in institutional structures, unequal power sharing, the socio-economic context, culture, and ideological and psychological factors—which remain sticky, normalised and increasingly accepted as part of life. Yet while the legal framework and institutional mechanisms put in place are rich, implementation remains tricky or partially complied in the absence of independent oversight and enforcement bodies. There persist rule-bending and remembrance of old norms denting the progress towards gender equality and women's presence in decision-making in political and public administration.⁹

6 IDEA (2017)

7 United Nations Development Programme and University of Juba (2020)

8 High-frequency Survey 2020 Available from <https://www.worldbank.org/en/data/interactive/2020/11/11/covid-19-high-frequency-monitoring-dashboard>

9 Bazugba et al 2020. Women experiences in the South Sudan Peace Process: Available from <https://cmi.fi/wp-content/uploads/2020/01/womens-experiences-in-the-South-Sudan-Peace-Process.pdf> Accessed on 12/04/2021

2.1 LEGAL AND POLICY FRAMEWORK



Legal framework for GEPA in South Sudan

South Sudan's legal framework for GEPA is set out in Annex 5. Key legislative instruments for GEPA include:

- The Transitional Constitution of the Republic of Sudan (TCSS)
- The Revitalized Agreement on the Resolution of Conflict in South Sudan (R-ARCSS)
- The Labour Act (2017) and Civil Service Act (2011)
- The Local Government Act (2011) and Political Parties Act (2012)

Article 16 (4) of the TCSS places a duty on government at all levels, to promote women's participation in political and public life. It requires women to be representation by at least 35 percent in the executive, legislative, and judicial arms of government at the national, state, and local government levels. As enhanced through the 2018 R-ARCSS and subsequently enshrined into the modified TCSS pending the new Permanent Constitution, the intention is to redress imbalances created by history, customs, and traditions.

Rights and legal provisions related to GEPA are overseen by the national gender machinery spearheaded by the MGCSW, which is mandated to promote gender equality and women's empowerment in the country (see section 2.2). Whereas the Ministry of Labour and Human Resource (MLHR) is mandated to intervene in employment related disputes, including those relating to abuse of rights of workers in the private sectors; the Employee Justice Chambers intervenes in disputes arising between employees of government institutions and their employer. These mechanisms are in place to address all employee/employer disputes including reports of abuse of women's reproductive rights.

While the legislative framework for the protection of the right of equal opportunities and participation for women and men has many provisions that meet international standards and good practices (see Annex 5), there are however also gaps in the legislative framework. For example, ILO Conventions relating to family commitments and maternity pay are yet to be ratified. There is also currently no legal mechanism to enforce the use of gender quotas, for example in recruitment and promotion lists in the public service, although an Affirmative Action Bill is now being finalised. The TCSS recognizes the primacy of customary laws (Article 5), which contradicts the statutory laws.

An important window of an opportunity to build a more gender responsive constitution and legal framework has opened through the Permanent Constitution-making Process (PCP). Strong women’s participation in the PCP is essential to ensure it becomes fully gender-sensitive, and an important national strategy for Women’s Inclusion in the PCP has been developed by South Sudanese women in partnership with the MGCSW and international partners (IDEA 2021).

National Policy Framework for Gender Equality

The UNDP-OECD Framework highlights the need for a clear national vision for gender equality, as well as a “Whole of Government” strategic plan, with a results-oriented plan developed through broad consultation, and regular assessment of progress conducted.

In terms of policies, South Sudan enacted its National Gender Policy in 2013. It requires all government interventions to address all challenges faced by women, men, and children of South Sudan in an integrated manner and to avoid fragmentary impact. There is also a National Gender Strategic Action Plan (2013-2018) and a National Action Plan for the Implementation of the UN Security Council Resolution 1325 (2015-2020, reviewed in March 2021). Other policies include a National Disability and Inclusion Policy (2013) that addresses and responds to multiple vulnerabilities faced by people with disabilities. Other important strategies to promote GEPA include the South Sudan National Development Strategy (SSNDS 2018-2020), and a range of sectoral policies such as the South Sudan Strategic Plan for War Disabled and Widows and Orphans, 2020–2023

Despite the existence of a broadly comprehensive legal and policy framework, implementation lags behind. The range of different factors underlying the poor implementation of laws and policies relating to GEPA are explored in sections 2.2 and 2.3, as well as in section 3.



2.2 INSTITUTIONAL FRAMEWORK AND RESOURCES

The UNDP-OECD Framework highlights the need for a lead institution for gender equality with adequate powers, responsibilities, and resources. The roles and responsibilities to be clearly assigned across government.

The MGCSW plays the lead role in promoting and coordinating gender equality policies and programmes in the public sector and more broadly. Its mandate and responsibilities are clearly set out in the National Gender Policy, as is the need for mainstreaming of gender equality across all branches and sectors of government, and at all levels.

Despite having the necessary delegated functions, responsibility and technical competencies, the MGCSW has a small number of staff and does not have enforcement powers. Equally, oversight bodies are yet to be established to demand enforcement and accountability, or to sanction parties for non-adherence to the agreed norms (see section 2.6). There is a need to provide more resources to support the gender mainstreaming process across government sectors and institutions. Future appraisal of the coordination mechanisms and resources directed to Gender Equality and Women’s Empowerment (GEWE) programmes is needed for accountability and assessment of their effectiveness to reduce duplication efforts.

A number of other bodies have an important role to play in promoting gender equality in the public sector and in public administration. For example, the Ministry of Labour and Human Resources, the Human Rights Commission, the Media Authorities, Public Employee Justice Chamber, and Women Parliamentary Caucuses at national and state levels.

Despite a robust national mechanism and structure for gender equality as set out in the National Gender Policy, coordination is under-resourced. Of the national GRSS annual budget for FY2020/2021 (SSP 218.19 billion), only 697 million (approx. 0.32%) was allocated to the MGCSW, and the draft FY2021/2022 MGCSW allocation is SSP 925 million out of a total budget of SSP 533 billion (only 0.17%). Building sustainable domestic financing of nationally-led efforts to promote GEWE is an important overall goal, but is not likely to be achieved in the short to medium term. Dependency on international financing (both multilateral and bilateral) to support gender equality initiatives in the public sector remains high.

SSP 218.19 billion

\$\$

SSP 697 million

0.32% OF THE NATIONAL BUDGET ALLOCATED TO THE MGCSW



2.3 MONITORING, ACCOUNTABILITY, AND OVERSIGHT

The UNDP-OECD Framework highlights the need for an independent oversight body or commission to monitor government progress, with full implementation of the recommendations of this body, and regular assessment of progress towards gender equality goals.

Monitoring

Monitoring assesses progress, improves decision making, allows programmes to be adjusted for greater impact, and enhances accountability and institutional learning. Currently, national monitoring of gender equality is taken forward as follows:

- The MGCSW uses national Key Performance Indicators, or KPIs, for monitoring and tracking progress on gender mainstreaming as a strategy to achieve gender equality across sectors, including line ministries at national and state levels, and is responsible for reporting on the implementation of National Development Strategy, as well as approves the National Annual Report on the UNSCR 1325 and submits it to MFAIC, which then presents it to the Council of Ministers and then tables it for debate in Parliament.
- Every two years, the GRSS submits reports on the UNSCR 1325 and Women, Peace and Security (WPS) agenda to the UN Secretary-General. The NSC and State Steering Committees (SSCs) coordinate implementation, monitoring and reporting of the UNSCR 1325, involving implementing partners at all levels.
- The National Bureau for Statistics (NBS) conducts surveys to support gender equality monitoring,
- The Education Management Information Management System (EMIS) monitors progress in the education sector.
- South Sudan Women General Association monitors women's participation in leadership at all levels.
- Chamber of Women Entrepreneurs South Sudan monitors women's participation in small and medium sized enterprises (SMEs).

Despite the above, a lot more effort is needed to build a strong framework to monitor progress on gender equality goals. In support of this, UNDP is working with the NBS to build a stronger framework to monitor progress towards the Sustainable Development Goals (SDGs) including SDG 5 on Gender Equality.



Accountability and oversight

To ensure adequate accountability and oversight, independent and rigorous scrutiny of progress towards gender equality goals by parliament is needed.

For example, a gender review of all legislation by the Committee for Gender, Youth, and Persons with Disabilities in Parliament. An independent commission focused on gender equality could also be important, although this would need high level political backing as international experience (e.g. elsewhere in Africa) on this is mixed. Such bodies are frequently under-resourced, lack political clout, and in some cases are used as an excuse not to robustly mainstream gender across all sectors of government.

2.4 GENDER EQUALITY IMPLEMENTATION AND COORDINATION MECHANISMS



The UNDP-OECD Framework highlights the need for effective intergovernmental coordination of gender equality initiatives at different levels, with all government institutions being equipped to mainstream gender.

2.4.1 Coordination Mechanisms

Currently, there are a number of mechanisms for coordination, reporting and information sharing in respect of GEPA. These are listed below:

Governmental mechanisms the national and state levels include:

- The Inter-Ministerial Committee comprised of five ministries,¹⁰ as well as an Inter-Ministerial Gender Technical Committee comprised of public servants from all government institutions.
- The Gender and Youth Cluster. This falls under one of the Vice Presidents. The MGCSW participates on a weekly basis to report and share its implementation plans.
- The Women's Caucus in national and state parliaments that provides a cross-party forum for the coordination between women members of parliament.

¹⁰ Ministry of Gender, Child and Social Welfare, Ministry of Defence and Veteran Affairs, Ministry of Foreign Affairs and International Cooperation, Ministry of Finance and Economic Planning; and Ministry of Health.

Sector-specific coordination mechanisms at national and state levels:

- WPS Forum involving the MGCSW and national NGOs, CSOs and other development partners.
- Gender Desks at the national level in each ministry or commission. Gender Focal Persons are yet to be appointed in state governments.
- Budget Sector Working Groups (coordinated by MoFEP), which are a potential mechanism for gender mainstreaming across all sectors.
- Security sector coordination mechanisms, including networks of senior women in the police and SSPDF (also to be brought together into one SSR network), the Police Community Relations Committee (PCRC), and Special Protection Units.
- The Chamber of Women Entrepreneurs (CoWE) for coordination within the private sector.

Subnational mechanisms:

- State government gender committees, and ‘One Stop Centres’ at the state level.

Mechanisms involving or led by international partners:

- The UN Protection Cluster and GBV Sub-cluster meeting.
- The reconstituted Gender Theme Group of the United Nations Treaty Collection (UNTC) enhances the overall coordination within the UN system.
- The three R-ARCSS thematic working groups: (i) Constitution-building (ii) Transitional Justice (iii) Security Sector Reform.
- The WPS donor group,¹¹ which consolidates financial, technical and advocacy resources to advance the cause of WPS and provides a source of multi-year funding to women’s organizations.

2.4.2 Strategies & Policies for Promoting Gender Equality and Mainstreaming

The findings show that on average 54 percent of the institutions consulted have established policies and programmes for promoting GEWE as well as WPS as per CEDAW and UNSCR 1325, shown in **Figure 1**. The data shows that 60.6 percent of public institutions have some form of initiative to promote women’s

¹¹ Involving UN agencies, the Intergovernmental Authority on Development (IGAD), and institutions established under R-ARCSS, but not limited to, the Joint Monitoring and Evaluation Commission (JMEC), Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) and National Constitutional Amendment Committee (NCAC)

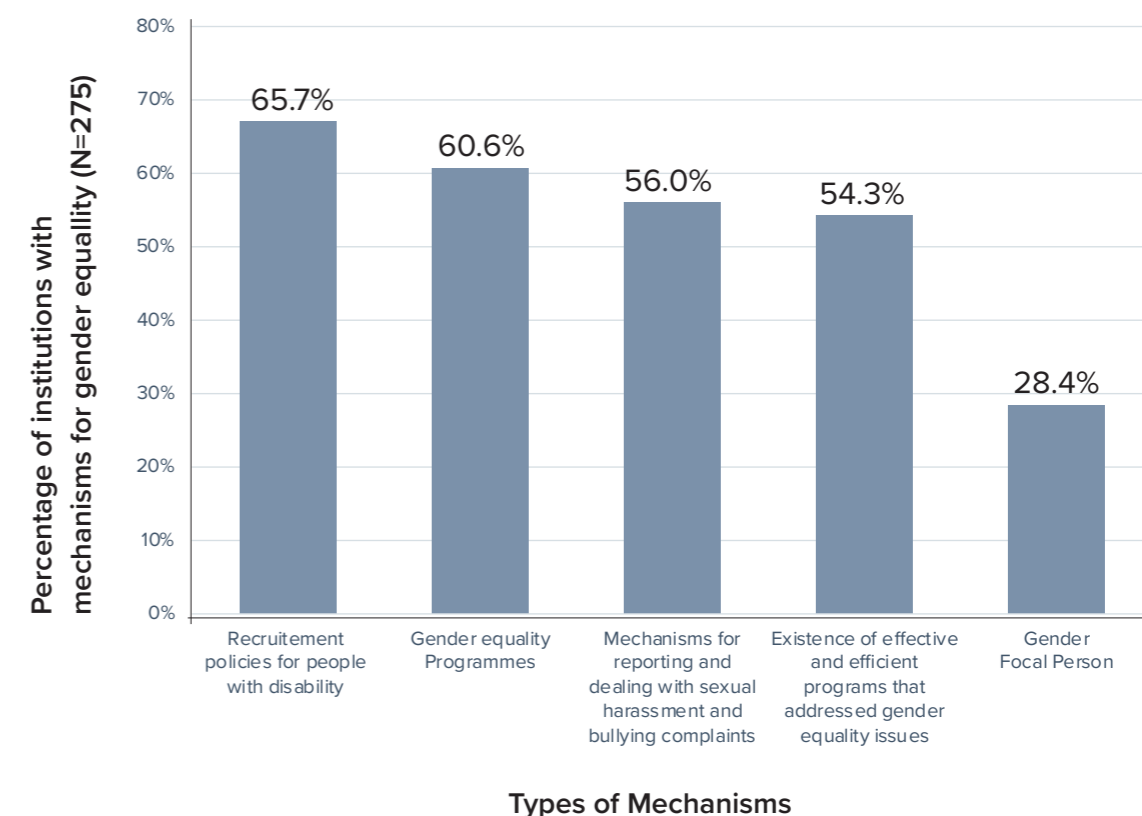
54% OF THE INSTITUTIONS HAVE POLICIES AND PROGRAMS FOR PROMOTING GEWE.

participation in public administration and 28.4 percent of the public institutions have established gender department, but only 54.3 percent of them have functional gender programmes. The rest have no specific funding for gender mainstreaming projects. There are various gender equality and mainstreaming (GEM) initiatives established in ministries of gender and in commissions.

To enhance GEM more efforts are recommended towards provision of:

- Women’s empowerment training and scholarships; conferences, workshops, seminars.
- Support to women with special needs.
- Increased equal recruitment process, appointment, and equal salary structure for men and women in the MGCSW, in Higher Education Institutions, and in the Ministry of Parliamentary Affairs.
- More equal representation of both genders in any initiative in the institution, including gender equality in decision making positions.

Figure 1: Mechanisms for gender equality in public sector institutions



Types of Mechanisms

SPECIFIC EFFORTS HIGHLIGHTED TO MAINSTREAM GENDER IN DIFFERENT SECTORS INCLUDE:



- ▶ Provide training opportunities to women in all sectors: Transformational Leadership, Peace Building and Mediation, GBV, Girl Child Protection Awareness, Civic Education, Business.
- ▶ Training for peace committees.
- ▶ Build capacity of women parliamentary caucuses at national and state levels and link them with grassroots level women.
- ▶ Entrepreneurship and adult education.
- ▶ Training women in small business, peace dialogues, and support financial assistance to women.
- ▶ Vocational training for women.
- ▶ Support Girls Education Movement to reduce school drop-out and prepare them for future leadership positions.
- ▶ Family planning/health education programs.
- ▶ Promote Women Reproductive Health and Rights Programmes, nursing and midwifery, and prevention of STDs/STIs, HIV/AIDS.
- ▶ Sharing information about HIV infection prevention to all men and women. Create awareness for all without discrimination.
- ▶ Media engagement to increase visibility of women.
- ▶ Advocacy on implementation of the 35 percent minimum threshold during recruitment and promotion and ensure safe working environment.
- ▶ Women's inclusion by at least 35 percent in all government institutions and in local courts for justice enhancement.
- ▶ Recognize and celebrate International Women's Day—16 Days of Activism.
- ▶ During International Women's Day, both men and women participate in the occasion.
- ▶ Support 'One Stop Centers' for treatment and counselling for survivors of violence, and provide psychosocial support, counselling and trauma healing.
- ▶ Promote self-esteem programmes including sports and recreation for women.

Existing programmes and activities promoting gender equality

Table 1: Various GEWE programmes and objectives by state and administrative areas

State/AA	Objectives of Activities
Abyei Administrative Area	Encouraging women's participation in technical work such as building and construction.
	Supporting women's programs in gender equality and empowerment.
	Training women in leadership skills and advocate for equal job opportunities.
	Training women in small business and support financial assistance to women.
Central Equatoria	Advocate for affirmative actions and gender mainstreaming in during recruitment.
	Promote Girls Education Movement. Engage more women in radio talk shows.
	Looking after street children with focus on girls, taking care of orphan and awareness to the grassroots on importance of gender equality.
	Prevent people from HIV infection equally, information sharing to all regardless of being male/female, and creating awareness to all without discrimination.
	Sharing of ideas and information, every gender to participate in all the programmes at the institution.
	There is equal participation. Women are overtaking in nursing and midwifery departments. We consider qualifications and experience since these are technical posts.
	Training opportunities.
Eastern Equatoria	Civic education unit
	Training opportunities
	During International Women's Day both men and women participate
	Gender awareness on GBV issues
	Radio talk shows (use of media)

State/AA	Objectives of Activities
Jonglei	Child protection unit.
	Training opportunities.
	Sensitization on GBV.
	Girl Education Day celebration.
	Sports for women, such as volleyball, basketball, tennis, and athletics.
Lakes	Training for women in peace dialogues.
	National Girls Strategy 2018-2022.
	Recruitment of women teachers.
Northern Bhar el Ghazal	Cash transfers to girls.
	GBV awareness programs.
	Radio talk shows on gender equality.
	Health education programmes.
	EPI social mobilizer.
	Family planning/health education programs.
	Providing safe working environment.
	Training opportunities.
	Training for peace committees.
	Capacity building of 'Women Caucus'
Pibor Administrative Area	Capacity building for women
	Recognition and celebration of International Women's Day and Empowerment training for women.
	Training for women leaders.
	Vocational training for women.
Ruweng	Women empowerment 35% affirmative action

State/AA	Objectives of Activities
Unity	Child protection
	Implementation of 35% affirmative action
	Food distribution to vulnerable households
	Promote reproduction health and rights: HIV/AIDS, family planning, GBV awareness, 'One Stop Center' for treatment
	Rights of land ownership to all genders
	Women's empowerment trainings
	Training of women leaders in recognition of International Women's Day
	Women representation in Bentiu bench court
Upper Nile	Capacity building for women on 35% affirmative action implementation
	Girls Education Movement, training opportunities for women both within and outside the government,
	Engage more women in radio talk show
	South Sudan Women Economic Empowerment project (SSWEEP) Awareness of women's rights issue in South Sudan.
	Adult education
Warrap	End child marriage.
	Girl child education
	GBV awareness programmes
	Nursing and midwifery programmes.
	Providing safe working environment
Western Bhar el Ghazal	Training for women leaders, women's empowerment programmes
	GBV awareness programmes
Western Equatoria	Sports activities
	Training for women leaders, women's empowerment programmes
	GBV awareness programmes



2.4.3 Factors Constraining GEM In the Public Sectors' Policies and Plans

Limited financial and human resources appear to be the key factor constraining gender mainstreaming in policies and programmes. Although there are clear roles and mandates, in some state ministries of gender the sectors were constrained by limited resources and the capacity to implement gender mainstreaming (including gender analysis as well as monitoring and oversight of gender equality programmes). Resources are needed for sector specific gender mainstreaming activities and capacity building of staff who are to support other sectors. **Figure 2** shows that, on average, 81.5 percent of the public institutions consulted lack funding to implement GEM programs. The other factors cited included the lack of human capacity and lack of skills. **Figure 3** illustrates the same constraints identified by the institutions, broken down per state and administrative area. **Table 2** provides the amount each State/AA received and the amount allocated per ministry for GEM activities. In total, the States/AAs received SSP 119,105,495 in FY 2021/-2022 for GEM activities. **Figure 4** shows that all but four State/AA institutions who received funding for GEM activities are uncertain about the exact amount of funding allocated.

Figure 2: Factors constraining gender mainstreaming the public sectors (N=265)

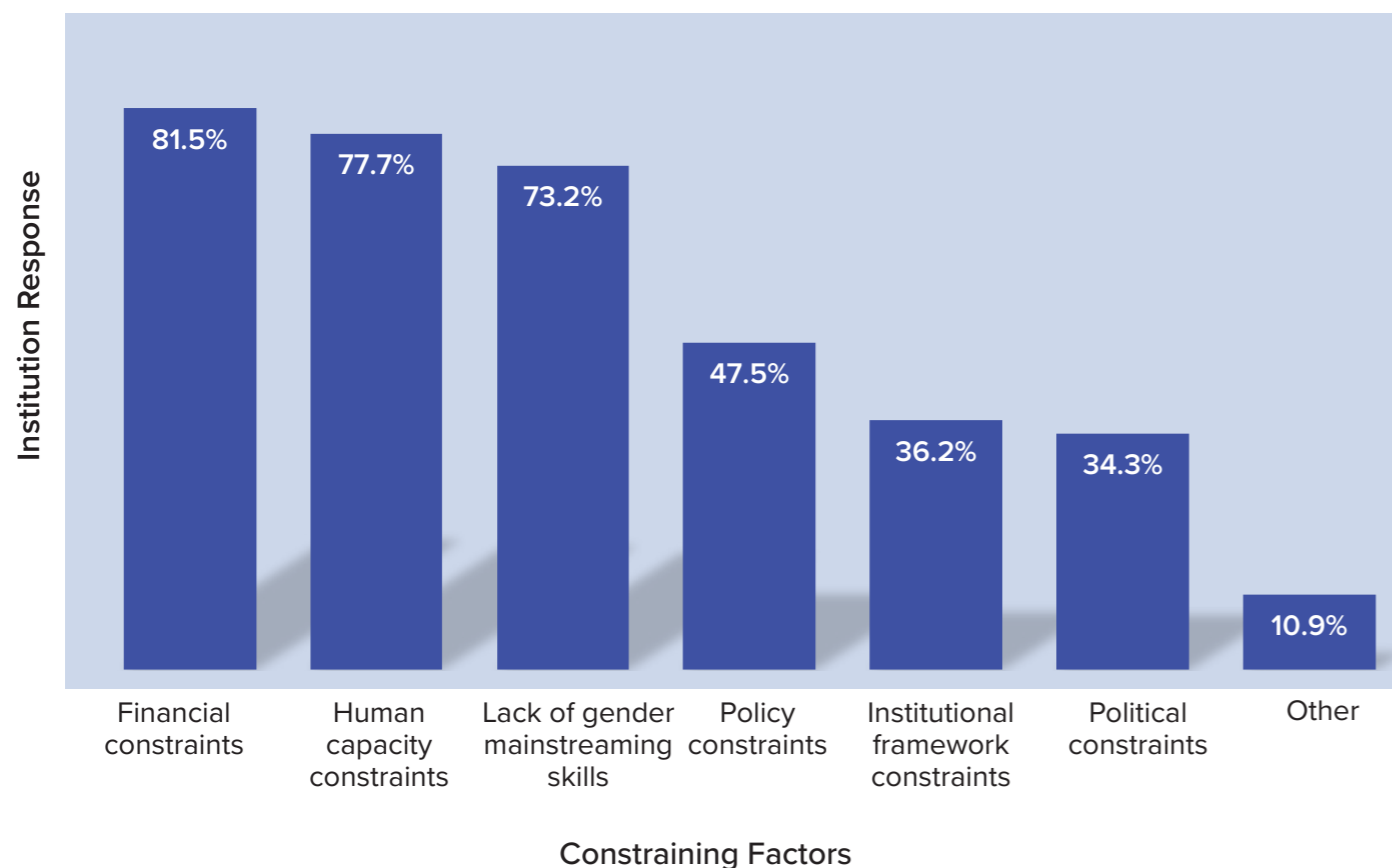


Figure 3: Factors constraining gender mainstreaming the public sectors per State/AA

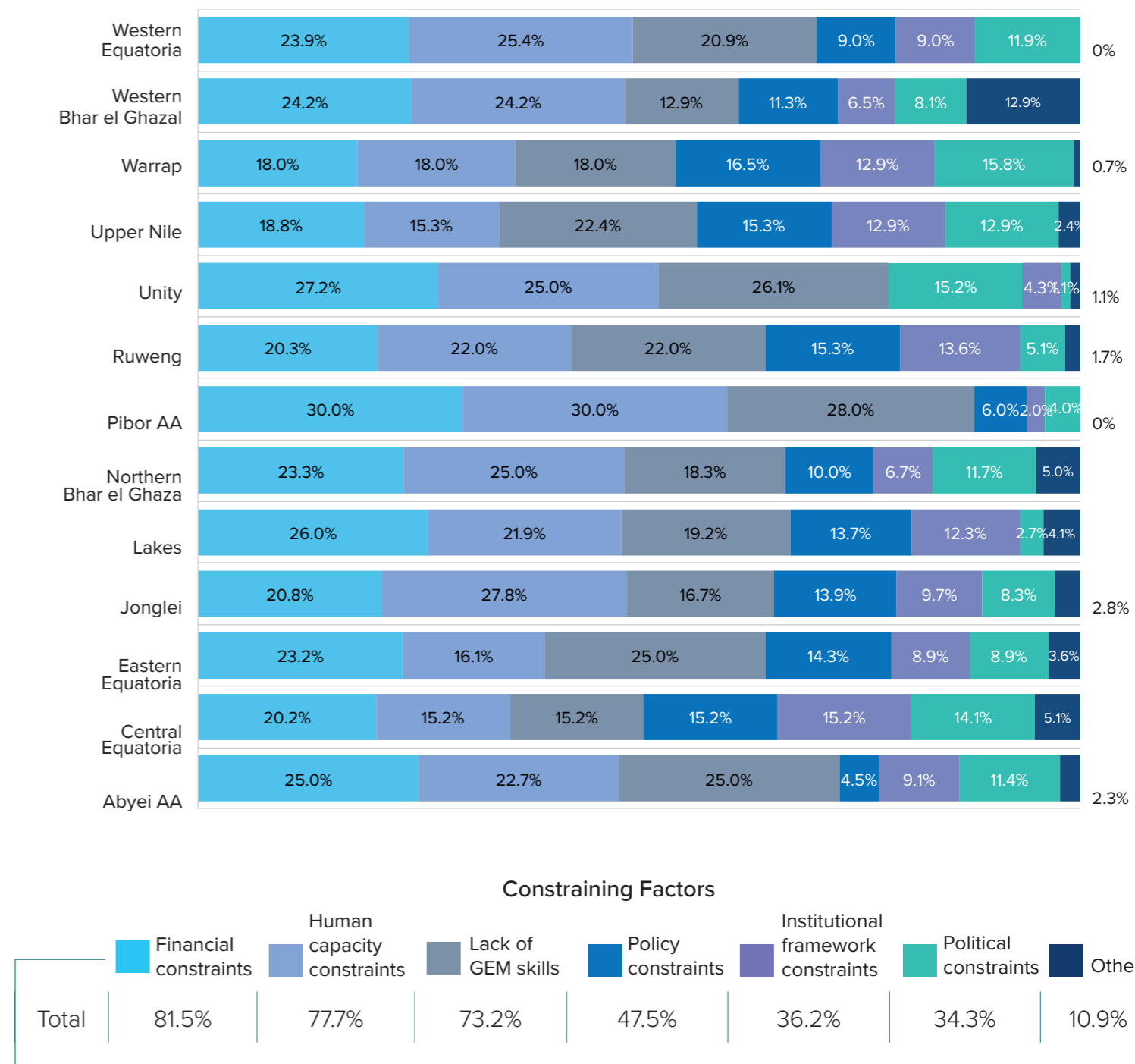
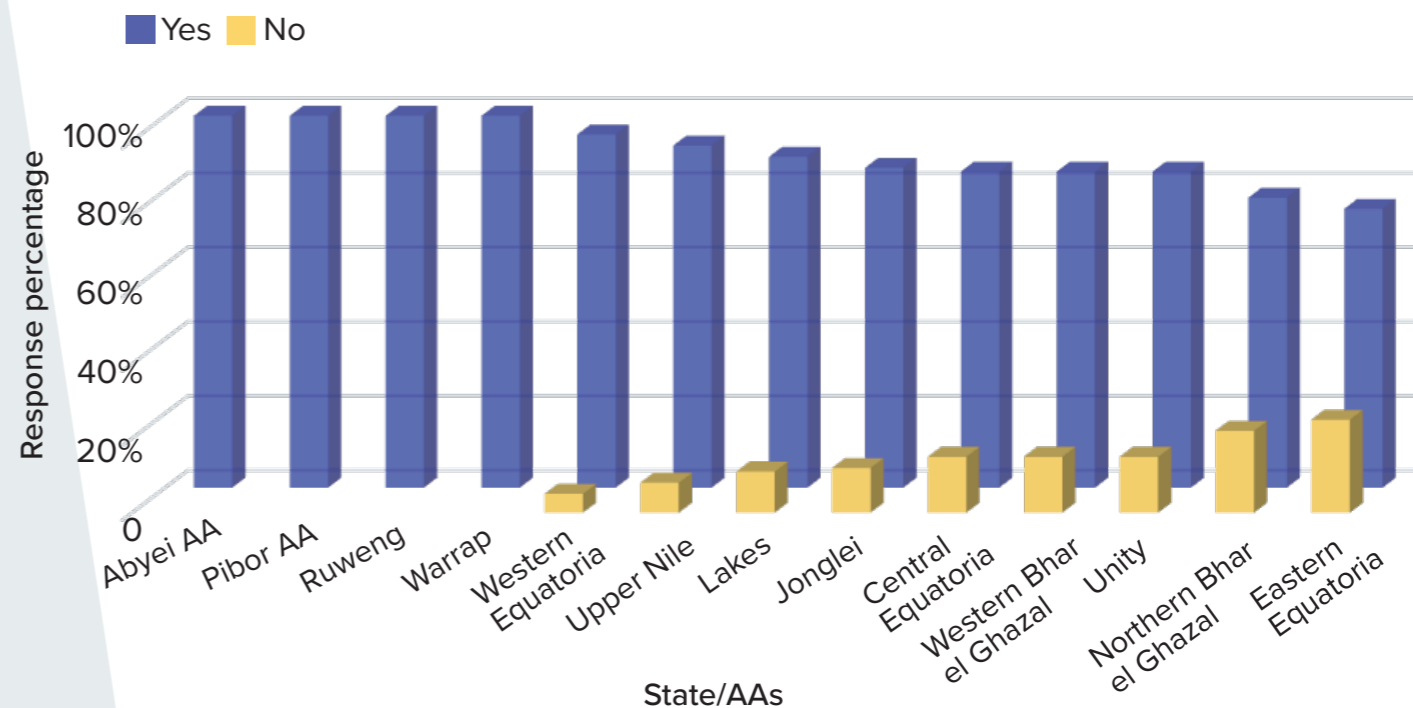


Table 2: Estimated resources allocated for GEM activities in state institutions 2021/2022 (N = 6/275)

State/AA	2021 Annual budget (in million SSP)
Central Equatoria	106.0
Ministry of General Education and Instructions	100.0
Ministry of Cabinet Affairs	6.0
Eastern Equatoria	2,996495
Ministry of Gender, Child and Social Welfare	0.816495
Revenue Authority	1.6
Employees Justice Chamber	0.58
Jonglei	5.0
Ministry of Culture, Youth and Sport	5.0
Lakes	0.397
Ministry of Cooperative and Rural Development	0.307
Ministry of General Education and Instructions	0.09
Northern Bahr el Ghazal	3,712
Ministry of Gender, Child and Social Welfare	0.5
Ministry of Peace Building	2
Ministry of Labour	0.1
Ministry of General Education and Instructions	1.112
Unity	1.0
Ministry of Health	0.2
Ministry of General Education and Instructions	0.5
Ministry of Finance, Planning and Investment	0.2
HIV/AIDS Commission	0.1
Total	SSP 119,105,495

Figure 4: Awareness of resource allocation for GEM activities

Survey Question: Are there budgetary/resources allocation or efforts in place for gender mainstreaming activities in your institution? (n = 266)



The following tables (Table 3 and Table 5) provide a summary of challenges and successes in the implementation of gender equality programs as reported by institutions from the semi-structured questionnaires. The percentages are deduced from the responses provided in semi-structured questionnaires.

Table 4 provides the list of challenges in the implementation of gender equality programmes disaggregated by State/AA.

Table 6 provides the list of successes in the implementation of gender equality programmes disaggregated by State/AA.

Table 3: Summary of challenges to mainstreaming gender equality¹²

Key challenges in the implementation of gender equality programmes	%
Low education levels among women.	8.9%
Negative culture and men's negative perceptions & attitudes toward women.	8.1%
Lack of adequate financial resources.	8.1%
Lack of awareness about gender equality.	7.3%
Early child marriage.	6.5%
Lack of clear gender policy that protects women's rights.	6.5%
Lack of political will from the government.	6.5%
Poor coordination and monitoring mechanism.	6.5%
Insecurity in the country.	5.6%
Lack of gender desk or department to handle gender issues.	5.6%
Poor mobility capability.	5.6%

Key challenges in the implementation of gender equality programmes	%
Family obligations and expectation by men and women.	4.8%
Lack of communication and information sharing.	4.8%
Lack of statistical information and data center.	4.0%
Poor justice system (customary law).	2.4%
Lack of enforcement of the gender laws.	1.6%
Cut down of trees and farm areas destructions to refugee settlers.	0.8%
Flooding	0.8%
Forced marriage	0.8%
Host communities are not considered but only refugees.	0.8%
Lack of center for GBV survivors	0.8%
Lack of computers and printers	0.8%
Lack of awareness about gender equality	0.8%
Pollutions from oil extractions destroys sources of livelihoods and posses a health risk.	0.8%
Poor working environment	0.8%
Total	100%

12 Percentages of institutions interviewed deduced from semi- structured questionnaires

Table 4: Key challenges in the implementation of gender equality programmes per state and administrative area.

Key challenges in the implementation of gender equality programmes per State/AA	Abyei AA	Central Equatoria	Eastern Equatoria	Jonglei	Lakes	Northern Bhar el Ghazal	Pibor AA	Ruweng	Unity	Upper Nile	Warrap	Western Bhar el Ghazal	Western Equatoria
Low education levels among women.	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓
Culture and men's negative perceptions & attitudes toward women.	✓		✓	✓	✓	✓	✓		✓	✓	✓		✓
Lack of adequate financial resources.	✓	✓	✓	✓	✓				✓	✓	✓	✓	✓
Lack of awareness about gender equality.	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
Early child marriage.	✓		✓	✓	✓		✓	✓		✓	✓		
Lack of clear gender policy that protects women's rights.	✓	✓	✓	✓		✓			✓	✓		✓	
Lack of political will from the government.	✓			✓	✓	✓		✓			✓	✓	✓
Poor coordination and monitoring mechanism.			✓		✓	✓	✓	✓	✓			✓	✓
Insecurity in the country.	✓	✓		✓	✓		✓		✓		✓		
Lack of gender desk or department to handle gender issues.		✓		✓		✓		✓	✓		✓		✓
Poor mobility capability.			✓	✓			✓		✓		✓	✓	
Family obligations and expectation by men and women.		✓			✓	✓	✓			✓		✓	
Lack of communication and information sharing.		✓			✓	✓			✓		✓		✓
Lack of statistical information and data centre.		✓		✓					✓		✓		✓
Poor justice system (customary law).				✓					✓			✓	

Table 4 con't: Key challenges in the implementation of gender equality programmes per State/AA.

Key challenges in the implementation of gender equality programmes per State/AA	Abyei AA	Central Equatoria	Eastern Equatoria	Jonglei	Lakes	Northern Bhar el Ghazal	Pibor AA	Ruweng	Unity	Upper Nile	Warrap	Western Bhar el Ghazal	Western Equatoria
Lack of enforcement of the gender laws.												✓	✓
Cut down of trees and destruction of farm areas due to refugee settlers.								✓					
Flooding									✓				
Forced marriage													
Host communities are not considered, but only refugees.								✓					
Lack of GBV survivors' centre	✓												
Lack of computers and printers											✓		
Pollution from oil extractions destroys sources of livelihoods and poses a health risk.								✓					
Poor working environment							✓						

Table 5: Summary of progress/successes made in mainstreaming gender equality¹²

Key successes in the implementation of gender equality programmes	%
Success implementation of empowerment, awareness and capacity building projects.	12.2%
Improvement in the literacy rate among women (increase in girls' enrollment to school).	11.2%
Increase in the number of women in decision making positions.	11.2%
Increment of affirmative action quotas for women in public administration from 25% to 35%.	11.2%
Acquire some funds to support gender programs.	6.1%
Reduction of the GBV cases.	5.1%
Change of attitude to allow girls to attend schools.	4.1%
Reduction of girls' early marriage cases.	4.1%
Change in attitudes and norms that discourage women's participation in public spheres.	3.1%
Formation of women associations.	3.1%
Construction of women's empowerment centre.	2.0%
Establish gender desk/department.	2.0%
Improved mobility.	2.0%
Men and women have equal access to information and justice.	2.0%
Attainment of rights for women to own land.	1.0%
Celebration of International Women's Day.	1.0%
Construction of the GBV safe house.	1.0%

Key successes in the implementation of gender equality programmes	%
Enact laws to prevent women from discrimination.	1.0%
Established effective gender equality structures and embed the gender equality plan into these structures.	1.0%
Establishment of mobile court to address gender issues.	1.0%
Free HIV testing.	1.0%
Effective response mechanisms for GBV survivors.	1.0%
High political will within the government to address gender equality.	1.0%
Improved gender related services.	1.0%
Increases in recruitment of women into the teaching profession.	1.0%
Increases in the number of women involved in SMEs	1.0%
Involvement of churches in peace processes.	1.0%
Monthly GBV sub-cluster meetings.	1.0%
Participation of the women in peace process.	1.0%
Protections of women against GBV and harassment.	1.0%
Review of customary laws to address gender equality.	1.0%
Significant increase in the number of men and women who accept the use of condoms.	1.0%
Successful partnership with external players in dealing with gender equality.	1.0%
Training of men and women in vocational fields.	1.0%



Table 6: Progress/successes made in mainstreaming gender equality by State/AA.

Key successes in the implementation of gender equality programmes.	Abyei AA	Central Equatoria	Eastern Equatoria	Jonglei		Lakes	Northern Bhar el Ghazal	Pibor AA	Ruweng	Unity	Upper Nile	Warrap	Western Bhar el Ghazal	Western Equatoria
Successful implementation of empowerment, awareness and capacity building projects.	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓
Improvement in the literacy rate among women (increase in girls' enrollment to school).	✓	✓	✓			✓	✓	✓		✓	✓		✓	✓
Increase in the number of women in decision making positions.	✓	✓		✓		✓	✓	✓		✓	✓	✓	✓	✓
Increment of affirmative action quotas for women in public administration from 25 percent to 35 percent.	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓	
Acquired some funds to support gender programs.	✓		✓				✓				✓	✓		✓
Reduction in GBV cases.		✓				✓		✓		✓		✓		✓
Change of attitude to allow girls to attend schools.			✓	✓							✓	✓		
Reduction in girls' early marriage cases.								✓		✓		✓		✓
Change in attitudes and norms that discourage women's participation in public spheres.			✓				✓				✓			✓
Formed women associations.	✓						✓							✓
Constructed a women's empowerment centre.								✓		✓				
Established gender desk/department.				✓							✓	✓		
Improved mobility.			✓									✓		
Men and women have equal access to information and justice.										✓			✓	
Women attained the right to own land.										✓				

2.5 GENDER ANALYSIS AND GENDER-RESPONSIVE BUDGETING



2.5.1 Gender analysis and gender equality monitoring in the public sector

For decision and policy making to be gender sensitive and evidence-based, there should be high quality and readily accessible gender disaggregated data. While many gender-focused studies have been conducted in the public sector in South Sudan, almost all have been initiated and funded by international development partners. Less than 2 percent of those interviewed mentioned that gender assessments had been carried out in their ministry or sector. Gender analysis such as gender impact assessments has yet to be routinely mainstreamed. The absence of gender related statistics and sex-disaggregated data hinders planning and increases gender bias in service delivery. Efforts to enhance the availability of sex-disaggregated data and build related capacities are being led by the NBS with support from UNDP. Specifically, efforts are underway to enhance the monitoring of the SDGs from a gender equality perspective, including the development of a national action plan to take this forward.

2.5.2 Gender-Responsive Budgeting

Other than the budget allocated to the MGCSW (less than 0.3 percent of the annual budget), no estimate of government expenditure on GEWE focused expenditure across different ministries and sectors is available. The figure is likely to be low. Despite this, important initial steps towards gender-responsive budgeting are being taken by the Ministry of Finance and Economic Planning. This effort is being spearheaded by the World Bank through the integration and mainstreaming of a gender focus in the annual Budget Sector Working Group (BSWG) process. Strengthening of public financial management and gender-responsive budgeting is considered to be an important opportunity area going forward.



3. GENDER EQUALITY IN PUBLIC ADMINISTRATION

3.1 PUBLIC ADMINISTRATION CONTEXT

The R-TGoNU has reverted to a decentralized system of governance with 10 states and 3 administrative areas.¹³ The National Ministries of Public Service and Human Resource Development and State Ministries of Public Service and Human Resource Development provide human resource policies, recruitment, appointment and promotion of civil service using the Civil Service Laws¹⁴ and the National Constitution.¹⁵ The Public Grievances Chamber, National Employees Justice Chamber, and Civil Service Commission support the administration of public servants in South Sudan. The President has the powers to appoint and remove any civil servant using the mandate provided by the law, a practice which limits both political positions and public administration positions.

3.2 EQUALITY OF REPRESENTATION IN THE PUBLIC SERVICE

At the national level, the overall public sector administration has a workforce of 67,911 at the national level, with the representation of women standing at 27 percent, which is lower than the minimum of 35 percent that is constitutionally provided.

At the State/AA level, the overall public sector administration has a workforce of 77,874, with the representation of women standing at 32.3 percent, which is lower than the minimum of 35 percent constitutional provided, as shown in Table 2. It must be noted that though the number of women is progressively increasing, most of women are occupying the lower positions. There are fewer women occupying leadership positions from the level of Deputy Director up to the ministerial level. This is probably because these higher level positions require a higher education level, but the level of illiteracy for women stands at 82 percent.

¹³ This follows a period from 2015-17 when there were 28 states, and 2017-20 when there were 32.
¹⁴ The South Sudan Civil Service Act 2011
¹⁵ TCSS (2011) Amended.

At the national level out of 67,911 employees in public sector administration there are 18,335 women=27%.



At the State/AA level, the public sector administration has a total of 77,874 employees. There are 25,119 women = 32.3%.

Table 7: Size of the State/AA public administration by position and gender

Positions of employees	Women	Men	Total (N)
Executive (Town Mayors, Payam Administrators, County Commissioners, Deputy Chairpersons, Chairpersons, State Secretary General, Deputy Ministers, Ministers, State Advisors and Governors)	78 (9.6%)	733 (90.4%)	811
Parliament (Legislative Assembly)	351 (30.6%)	796 (69.4%)	1,147
Civil Service	24,678 (32.5%)	51,149 (67.5%)	75,827
Judiciary and Legal Service	12 (13.4%)	77 (86.6%)	89
Total	25,119 (32.3%)	52,755 (67.7%)	77,874

3.2.1. Civil Service

Figure 5 shows that women make up the majority (82%) of the public servants who have no educational qualifications. This explains why there are few women in classified and higher paid jobs. Consultations with gender focal persons from government ministries and commissions revealed that lower levels of educational achievement (including some who may lack basic literacy skills) combined with limited digital literacy skills limit the chances for women to be considered for more senior and leadership positions. There is also a negative mindset that certain sectors (such as the SSPDF, national security, infrastructure, or petroleum sectors) are inappropriate for women, because of associated security risks, the need for high-level technological skills, or perceived hardship. Women are generally encouraged to join service industries such as hospitality, medical, teaching, and small businesses. There are only a few women employed in technical and scientific fields including the Ministry of Roads and Bridges.

3.2.2. Legislature

The current electoral system in South Sudan (which has largely been superseded by political appointments) contains a “Women’s List”. This list has historically set aside 25 percent of parliamentary seats for women. Few women have been elected or appointed other than through the Women’s List, and those elected or appointed through the List have spoken about being made to feel “second class” members of parliament. There is therefore, a need for electoral and political party reforms going forward to ensure that women can compete equitably for core geographical constituencies, and that female candidates are fielded by all political parties. A range of different forms of electoral system could be employed to generate the minimum 35 percent representation going forward. **Table 8** provides the data of the actual number of women and men and the percentage of each in the various roles within the legislature at both the National and State/AA level. **Table 9** provides the data of the actual number of women and men per role per State/AA area.

Figure 5: Education level of civil servants by gender

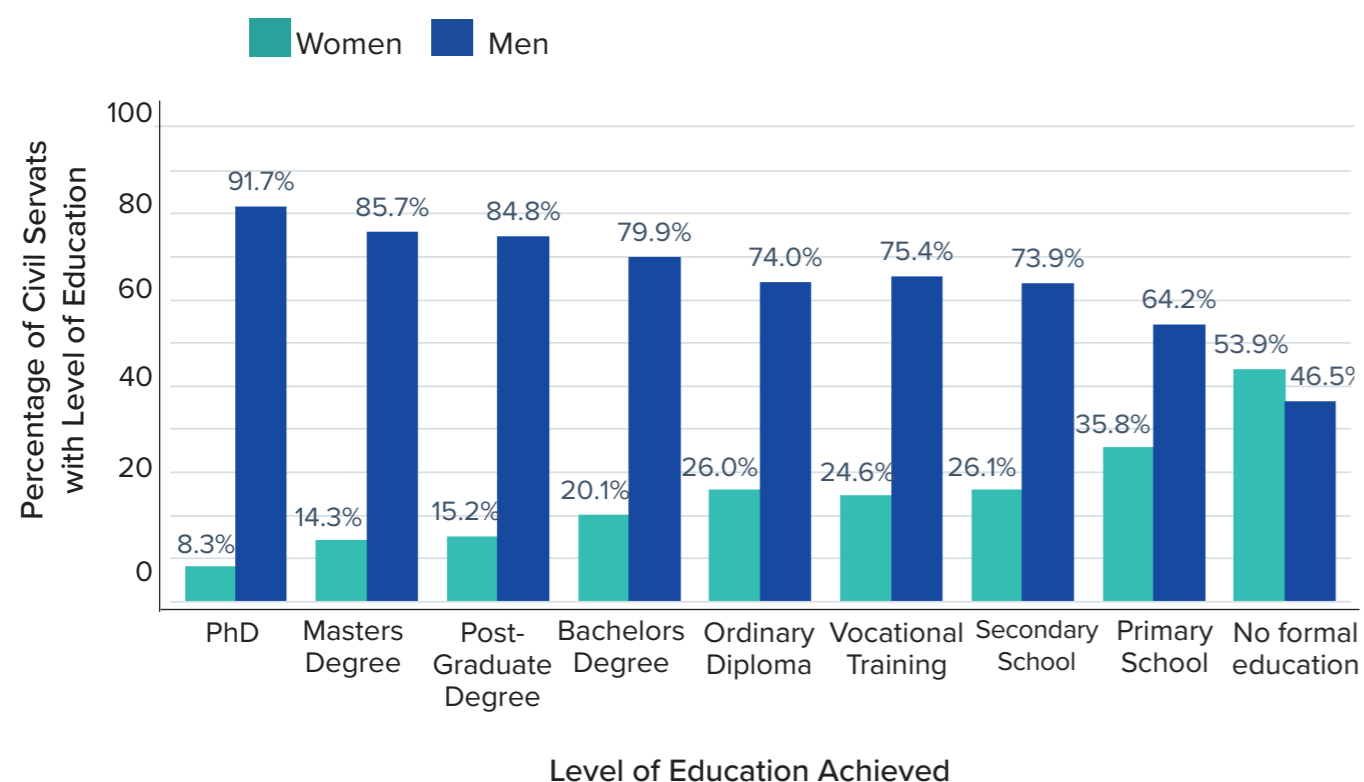


Table 8: Composition of the Legislative bodies (National and State/AA) by sex as of October 2023.¹⁶

Legislature Roles	# women = %	# men = %	Total
Speakers	4 (27%)	11 (73%)	15
Deputy Speakers	5 (29%)	12 (71%)	17
Chief Whips	3 (9%)	32 (91%)	35
Chairpersons of Committee	49 (28%)	126 (72%)	175
Deputy Chairperson of Committee	47 (28%)	120 (72%)	167
Members of Parliament	536 (31%)	1,189 (69%)	1725
Clerks	1 (6%)	15 (94%)	16
Legal Advisors	0 (0%)	12 (100%)	12
Total	645 (29.8%)	1,517 (70%)	2,162

¹⁶ Table 8 presents updated data of TNLA as of October 2023.

There is also a need to ensure that women are able to overcome the multiple constraints they face in running for public office including: getting through internal political party selections; addressing the lack of funding; and changing the negative gender stereotyping (which could include being stopped from contesting by their husbands or wider families). Younger women wanting to enter politics face age discrimination as an additional obstacle, although encouragingly, a number of younger women have been appointed to the 2021 R-TNLA.



1,410
CIVIL SERVANTS IN
STATE LEVEL
LEGISLATURE ROLES

986=69.9%
MEN
424=30.7%
WOMEN



Table 9: Composition of State/AA legislatures by position and by sex (updated 2023).

Legislative Position	Ordinary Members			Speakers		Deputy Speakers		Chief Whips		Chairpersons of Committee			Deputy Chairperson of Committee		Clerks		Legal Advisors		Totals		
	F	M	Total	F	M	F	M	F	M	F	M		F	M	F	M	F	M	F	M	Total
State/AA																					
Central Equatoria	36	64	100	0	1	0	1	0	2	3	5		3	5	0	2	0	1	6	17	23
Eastern Equatoria	30	70	100	1	0	1	0	0	4	2	10		2	10	0	1	0	1	6	26	32
Western Equatoria	38	62	100	1	0	0	1	0	2	4	4		4	4	0	2	0	0	9	13	22
Western Bhar el Ghazal	30	70	100	0	1	0	1	0	2	1	7		2	6	0	1	0	1	3	19	22
Northern Bhar el Ghazal	21	79	100	0	1	1	0	0	2	1	11		3	8	0	1	0	1	5	24	29
Lakes	32	68	100	1	0	1	0	0	2	2	11		5	8	0	1	0	1	9	23	32
Warrap	29	71	100	0	1	0	2	5	10	2	7		0	1	0	1	0	0	7	22	29
Jonglei	34	66	100	1	0	1	0	1	2	5	10		6	11	0	1	0	0	14	24	38
Unity	31	69	100	0	1	0	1	0	2	1	7		3	5	0	1	0	1	4	18	22
Upper Nile	36	64	100	0	1	0	1	1	3	4	12		4	12	5	1	0	1	14	31	45
Abyei AA	6	19	25	0	1	0	1	0	1	1	5		1	6	0	1	0	1	2	16	18
Ruweng AA	7	18	25	0	1	0	1	0	1	2	4		1	5	0	1	0	0	3	13	16
Greater Pibor AA	6	19	25	0	1	0	1	4	2	1	0		1	0	0	1	0	0	6	5	11
Total	336	739	1,075	4	11	3	4	1	15	28	72		38	55	0	15	0	4	88	247	335
																			424	986	1,410

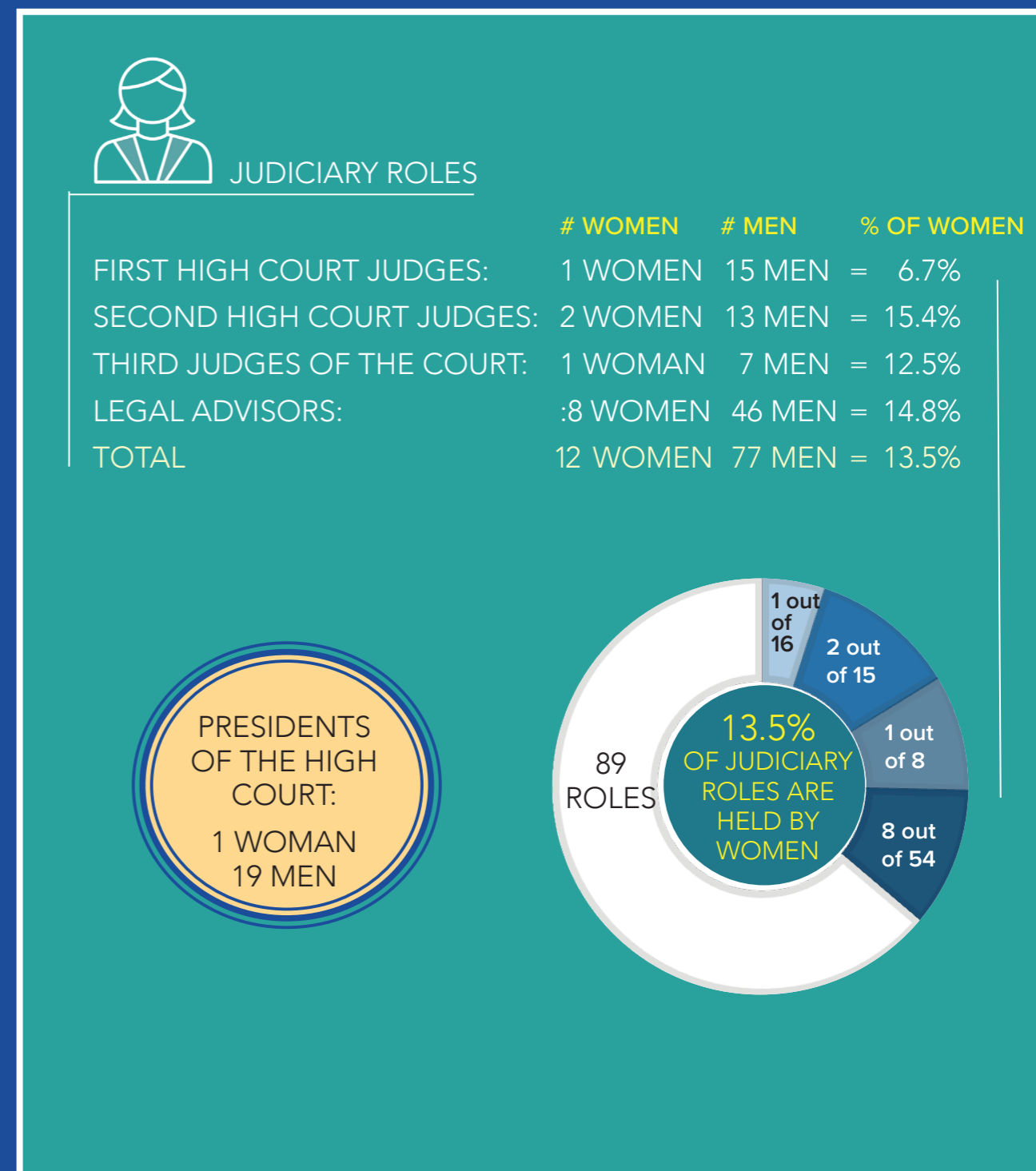
3.2.3 Judiciary

In the judiciary, only two rounds of recruitments/appointments have taken place since it was established in 2006 and again after re-establishment in 2013. During the 2013 recruitment, there were 78 (30F:48M) judicial assistants who could subsequently be appointed to the judiciary on a permanent basis after an 18-month probation period. While the appointment of 30 (38%) female judges in 2013 was a good step towards mainstreaming gender equality in the judicial system, findings from this study show that the appointments were criticized as opaque, and allegations of nepotism have been made. A majority of the female judges have left their jobs due to low motivation, which includes low pay, lack of job specific allowances, poor working environment, and lack of promotion opportunities among others. Currently, there is 1 woman out of 20 presidents of the High Court. **Figure 6** illustrates the number of judges and legal advisors disaggregated by sex, with only a total of 13.5 percent of the available roles filled by women.

Seemingly, gender-sensitization of the judiciary remains a daunting task at the moment. No new appointments or promotions have been made, which discourages most judicial staff who have been in one position for several years. Currently, there is no specific policy promoting gender equality in recruitment, and there are challenges relating to customary laws and practices, some of which undermine the rights and women. There are, however, some judges who try their best to make use of existing legal instruments to support women's rights and promote gender equality.¹⁷ The establishment of the Specialized Court for GBV that addresses the backlog of GBV cases and provides access to justice for survivors of violence is playing an important role.

The organized armed forces, including the SSPDF, police, prisons, and customs play an important role as public sector actors in relation to gender equality. Security sector reform (SSR) programmes in South Sudan need to ensure that women are actively engaged so that their specific needs in security and justice are addressed. Unless the specific security needs and concerns of marginalised groups such as women are addressed in SSR, post-conflict security and justice will be illusory.¹⁸ No data were available as to the representation of women in the security sector in South Sudan at different levels, though culture and political bias were reported as factors undermining employment of women in the Disarmament, Demobilization, and Reintegration (DDR) Commission and South Sudan Customs Service. On a positive note, the current Minister of Defence is a woman and there is reported to be gradually increasing attention to gender issues within the sector, including support networks that have been established for senior women serving in the SSPDF, police, and prisons. It is recommended that GEWE in the security sector be the focus of a separate, follow-up assessment by the GRSS.

Figure 6: Percentage of women in judiciary roles



¹⁷ These include aspects of the Penal Code (2008), Criminal Procedure Act (2008), Judicial Service Commission Act (2008), Judiciary Act (2008), Child Act (2008) and the Evidence Act (2006).

¹⁸ Gordon, E. et al (2015): Security Sector Reform and the Paradoxical Tension between Local Ownership and Gender Equality. Stability: International Journal of Security and Development, 4(1), p.Art. 53.

DOI: <http://doi.org/10.5334/sta.gj>

3.3 WOMEN IN PUBLIC SECTOR LEADERSHIP

In terms of women participations in top decision-making positions,¹⁹ the study found that:



- Women occupy only 14.5 percent of top decision-making positions (see Table 10).
- 36 out of 180 (or 14.5%) ministerial seats are held by women—falling far short of not only the new 35 percent gender quota, but also the former 25 percent gender quota provided in the TCSS 2011.
- Only 2.4 percent and 3.5 percent of the County Commissioners and Payam Administrators are female respectively;
- Presently, women constitute only 11.2 percent of Director Generals and 16.0 percent of Directors.

Non-implementation of the 35 percent quota for women’s representation as provided by R-ARCSS and cultural attitudes towards women are significant factors undermining women’s presence and participation in decision-making positions, as earlier shown in Figure 2. There are gendered norms permeating in political parties most of which prefer men to women leaders, for reasons related to loyalty, political affiliation, accommodation, years of working experience commitment to the party, and self-centeredness.²⁰ Such norms habitually control the recruitment and promotional procedures of candidates. In this case, women are excluded because they may not always meet the informal criteria set by the institutional of political recruitment or nominating and appointing authorities. Government and political leaders are yet to set an example by enhancing gender equality in their own political formations, as well as in parliamentary representation (see section 3.2.2).

Furthermore, findings revealed that there is limited participation in decision-making roles for women who have managed to get appointed in public institutions. Figure 7 points out these factors as limited experience, lack of education, inability to balance family obligation and job requirements, and institutional environment in which there is negative attitude and perception about women.

¹⁹ Decision-making positions in this study refers to the following positions: Deputy Director, Director, Deputy Director General, Director General, Executive Director, Undersecretary, Ministerial Advisor, Deputy Chairperson, Chairperson, Deputy Minister, and Minister.

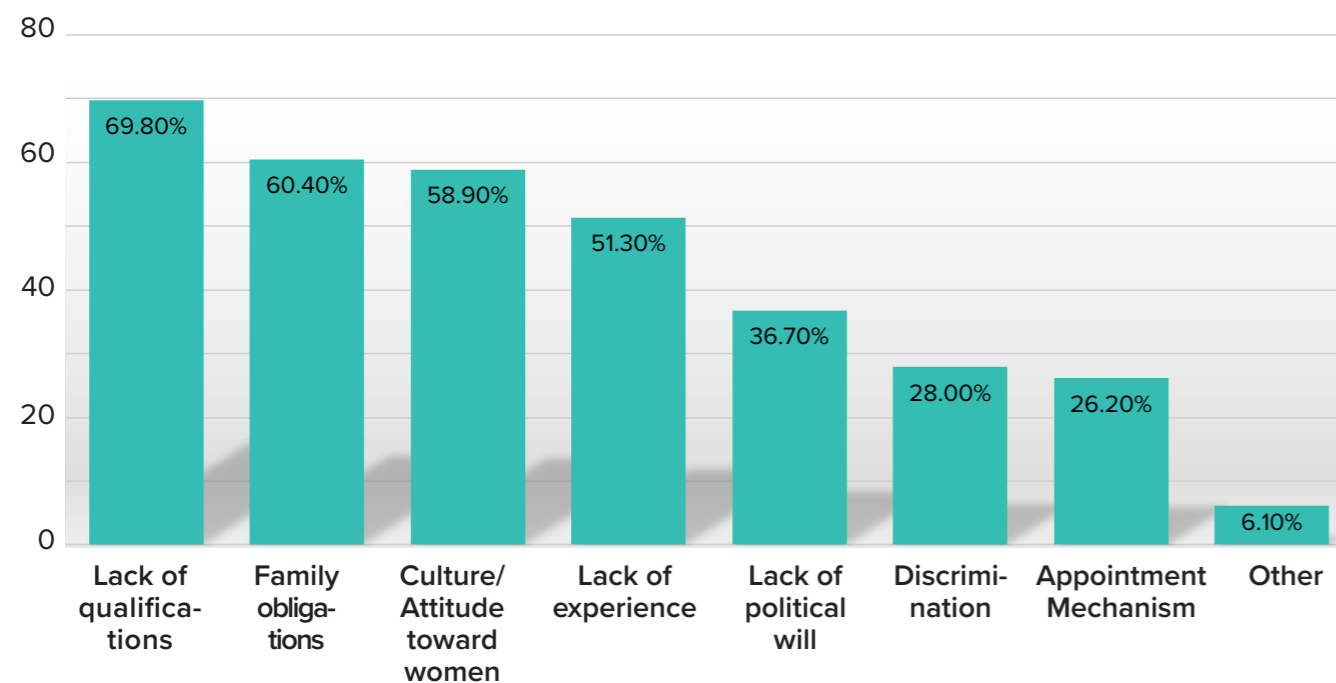
²⁰ It is important to note that during transition period, there were appointments based on political parties, recommendations and meritocracy (promotion of those who had been in the system for a certain period). Regular state government reshuffles have also prompted changes in civil servants as new leaderships have been reported to appoint or change the civil servants based on their preferences.

For example, women leaders are not always appreciated and there is discrimination based on age or ethnic background. Similarly, some civil servants, including those those who have been in the system a long time, are discouraged because of the manner in which their colleagues may have been “appointed” through recommendation rather than meritocracy or in accordance with the Civil Service Act. Some may decide not to collaborate or support the new officials, quit their job, or go slow in the implementation of assigned duties.

Table 10: Senior executive decision-making appointments (by sex)

Positions in executive public service positions	# women = %	# men = %	Total
Governors	1 = 10%	9 = 90.0%	10
Deputy Governors	3 = 33.3%	6 = 66.7%	9
Chief Administrators	0	3 = 100%	3
State Advisors	9 = 14.1%	55 = 85.9%	64
Ministers	36 = 20%	144=80.0%	180
State Secretary Generals	0	13=100%	13
Chairpersons of Commission	5 = 9.4%	48 = 90.6%	53
Deputy Chairpersons of Commission	8 = 18.2%	36 = 81.8%	44
County Commissioners	2 = 2.4%	81 = 97.6%	83
Payam Administrators	12 = 3.5%	327 = 96.5%	339
Town Mayors	2 = 15.4%	11 = 84.6%	13
Director Generals	32 = 11.2%	254 = 88.8%	286
Executive Directors	8 = 14.0%	49 = 86.0%	57
Directors	149 = 16.0%	783 = 84.0%	932
Deputy Directors	144 = 19.1%	611 = 80.9%	755
Total	411 = 14.5%	2,430 = 85.5%	2,841

Figure 7: What prevents women's participation in decision-making positions



State/AA	Lack of qualifications	Family Obligations	Culture/Attitude toward Women	Lack of experience	Lack of political will	Discrimination	Appointment Mechanism	Other	Total %
Abyei AA	12.0%	22.0%	22.0%	10.0%	14.0%	14.0%	6.0%	0.0	100
Central Equatoria	20.0%	11.4%	18.6%	12.9%	12.9%	5.7%	11.4%	7.2%	100
Eastern Equatoria	17.5%	17.5%	14.0%	10.5%	14.0%	14.0%	8.8%	3.5%	100
Jonglei	24.0%	14.7%	16.0%	10.7%	16.0%	9.3%	8.0%	1.3%	100
Lakes	17.6%	23.0%	20.3%	16.2%	6.8%	8.1%	6.8%	1.4%	100
Northern Bhar el Ghazal	20.8%	16.7%	12.5%	15.3%	13.9%	9.7%	8.3%	2.8%	100
Pibor AA	26.7%	21.7%	13.3%	23.3%	6.7%	5.0%	3.3%	0.0	100
Ruweng	20.9%	14.0%	16.3%	20.9%	11.6%	11.6%	4.7%	0.0	100
Unity	23.3%	27.9%	26.7%	16.3%	1.2%	0.0	2.3%	2.4%	100
Upper Nile	16.7%	20.2%	17.9%	15.5%	11.9%	8.3%	9.5%	0.0	100
Warrap	17.2%	16.6%	16.6%	15.9%	14.5%	6.9%	11.7%	0.7%	100
Western Bhar el Ghazal	38.0%	8.0%	16.0%	16.0%	10.0%	8.0%	2.0%	0.0	100
Western Equatoria	21.0%	14.5%	14.5%	14.5%	6.5%	14.5%	11.3%	3.2%	100
Total	69.8%	60.4%	58.9%	51.3%	36.7%	28.0%	26.2%	6.1%	100%



4. GENDER EQUALITY IN HUMAN RESOURCE MANAGEMENT

Figure 8: Mode of appointment in decision making positions

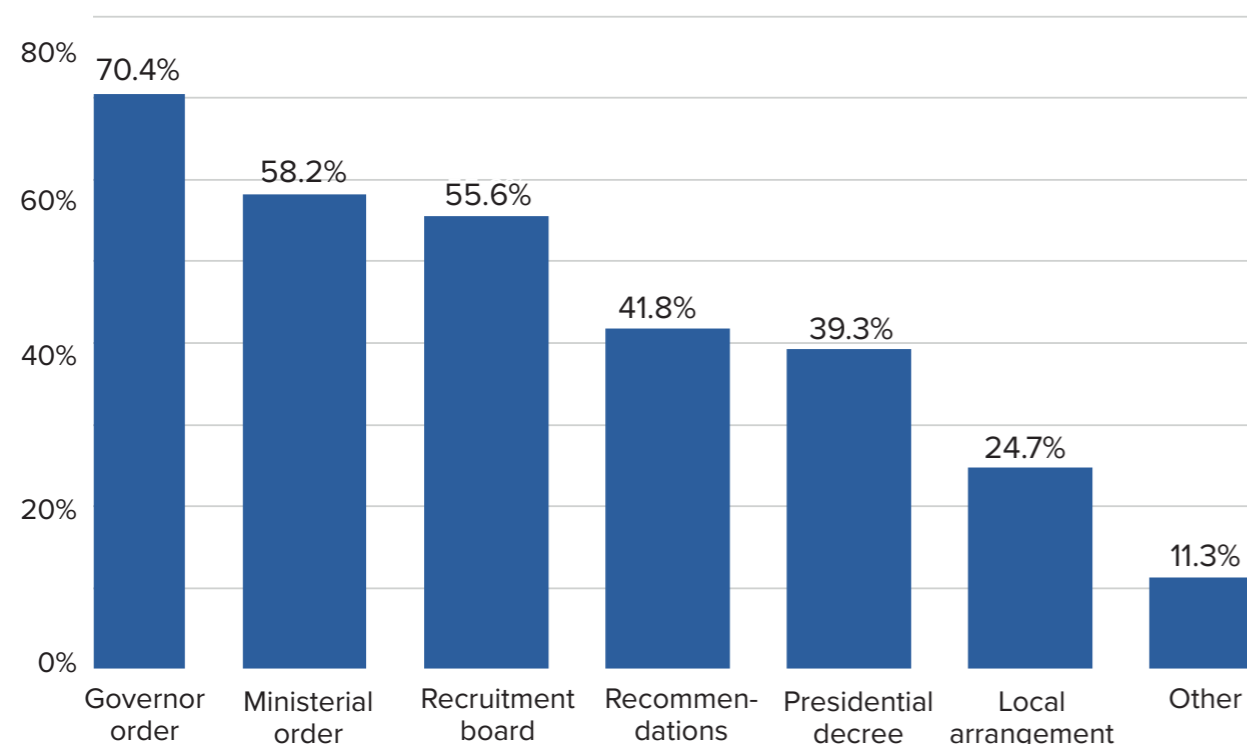


Table 11: Mode of appointment in decision making positions disaggregated by State/AA level

State/AA	Governor order	Ministerial order	Recruitment board	Recommendations	Presidential decree	Local Arrangement	Others	Total %
Central Equatoria	20.5%	14.1%	24.4%	12.8%	16.7%	3.8%	7.7%	100
Eastern Equatoria	24.6%	17.5%	22.8%	17.5%	8.8%	7.0%	1.8%	100
Jonglei	15.5%	16.9%	19.7%	14.1%	15.5%	11.3%	7.0%	100
Lakes	17.5%	23.8%	17.5%	12.7%	15.9%	7.9%	4.8%	100
Northern Bhar el Ghazal	23.2%	19.6%	23.2%	12.5%	8.9%	5.4%	7.2%	100
Unity	31.3%	21.3%	0.0%	12.5%	2.5%	25.0%	7.5%	100
Upper Nile	23.1%	19.8%	16.5%	13.2%	20.9%	6.6%	0.0%	100
Warrap	18.3%	18.3%	20.9%	15.7%	17.4%	8.7%	0.9%	100
Western Bhar el Ghazal	29.2%	18.8%	18.8%	8.3%	16.7%	6.3%	2.1%	100
Western Equatoria	19.3%	19.3%	21.1%	15.8%	19.3%	5.3%	0.0%	100
Abyei AA	22.6%	19.4%	25.8%	19.4%	3.2%	6.5%	3.2%	100
Pibor AA	28.8%	19.2%	26.9%	19.2%	3.8%	1.9%	0.0%	100
Ruweng	50.0%	30.0%	3.3%	3.3%	3.3%	0.0%	10.0%	100
Total	70.5%	58.2%	55.6%	41.8%	39.3%	24.7%	11.3%	100%

Issues highlighted in the research related to human resource management practices include unfair recruitment, appointment and promotion procedures (including a problem of nepotism), poor working environment, limited capacity of the workforce, and lack of human resource policies that address the discriminatory culture and traditions.

4.1 RECRUITMENT

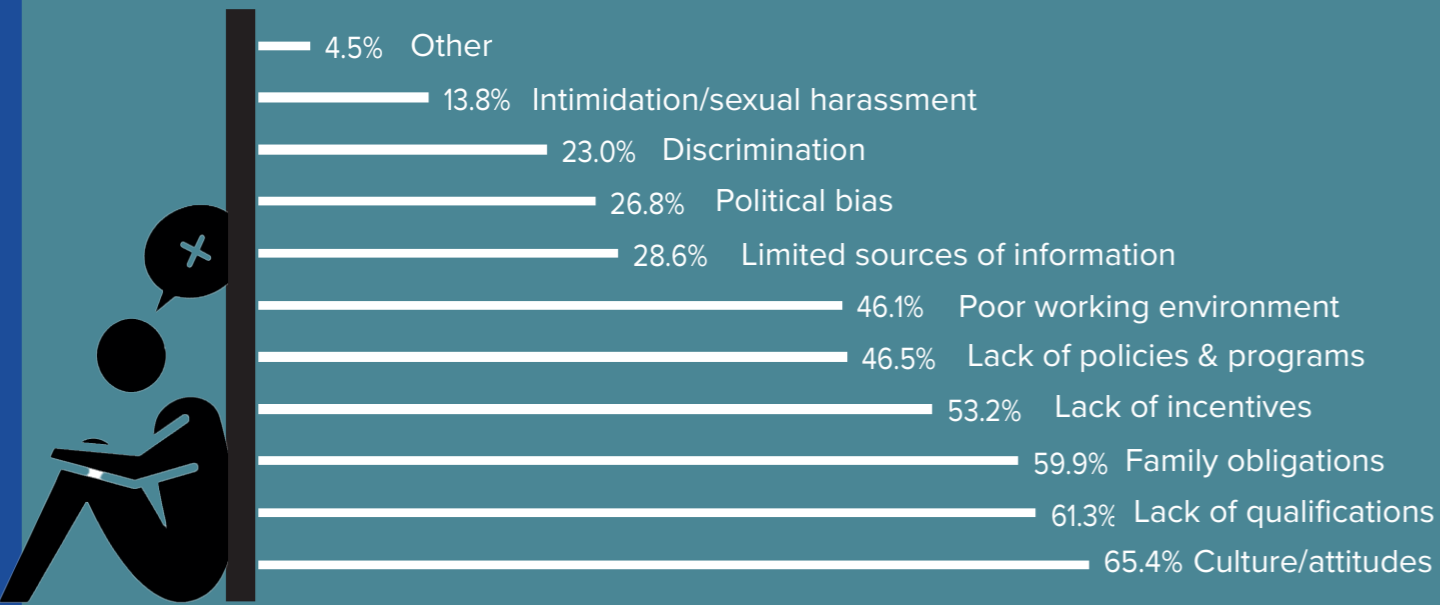
For recruitment into senior leadership positions, the findings show that the most common mode of appointment is by Governor Order. Aside from political positions, the Presidential Appointment is also used for the Director General positions, approval of the appointments for Executive Directors, Directors, and Deputy Directors via the Council of Ministers. This is contrary to the “Public Service Law and Procedures”, which requires that all recruitment for positions in national institutions be done by the Recruitment Boards. Further, the recruitment law does not clearly cite a need observe gender quotas or preferences for women in the recruitment list. Figure 8 presents the modes cited for how decision-making positions are appointed in public administration in South Sudan, with Table 11 showing the data per State/AA.

4.1.1 Reasons for not applying for government jobs

The findings show that many women are reluctant to apply for government jobs. As shown in Figure 9, the reasons given are similar to the factors cited that prevent women’s participation in decision-making roles once they have been recruited (Figure 7), including culture and negative attitudes toward women holding public positions, lack of qualifications, family obligations, lack of incentives, and low salaries. Additionally, there is concern that the absence of entitlement to public income support for child care and funding to promote work-life balance measures at senior management levels are less when compared to low-level and low-income groups of employees (even though the 2017 Labour Act provides for maternity and paternity leave). Other concerns include delay in the payment of salaries, lack of child care facilities, lack of adequate funding for training and capacity building, and insufficient reporting channels for incidences of sexual harassment and gender-biased behaviour.

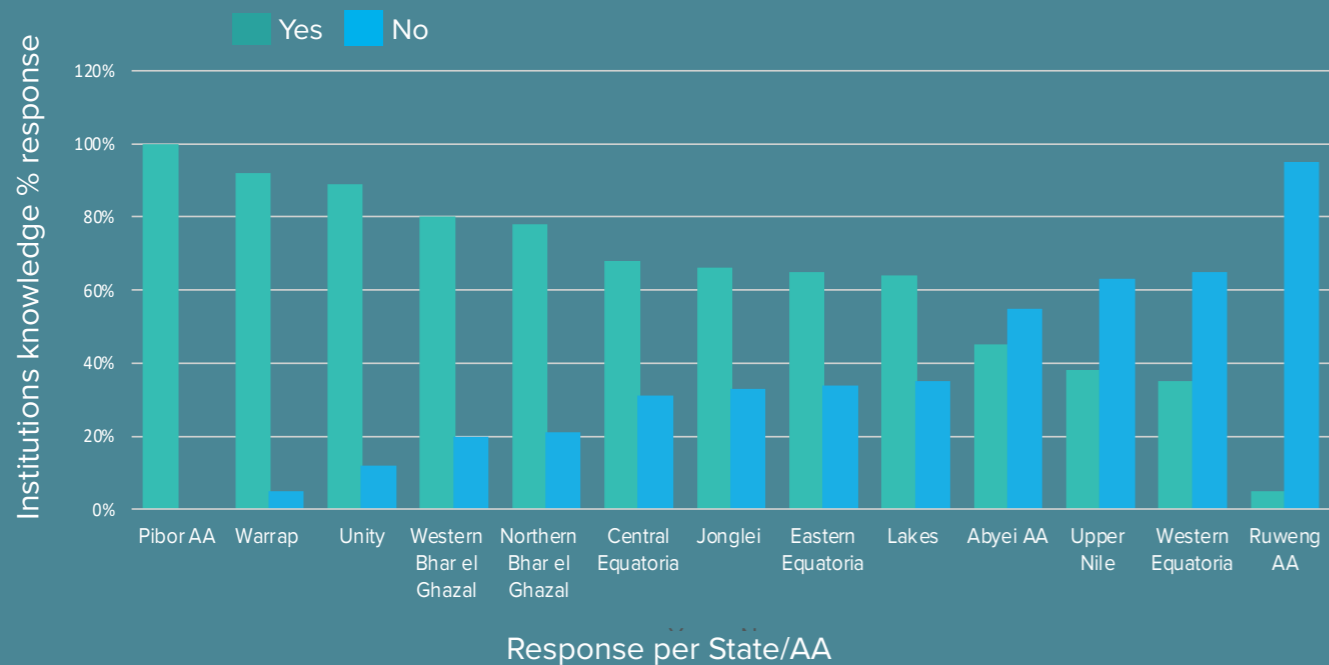
Specifically, people living with disabilities are severely under-represented in the public sector due to a lack of policies and plans to support their recruitment and employment. As shown in Figure 10, the findings show that only 65.7 percent of the public institutions have recruitment procedures for persons with disabilities.

Figure 9: Key issues deterring women from applying for government jobs



Pibor AA, Warrap, Unity, Western Bhar el Ghazal, and Northern Bhar el Ghazal indicated there are institutions with policies that help in the recruitment of persons living with disabilities, while Ruweng AA, Western Equatoria, Upper Nile, Abyei AA, and Lakes indicated there were institutions without recruitment policies for persons with disabilities. Figure 10 shows, by State/AA, the institutions who knew about the existence of recruitment policies for people living with disabilities.

Figure 10: Existence of recruitment policies for people living with disabilities (N = 268)



4.2 PROMOTION



Discussion with staff from the Ministry of Gender and with Human Resource managers in each State/AA revealed that while, in principle, rewarding and promotion mechanisms in decision-making positions are supposed to be based on performance appraisal, as cited by 74.5 percent of the respondents, in reality, it is unheeded or not conducted regularly (Figure 11). Decisions related to promotion, transfer or reward are frequently reached by the top leadership informally or by a small committee set by the leadership. This means that approving or rejecting promotion may rely on a few actors, and procedures not clearly explained, thereby impeding potential applicants who may not have strong referees and/or political backing.

In the public administration, 81.1 percent of the public institutions indicated that they have mechanisms in place that encourage the inclusion of women in the promotion list. Figure 12 illustrates the response per state, indicating which States/AA have policies that provide for women to be included on promotion lists.

Figure 11: Criteria used for promotion for decision making positions

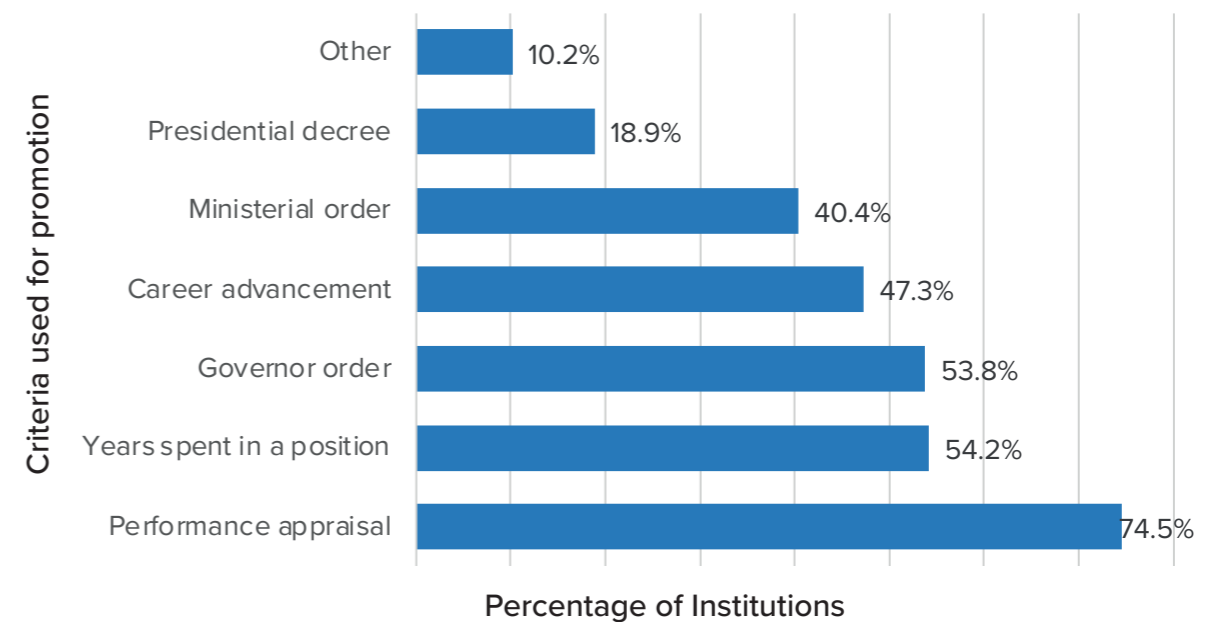
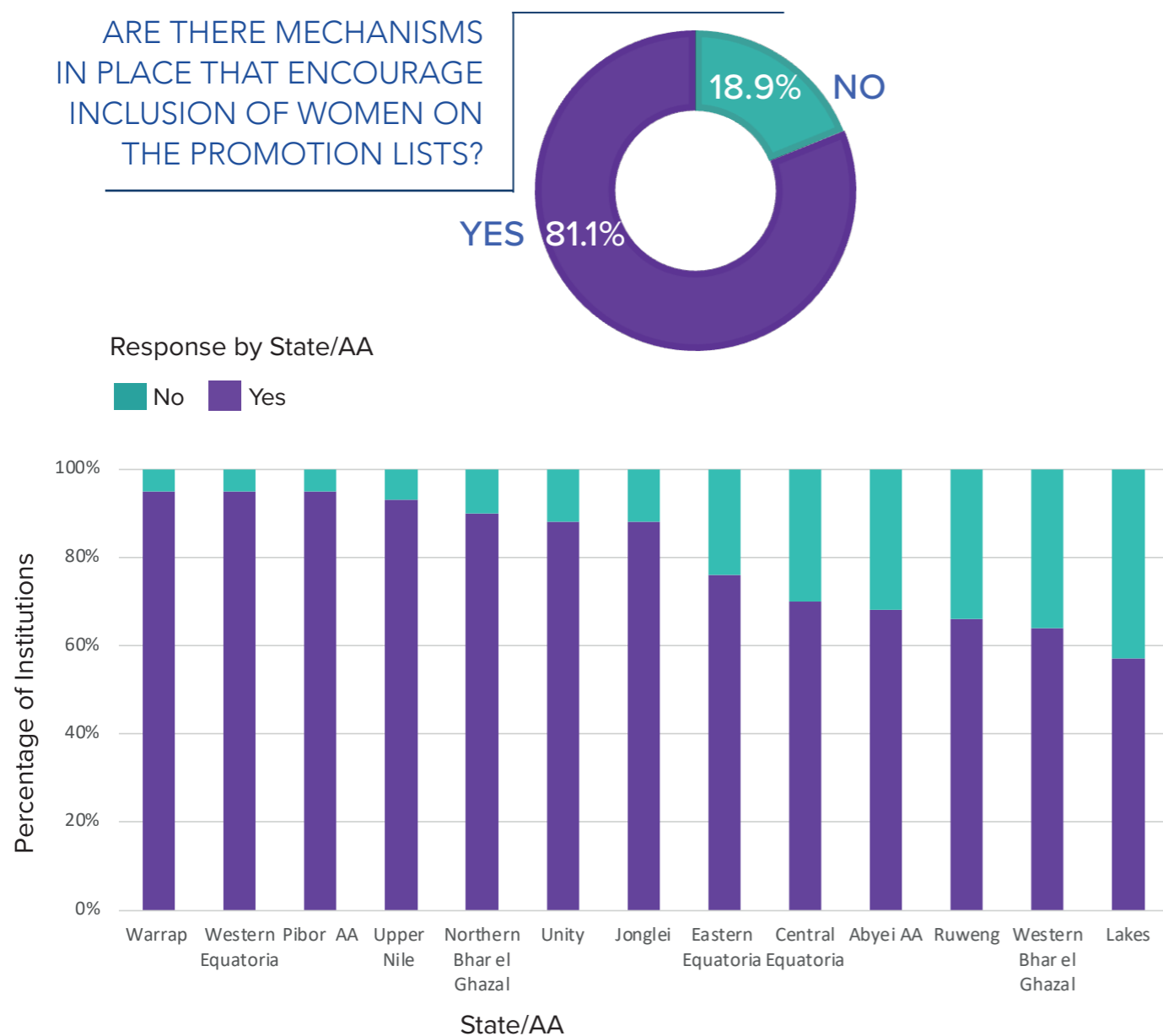


Figure 12: Institutions with mechanisms that encourage the inclusion of women on promotion lists



Regarding the diversity of people in leadership positions, 67.5 percent of the people interviewed said that the staff in leadership positions represent the diverse communities of South Sudan. This finding does not necessarily suggest the actual situation, since ethnicity and nepotism in public sector employment, with some ministries dominated by certain ethnic groups, especially in senior leadership positions, is a known cause of concern (See Annex 4). In view of the political sensitivity of this issue, respondents may have been reluctant to voice any concerns.

4.3 PROFESSIONAL DEVELOPMENT

4.3.1 Existence of mentoring schemes for women

The study found that on average 49.4 percent of public institutions do not have a mentoring scheme for women. Although some of them are collaborating with partners on capacity building programmes, there has not been a systematic follow up on women’s leadership journey for further support.

4.3.2 Mechanisms for recognition and rewarding civil servants

While recognition of those who have performed well could be one of the key tactic of encouraging other to join public institutions, findings indicate that most public institutions do not have or encourage individuals outstanding performance on annually basis, with 57.1 percent of the public institutions saying that the do not celebrate or recognize success. or reward good performance.

4.4 FLEXIBLE WORKING HOURS

The study found that 88.1 percent of the public institutions implement a flexible working hour policy in which office starting time can be from 9.00 am to 5.00 pm or 8.30 to 4.00 pm. For example, Abyei AA, Pibor AA and Warrap State have flexible working hours. Whereas, Western Bhar el Ghazal, Unity, and Northern Bhar el Ghazal states do not have flexible working hours.

When it comes to maternity and paternity leave, 50.6 percent of the institutions say the government does not provide men and women the same paternity and maternity leave duration.²¹ Pibor AA, Ruweng, Western Equatoria, Western Bhar el Ghazal, and Central Equatoria top the list of states whose institutions do not provide men and women same paternity and maternity leave duration.

²¹ Article 64 of South Sudan Labour Act (2017) provides clear rules for maternity and paternity leave.

4.5 GENDER NORMS AND WORKPLACE HARASSMENT IN PUBLIC INSTITUTIONS

The study explored if people working in government institutions are experiencing gender-related discrimination or harassment. There remain unreported cases of insecurity, fear, sexual harassment, attempted sexual corruption as a precondition to get a job, exploitation, and discrimination for women including those with disability. As shown in Figure 13, the findings show that 19.9 percent experienced some forms of GBV, 17.6 percent experienced gender discrimination, 12.7 percent were sexually harassed and 7.1 percent encountered others forms of violence. The majority of institutions reported no cases, but this could be due to lack of reporting or poor record keeping. The majority of those who experienced discrimination and harassment at workplaces are women. Most cases were reported in Upper Nile, Western Equatoria, Pibor, Jongeli and Lakes. This could be linked to the low level of education and persistence customs and culture that believe and relegate women to private as opposed to public spheres.

Figure 13: Cases of gender-based violence and discrimination (N=267)

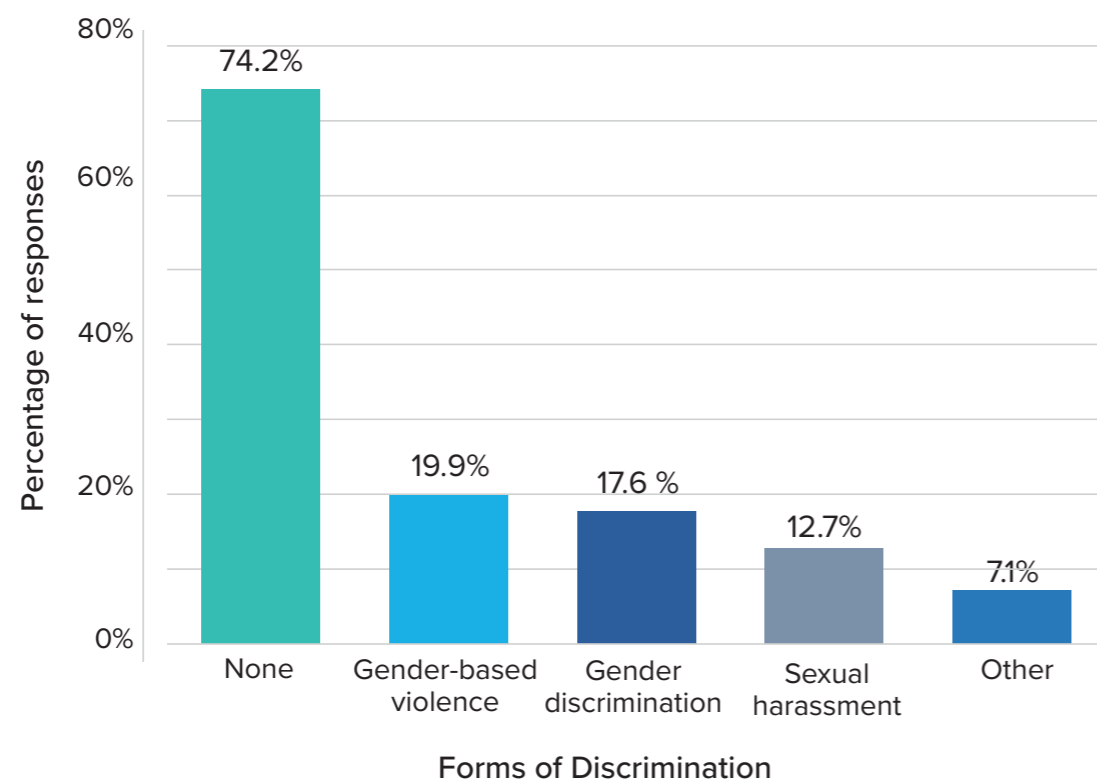
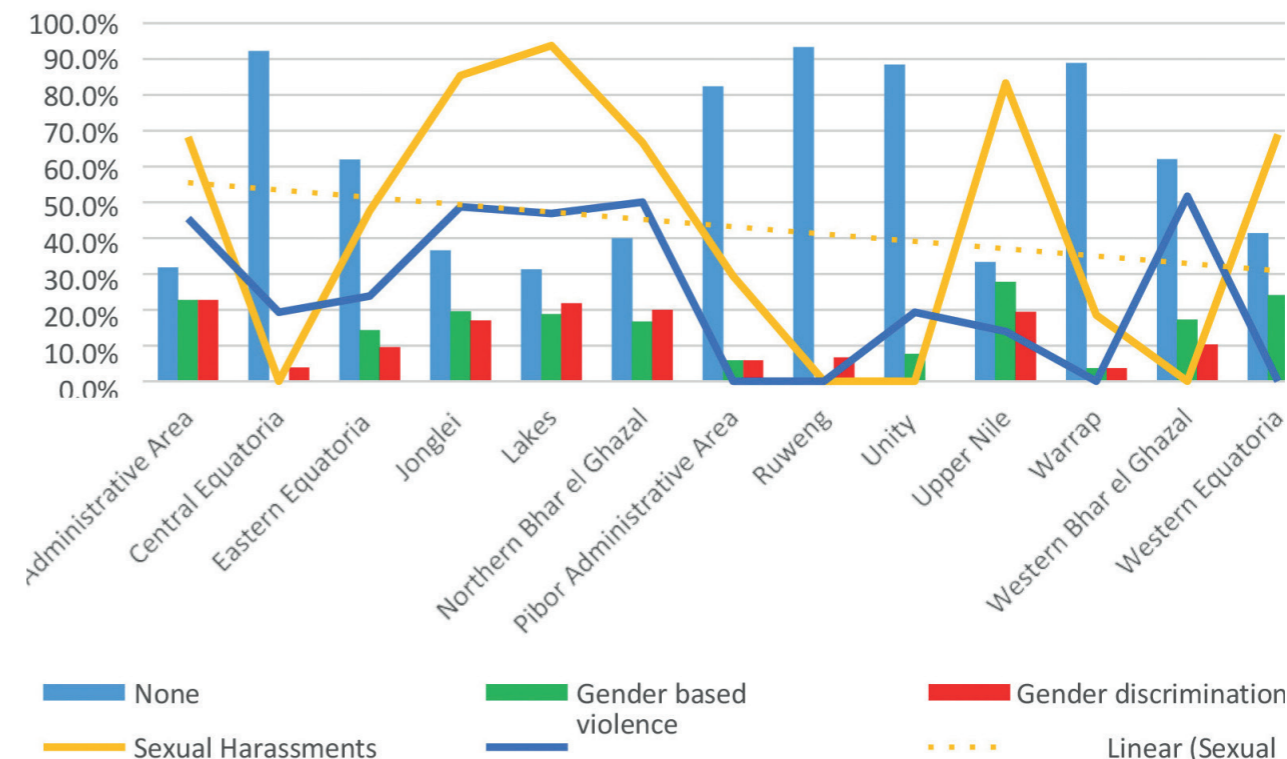


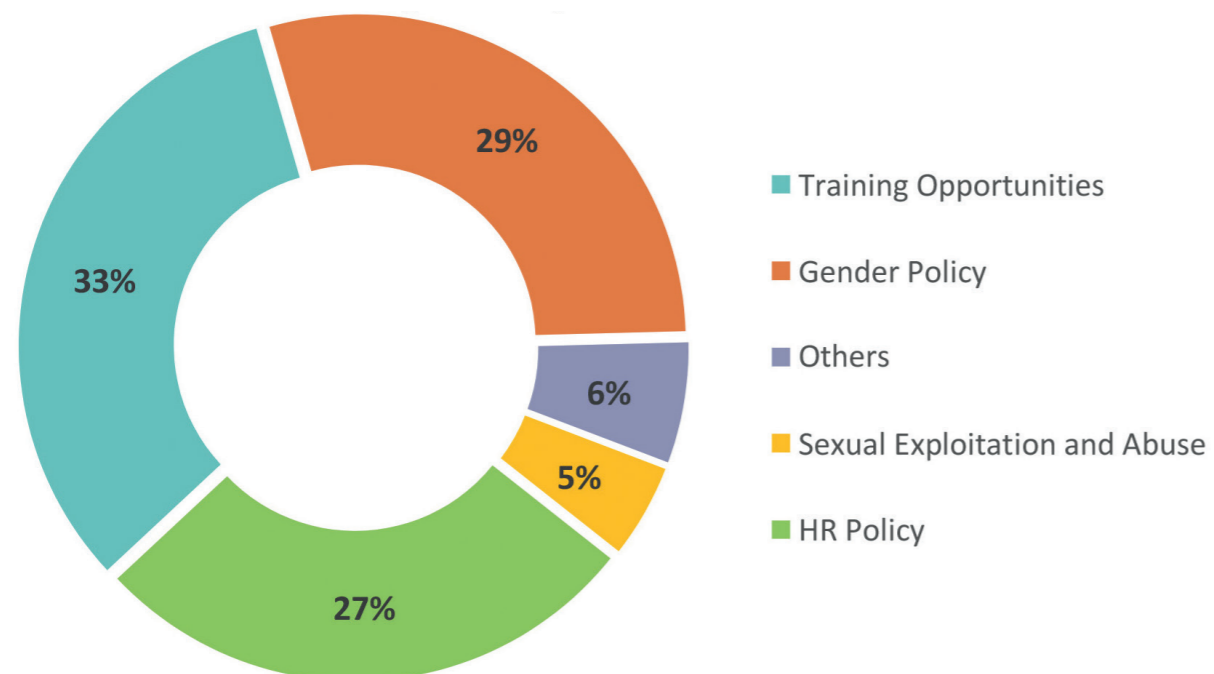
Figure 14: Gender-based violence and discrimination per State/AA



Due to fear of revenge, or being fired from work, stigma, and lack of protection, the issues related to sexual harassment are frequently under-reported. 56 percent of the institutions admitted presence of such malpractices and had mechanisms for reporting and dealing with sexual harassment, bullying and complaints.

To address GBV, discrimination and sexual harassment at work places, there are range of initiatives and policies that include Labour Act, Civil Service Act, Gender Policy (2013) and other by laws as elaborated in Figure 15.

Figure 15: Policies tackling sexual exploitation and abuse in the workplace



5. GENDER EQUALITY PUBLIC ADMINISTRATION INITIATIVES



There are various partners working with public institution to promote gender equality at national and grassroots levels. Some of these organizations and agencies along with the specific areas of the GPEA they support, and the current interventions or programmes are presented in Table 12. This is a preliminary mapping and relates mainly to the national level; further assessment including a separate mapping of the ten states and three administrative areas is required.

The mapping of current initiatives highlights that more efforts and support may be needed across a number of areas, including gender-responsive budgeting, gender analysis, monitoring, gender-sensitive public sector employment practices, and gender equality in the security sector and the judiciary.

Table 12: Mapping of current initiatives by OECD pillar and per partner

AREA OF SUPPORT AS LINKED TO THE OECD PILLARS	CURRENT INTERVENTIONS, INITIATIVES AND PROGRAMMES	PARTNERS OR AGENCIES INVOLVED
Institutional Frameworks for Gender Equality & Mainstreaming		
Legal and Policy Framework	Gender in the Permanent Constitution-making Process	International IDEA UNDP UNMISS
	<ul style="list-style-type: none"> Gender policy development & review National Action Plan National Strategic Action Plan development 	MGCSW UNW
	<ul style="list-style-type: none"> National Gender Policy SS National Strategic Framework SSNAP on UNSCR 1325 policy review 	MGCSW UNW
Implementation and Coordination of Gender Equality and Mainstreaming (GEM)	National Gender Policy coordination	MGCSW
	Reproductive Health and Rights	MGCSW UNW UNFPA
	<ul style="list-style-type: none"> Protect against GBV Support to HIV/AIDS related programmes 	UNAID Ministry of Health

AREA OF SUPPORT AS LINKED TO THE OECD PILLARS	CURRENT INTERVENTIONS, INITIATIVES AND PROGRAMMES	PARTNERS OR AGENCIES INVOLVED
Implementation and Coordination of Gender Equality and Mainstreaming (GEM)	<ul style="list-style-type: none"> DDR programmes: Vocational Training for war disabled, widows, and orphans (i.e. business, carpentry). Provide scholarship and free education for orphans 	DDR Commission MGCSW UNDP UNW UNHCR The Office of the First Lady (CONCERN)
Accountability, Monitoring and Oversight	Capacity building on monitoring the progress of sustainable development goals including SDG5 on gender equality	NBS UNDP
	Public financial management	Ministry of Planning & Finance World Bank European Union
Gender Responsive Budgeting	Advocacy and analysis of pro-poor budgeting	UNICEF
Gender-Sensitive Public Sector Practices		
Gender-sensitive Human Resource Management	<ul style="list-style-type: none"> No current data 	Ministry of Labour Human Rights Commission UNDP
Women in Public Sector Leadership and Decision-making	<ul style="list-style-type: none"> Training on transformational leadership, peace building, and parliamentary procedures Gender mainstreaming in policies 	NTLI UNDP UNW African Development Bank JICA
Civil Service	<ul style="list-style-type: none"> Capacity building on gender mainstreaming Capacity building on planning with a gender perspective 	Ministry of Labour Ministry of Public Service MGCSW
Security Sector	<ul style="list-style-type: none"> Gender-sensitization of security sector reform through training and review of policy documents Train national and UN police officers 	UNPO UNW UNMISS UNDP SS People's Defense Force DDR and Helping Hand NTLI UNDP-Gender Justice

AREA OF SUPPORT AS LINKED TO THE OECD PILLARS	CURRENT INTERVENTIONS, INITIATIVES AND PROGRAMMES	PARTNERS OR AGENCIES INVOLVED
Protection of women's rights	Establish and renovate Protection Units and Special Protection Unit headquarters.	UNMISS UNPOL Ministry of Interior
Academia	<ul style="list-style-type: none"> Promote education for female students. STEM scholarship. 	NTLI, MGCSW Ministry of Higher Education UNESCO
Gender-Sensitive Parliamentary Practices		
Gender Mainstreaming Mechanisms in the Legislature	Training of parliamentary caucus at national and state levels	Ministry of Parliamentary Affairs EVE Organisation UNW UNDP UNMISS CMI FBA
Women's Advancement in the Legislature	Training of women the legislature	NTLI EVE Organisation UNW UNDP UNMISS CMI FBA
Gender-Sensitive Practices in the Judiciary		
Framework for Gender Equality and Sensitization of the Judiciary	Establish and operationalize the GBV court	UNDP African Union African Development Bank
Gender-Sensitive Employment Practices	No current data	Judiciary of South Sudan

Table 13 provides a review of the measures that are being taken in an effort to create a culture of work-life balance in public institutions and the parliament disaggregated by State/AA.

Table 13: Measures for creating a culture of work-life balance

State/ AA	Measures for creating a culture of work-life balance in public institutions and the parliament.
Abyei AA	The 35 percent Affirmative Action for women representation in public institutions.
	Presence of projects that aim to increase women's participation.
Central Equatoria	The 35 percent Affirmative Action for women representation in public institutions.
	A policy allowing women to stay home during menstruation when necessary..
	Projects that aim to increases women's participation.
	Human rights policies and Identification of negative implication on women rights.
	Inclusivity and information sharing.
Eastern Equatoria	Capacity building programme such as training or workshops.
	Advocacy for the implementation of gender policies and programmes.
	Legal framework and human resource policy.
	Capacity building programme such as training or workshops.
	Human rights policies and Identification of negative implication on women rights.
Jonglei	Establishment of gender desk.
	The 35 percent Affirmative Action for women's representation in public institutions.
	Human rights policies and Identification of negative implication on women rights.
	Provision of maternity and paternity leaves.
	Capacity building programme such as training or workshops.
Jonglei	Implementation of non-discriminatory policies for women.

State/ AA	Measures for creating a culture of work-life balance in public institutions and the parliament.
Lakes	<ul style="list-style-type: none"> • Community mobilizations and create awareness about gender equality. • The 35 percent Affirmative Action for women representation in public institutions. • Encourage women to apply for jobs and enforce equal opportunities for all. • Provision of maternity and paternity leave. • Capacity building programs such as training or workshops. • Work ethics and regulations.
Northern Bhar el Ghazal	<ul style="list-style-type: none"> • The 35 percent Affirmative Action for women representation in public institutions. • Encourage women to apply for jobs and enforce equal opportunities for all. • Capacity building programs such as training and workshops. • Legal framework and human resource policy. • Implementation of non-discriminatory policies for women. • Provision of maternity and paternity leave.
Pibor AA	<ul style="list-style-type: none"> • Checking on the well-being of women employees. • Provision of maternity and paternity leave.
Ruweng	<ul style="list-style-type: none"> • Encourage women to apply for jobs and enforce equal opportunities for all. • The 35 percent Affirmative Action for women representation in public institutions. • Community mobilizations and create awareness about gender equality. • Create more working spaces.
Unity	<ul style="list-style-type: none"> • The 35 percent Affirmative Action for women's representation in public institutions. • Punishment or suspension of staff involved in any form of GBV. • Encourage women to apply for jobs and enforce equal opportunities for all.

State/ AA	Measures for creating a culture of work-life balance in public institutions and the parliament.
Upper Nile	The 35 percent Affirmative Action for women's representation in public institutions.
	Community mobilization and creation of awareness about gender equality.
	Comprehensive gender policies
	Capacity building programme such as training and workshops.
	Human rights policies and Identification of negative implication on women rights.
Warrap	The 35 percent Affirmative Action for women's representation in public institutions.
	Comprehensive gender policies.
	Encourage women to apply for jobs and enforce equal opportunities for all.
	Establish a gender desk.
	Creation of more working spaces.
	Capacity building programs such as training and workshops.
Western Bhar el Ghazal	Community mobilization to create awareness about gender equality.
	Mainstreaming gender into various policies.
	Encourage women to apply for jobs and enforce equal opportunities for all.
	Capacity building programme such as training and workshops.
Western Equatoria	Comprehensive gender policies.
	Girl's education programs.
	Capacity building programme such as training and workshops.
	Human rights policies and Identification of the negative implication on women rights.



Table 14 provides a summary of the measures taken to create a gender-sensitive and family-friendly working culture in public institutions and legislature disaggregated by State/AA. Most institutions cited capacity building programs and working toward the 35 percent quota for women’s representation.

Table 14 Summarized measures for creating gender-sensitive and family-friendly working culture in public institutions and legislature in State/AA.

Measures in place to create a gender-sensitive and family- friendly working culture	Number of state/ AAs implementing
Capacity building programme such as training, and workshops.	9
The 35% gender quotas for women’s representation.	9
Encourage women to apply for jobs and provide equal opportunities for all.	6
Promote women’s rights and Identify negative practices.	5
Community mobilization to create awareness of gender equality.	4
Comprehensive gender policies.	4
Provision of maternity and paternity leave.	3
Legal framework and human resource policy.	2
Implementation of non-discriminatory policies for all.	2
Establish a gender desk.	2
Creation of more working spaces.	2
Projects that aim to increase women participation.	2
A policy allowing women to stay home during menstruation when necessary.	1
Advocate for the implementation of gender policies and programs.	1
Work ethics and regulations.	1
Checking the well-being of women employees.	1
Mainstream of gender into various policies.	1
Remove religious restrictions at work places.	1
List checking.	1
Girl’s education programs.	1
Punishment or suspension of staff involved in any forms of GBV.	1
Inclusivity and information sharing.	1

Table 15: Institutional partners and the areas of support by state/AA.

Agencies	Area of Support
ABYEI AA	
NTLI	<ul style="list-style-type: none"> • Capacity building and trainings. • GBV survivors and referral. • GBV survivors, protection, and counselling services. • GBV reporting mechanism, women promoting peace in the community. • Child protection. • Community and IDPs capacity building (women in micro-finance, sewing, carpentry, and training in lifeskills). • Protection programme, child education. • Girls and women’s representative in reproductive health. • Capacity building and trainings. • Agriculture training, provide tools and seeds. • Build market and fishing sites. • Work incentives, fuel, stationery, and car maintenance. • Prevention of mother-to-child transmission of HIV. • Awareness and treatment of HIV/AIDS. • Safe guard programme. • SGBV activities in urban communities.
Hold the Child, Persons with Disabilities	
ACEA	
UNISFA	
UNICEF	
IOM	
Save the Children	
MSF	
NTLI	
FAW	
UNIDO	
Health Link	
ICAP	
GOAL	
Plan International	
ISRA – AIDS	



Agencies	Area of Support
CENTRAL EQUATORIA	
IRC UNDP UNICEF UNIDO UNMISS CEPO UNMISS NTLI CORDAID Johaniter	<ul style="list-style-type: none"> • Women empowerment and GBV. • Street children and orphans with accommodation and food. • Capacity building, peace building, and implementation of justice. • School material. • Furniture, build laboratories, and provide chemicals. • Capacity building in gender issues. • Capacity building in good governance. • Help in policy framework and finances, training, visiting places like prisons, orphanages, and police custodies. • Capacity building and trainings. • Capacity building, leadership, scholarships for women, and training. • Gender-based violence.
EASTERN EQUATORIA	
UNICEF Caritas Women's Association UNDP CEPO UNHCR	<ul style="list-style-type: none"> • Cash transfer to individual girl in all the schools. • Gender-based violence, girl child in prison, sexual harassment, child abuse and early marriages. • Gender mainstreaming, young women's leadership and gender and development. • International Women's Day, women's group meetings and women's projects. • Gender mainstreaming, young women's leadership, gender, and development. • Gender-based violence.

Agencies	Area of Support
JONGLEI	
ZOA JAM UNICEF IRC UNDP NTLI IRC UNDP	<ul style="list-style-type: none"> • Women and men with disabilities. • Gender activities to enhanced development. • Cash transfer to individual girl in all the schools, girl-child education. • Women initiative or program in Jonglei State parliament. • Capacity building and trainings. • One stop centre in Rumbek Hospital to support and give legal advice to survivors. • Nutrition plan, trainings for the peace actors.
LAKES	
Save the Children WHO CEPO Pnon Oxfam ARC IRC ACDF UNICEF UNFPA IOM	<ul style="list-style-type: none"> • Built toilets and fenced schools. • Immunization of children. • Peace dialogue trainings. • Violence peace forces. • GBV programme, GBV mainstreaming, trainings. • Deals with GBV related issues. • Deals with GBV related issues, women rights programme. • Deals with GBV related issues, provides financial assistance, education and hygiene/sanitation. • Deals with GBV related issues, facilitates on meetings. • Special needs.

Agencies	Area of Support
NORTHERN BHAR EL GHAZAL	
UNDP NTLI UNMISS WFP VSF HERY WASH WHO CIDO INTERSOS	<ul style="list-style-type: none"> • Deals with GBV related issues, training on gender awareness, finance assistance, support in counselling, and funding various programmes. • Capacity building and trainings. • GBV victim's protection and facilitation, sports programmes. • Construction of feeder road. • Gender base violence. • Training on sanitation and hygiene. • Reproductive health programme, tropical and neglected disease programme, TB and HIV programme. • Reintegration of children, early and forced marriage, and GBV. • Supports child protection, GBV, and case management, livelihood support and skills training.
RUWENG	
Care International UNHCR GPOC NTLI GIZ UNDP IRC DRC	<ul style="list-style-type: none"> • Community and IDPs capacity building (women in micro finance, sewing, carpentry, lifeskills training). • Help refugees. • Medical services provision. • Capacity building and trainings. • Provide administrative textbooks. • Construction of courts used by traditional leadership council, revenue authority premises, women in micro-finance activities, supplement HPF support to health activities, support the victims with dignity kits and counselling. • Support in sexual harassment related issues, women empowerment programmes.

Agencies	Area of Support
PIBOR AA	
Plan International Oxfam UNMISS GREDO JAM UNICEF ACROSS Help a Child United Network for Health MGCSW CARE International UNDP NTLI FCA WFP FAO AHA	<ul style="list-style-type: none"> • Child protection and GBV, case management, GBV prevention and response, psychosocial support • Child protection and GBV, vulnerable groups with cash and materials, education • Child protection & human rights • Child protection and case management • Immunization of expectant mothers and children • Child education • Vocational trainings, training teachers • Peacebuilding and education • GBV response and protection • Capacity building for staff on gender issues • Response to GBV through counseling, case management and referral. • Peace-building initiatives and trainings with a gender perspective. • Capacity building and trainings • Peace-building work • Distribution of food to women and children • Distribution of seeds to families • Medical services provision
WESTERN BHAR EL GHAZAL	
Help a Child UNICEF UNISCO HARD WATAB AMREF NTLI IOM	<ul style="list-style-type: none"> • Child protection issues • Girls incentives • GBV awareness • Health • Capacity building and trainings • Action plan on gender • Church Association • Capacity building • Support GBV training/meeting

Agencies	Area of Support
UNITY	
UNMISS NP UNICEF IOM UNFPA Care International MSF Hope Restoration World Relief CORDAID Ministry of Health NTLI World Vision CORDAID WFP FAO	<ul style="list-style-type: none"> • GBV and leadership related issues, protection, and community engagement. • Protection programmes, child education. • Education programme, WASH programme, livelihoods, business skills, WASH. • GBV related issues. • Running on- stop centre. • Supplement HPF support to health activities. • Coordination of health issues. • Capacity building and training. • Agricultural tools, supporting water system, and hygiene promotion. • Women empowerment activities. • Distribution of food to women and children. • Distribution of seeds to families.
UPPER NILE	
War Child-Holland UNDP NTLI ARC IRC ACDF UNICEF UNFPA IOM	<ul style="list-style-type: none"> • Support under age children abused in custody rape cases and support with blankets, bedsheets, and food. • Peace-building initiatives and trainings with a gender perspective. • Capacity building and training. • GBV programme, GBV mainstreaming, training. • Deals with GBV related issues. • Deals with GBV related issues, women rights programme. • Deals with GBV related issues, provides financial assistance, education, and hygiene/sanitation. • Deals with GBV related issues, facilitates meetings. • Special needs.

Agencies	Area of Support
WARRAP	
UNDP NTLI UNMISS WFP VSF HERY WASH UNMISS UNDP CEPO	<ul style="list-style-type: none"> • GBV, training on gender awareness, finance assistance, counselling. • Capacity building and trainings. • GBV victim's protection and facilitation, sports programmes. • Construction of feeder road. • GBV • Sanitation and hygiene. • Women Human Rights, leadership and decision making, peacebuilding, financial support for educational projects. • Development programmes, financial support to sponsor gender activities. • GBV, women rights programme.
WESTERN EQUATORIA	
UNMISS AMREF UNDP NTLI	<ul style="list-style-type: none"> • Women empowerment in leadership and decision making, peacebuilding, peace process, peacekeepers. • Financial support for educational projects. • Health • Child marriage. • Social and economic empowerment. • Capacity building, training, and governance.



6. ADDRESSING THE CHALLENGES TO IMPLEMENTING GENDER EQUALITY PROGRAMMES



The findings from the study highlight a number of challenges in the public sector in relation to the planning and implementation to achieve gender equality:

- ▶ While the government has adopted the 35 percent gender quota in the R-ACRSS to increase women’s representation in various decision-making levels, the implementation of policies and practice is lacking.
- ▶ There is an absence of an independent commission for gender equality to hold political leaders, parties and policy-makers to account. For example, failure to put forward women candidates for political appointments in line with the quota.
- ▶ There is an absence of budgets for gender policy implementation and mainstreaming across sectors and at all levels.
- ▶ There is limited representation of women in the higher echelons of the public service across all sectors, and in some sectors, very limited representation of women at any level.
- ▶ Representation of women in parliament is limited to the minimum quota (through women’s lists and political appointments) and they cannot compete for parliamentary seats on equal terms with men due to multiple constraints.

Since quota efficacy has been strengthened by specifying minimum thresholds of 35 percent, what remains are enactment of rules for positioning and sanctions for non-compliance; institute internal measures to support gender balanced representation of women in all decision-making bodies and encourage political parties to introduce internal measures to promote women’s advancement, candidacy and leadership. Although NTLI and UNWOMEN had developed a database of women leaders- aspirants and existing, more efforts is required to track advancement of women in leadership positions, identifying number of women represented in political and parliamentary bodies and what positions they occupy.

Table 16: Summary of key challenges ranked from most cited to least cited

Rank	Key Challenge for GEP Implementation
1	Low education level among women.
2	Culture and men attitude toward women.
3	Lack of adequate financial resources.
4	Lack of awareness about gender equality.
5	Early and under age marriage of girls.
6	Limited understanding of the policies protecting the rights of women.
7	Lack of political will in terms of resource allocation to promote gender equality.
8	Poor coordination and monitoring mechanisms.
9	Insecurity in the country.
10	Lack of gender desks and departments to handle gender issues.
11	Poor mobility and transportation to reach remote areas to provide gender sensitization at the grassroots level.
12	Family obligations and expectations by men and women.
13	Lack of communication and information sharing.
14	Lack of statistical information and data centre for gender disaggregated data.
15	Poor justice system (such as customary laws that run parallel to statutory laws).
16	Lack of enforcement of the gender laws.
17	Deforestation, fire outbreaks, and destruction of refugee settlers.
18	Floods.
19	Lack of centre and shelter homes for survivors of sexual and gender-based violence (GBV).
20	Lack of ICT equipment, computers, and printers.
21	Lack of awareness about gender equality.
22	Environmental pollutions from oil extractions that affect livelihood and the health of people.
23	Poor working environment.



PROPOSED ACTIONS REQUIRED TO PROMOTE GENDER EQUALITY IN PUBLIC ADMINISTRATION

- ▶ **Put in place mechanisms** at the State level to enforce the adoption and implementation of at least 35 percent gender quotas at all levels.
- ▶ **Allocate resources** to build the capacity of State level Ministries of Gender to support other sectors to address issues of gender equality.
- ▶ **Establish gender departments** in all public institutions and increase the awareness about the importance of including women in decision-making roles.
- ▶ **Create a database** to hold information about women in decision-making positions.
- ▶ **Discourage nepotism** in recruitment and employment processes. Competition should be allowed to build competence at work places.
- ▶ **Build a strong women's movement** that is able to nurture women in these areas: self-esteem, management, leadership, provision of learning opportunities, scholarships, and on-the-job training.
- ▶ **Advocate for the promotion of women to the highest levels** of decision-making in order to change the current situation where women remain at the middle level.
- ▶ **Create conducive working environments** that include establishing child care centers to increase women participation at work, support further education, and create economic empowerment programmes to link women to business, exchange visits, and experience sharing.
- ▶ **Promote education for girls** to support long-term efforts to increase the number of women leaders. This includes increasing the enrollment and retention of girls in schools, improving welfare services and working conditions for women, paying teachers on time, and providing scholarships and training opportunities for women in advanced education.
- ▶ **Parliament to support the formal or informal cross-party women's caucuses**, networks, and a parliamentary committee on gender.
- ▶ **Support women's research centers** and institutes that will capture voices and discriminatory practices occurring in Public Administration and provide evidence that can be used to enrich policies and laws.



7. CONCLUSION AND RECOMMENDATIONS

7.0 CONCLUSION



The GEPA study in 10 states and 3 administrative areas in South Sudan was conducted to obtain evidence-based data to inform the overall process of Gender Equality and public employment in South Sudan. Findings from the National and the State levels have provided a general understanding of the current status of the government's gender equality initiatives attained to date. There are similarities on issues restraining the attainment of gender equality across the country.

The policies enacted at the national level have trickled down to the State level. Yet, there is limited understanding and application due to poor dissemination. On the other hand, gender mainstreaming programmes have been established, but these rely heavily on donor support. The limited budget allocation to gender equality and women's empowerment programmes remains a major hindrance. Resources are needed for capacity building, professional development, awareness raising, coordination, and transportation to hard to reach areas. Without the resources and these activities, the national commitments to improving gender equality as expressed in various policy commitments that South Sudan has adopted will not be reached.

While relatively good progress has been made in terms integrating gender equality in legal frameworks. These have been achieved by the government in partnership with civil society (especially women's groups) and the support of the international community. However, implementation has been weak, with only limited resources allocated to the national machinery responsible for gender mainstreaming in public administration and capacity building of other actors. Implementation is affected by financial constraints alongside weak coordination mechanisms, and lack of political will.

The 35 percent gender quota has helped to increase women's political representation to a certain extent (for example women as members of parliament). However, major gaps remain in terms of women's representation in other political domains, such as senior ministerial positions, state governors, and local commissioners; and in leadership and decision-making roles within all branches of the public sector, including in the judiciary and security sector.

7.1 RECOMMENDATIONS

The following list presents a summary of the thirty-six recommendations for policies, programmes, and plans to improve the promotion of gender equality in public administration at both the State/AA and the national levels.

Table 17: Summary of the thirty-six recommendations at the State/AA and national levels

- | | |
|---|---|
| <ol style="list-style-type: none"> 1 Empower women through training and information sharing. 2 Provide funds for gender equality programmes. 3 Conduct fair recruitment procedures. 4 Gender mainstreaming in all the government institutions. 5 Establish a body to monitor the full implementation of the 35% affirmative action. 6 Create community awareness about gender equality. 7 Encourage girls to go to school. 8 Establish gender departments. 9 Create awareness for women to participate in decisions making. 10 Improve working environments to ensure men and women feel more secure. 11 Address early child and forced marriage. 12 Collect gender statistics and research on gender issues. 13 Create women entrepreneurship and micro-finance activities. 14 Establish basket fund involving all the UN & NGOs to avoid duplication of efforts and concentration in few areas. 15 Change the mindset of men about women in leadership. 16 Compulsory free education for girls. 17 Encourage women to join political parties. 18 Establish gender coordination forum at the state level. 19 Establish women empowerment centres. | <ol style="list-style-type: none"> 20 Improve security in the states/AAs 21 Review customary laws and practices, make changes so they not gender biased. 22 Form women's governing bodies to oversee women issues. 23 Recognize and celebrate women who succeed in public service. 24 Provide safe and accessible means of transportation. 25 Construct schools. 26 Encourage girls to study sciences. 27 Establish vocational training centres 28 Allow girls to use smart phones. 29 Compulsory teaching of gender equality at school. 30 Develop policies for monitoring & evaluation of gender equality programmes. 31 Increase awareness about HIV/AIDs at the county and Payam level. 32 Increase the number of female teachers by establishing a women's teacher-training institute. 33 Involve women in peace processes. 34 Registration of female graduates by MPS for employment in public administration 35 School girls' affirmative action: if a girl scores 49 percent, a hidden mark of 1.5 percent be added. 36 Support for farmers. |
|---|---|

7.1.1 Recommendations for policies, programmes, and plans by State/AA

Table 18 presents the recommendations for policies, programmes, and plans to improve the promotion of gender equality in public administration disaggregated by state/AA.

Table 18: Recommendations for policies, programmes, & plans by State/AA

Recommendations for GEPA by state/AA	
ABYEI AA	
<ul style="list-style-type: none"> • Creating awareness for women to participate in decisions making. • Encourage women to join political parties. • Create women entrepreneurship and micro-finance activities. • Gender mainstreaming in all the government institutions. • Form women’s governing bodies to oversee women issues. • Empower women through training and information sharing. • Provide funds for gender equality programmes. • Address early girl-child and forced marriage. 	
CENTRAL EQUATORIA	
<ul style="list-style-type: none"> • Conduct of fair recruitment procedures • Establish a body to monitor the full implementation of the 35% affirmative action. • Compulsory free education for girls. • Gender mainstreaming in all the government institutions. • Promote of education for girls. • End early and forced marriages. • Encourage women to join political parties. • Create awareness for women to participate in decisions making. • Provide funds for gender equality programmes. • Empower women through training and information sharing. • Establish a gender department. 	

Recommendations for GEPA by state/AA	
EASTERN EQUATORIA	
<ul style="list-style-type: none"> • Establish a body to monitor the full implementation of the 35% affirmative action. • Gender mainstreaming in all the government institutions. • Establish a gender department. • Empower women through training and information sharing. • Conduct fair recruitment procedures. • Establish gender coordination forum at the state level. • Provide funds for gender equality programmes. • Create awareness for women to participate in decisions making. 	
JONGLEI	
<ul style="list-style-type: none"> • Gender mainstreaming in all the government institutions • Compulsory free education for girls. • Create community awareness about gender equality. • Establish a body to monitor the full implementation of the 35% affirmative action. • Collect gender statistics and research on gender issues • Conduct fair recruitment procedures. • Provide funds for gender equality programmes. • Increase awareness about HIV/AIDS at the county and payam level. • Improve working environments to ensure men and women feel more secure. • Empowering women through training and information sharing. • Develop policies for monitoring and evaluating gender equality programmes. 	



Recommendations for GEPA by state/AA
LAKES
<ul style="list-style-type: none"> • Gender mainstreaming in all the government institutions. • Empower women through training and information sharing. • Develop policies for monitoring and evaluating gender equality programmes. • Provide funds for gender equality programmes. • Collect gender statistics and research on gender issues. • Improve working environments to ensure men and women feel more secure. • Conduct fair recruitment procedures. • Create awareness for women to participate in decisions making. • Change the mindset of men towards women in leadership. • Provide funds for gender equality programmes.
NORTHERN BHAR EL GHAZAL
<ul style="list-style-type: none"> • Gender mainstreaming in all the government institutions Conduct of fair recruitment procedures • Create community awareness about gender equality • Establish a body to monitor the full implementation of the 35% affirmative action. • Collect gender statistics and research on gender issues • Establish a gender department • Provide funds for gender equality programme • Establish vocational training centres. • Gender mainstreaming in all the government institutions



Recommendations for GEPA by state/AA
PIBOR ADMINISTRATIVE AREA
<ul style="list-style-type: none"> • Empower women through trainings and information sharing. • Establish women empowerment centres. • Create community awareness about gender equality. • Encourage girls to study sciences. • Improve security in the areas. • Change the mindset of men towards women in leadership roles. • Provide funds for gender equality programmes. • Gender mainstreaming in all the government institutions.
RUWENG AA
<ul style="list-style-type: none"> • Establish women empowerment centres. • Empower women through training and information sharing. • Collect gender statistics and research on gender issues. • Establish a gender department. • Encourage girls to study science subjects. • Provide funds for gender equality programmes. • Establish a body to monitor the full implementation of the 35 percent affirmative action. • Conduct fair recruitment procedures. • Establish of gender department • Encouraging women to join political parties. • Collect gender statistics and research on gender issues • Create community awareness about gender equality • Review customary laws to enrich them with practices that are not gender bias • Gender mainstreaming in all the government institutions.



Recommendations for GEPA by state/AA
UNITY
<ul style="list-style-type: none"> • Formation of women bodies that could oversee women issues • Encouraging girls to go to school • Awareness creations for women to participate in decisions making • Recognition and celebration of women who have do well • Compulsory teaching on gender equality at basic schools • Creations of community awareness about gender equality • Changes mindset of men towards women in leadership • Conduct of fair recruitment procedures • Programme to address early child and force marriage • Empowering women through trainings and information sharing • Establishment of a body to monitor the full implementation of the 35% affirmative action • Recognition and celebration of women who have done well- role models • Construction of schools • Encouraging women to join political parties • Establishment of basket fund involving all the UN and NGOs to avoid duplication of effort and concentration in few areas. • Gender mainstreaming in all the government institutions • Empowering women through trainings and information sharing • Awareness creations for women to participate in decisions making • Improve working environments to ensure men and women feel more secure • Formation of women bodies that could oversee women issues • Establishment of gender department



Recommendations for GEPA by state/AA
WESTERN BHAR EL GHAZAL
<ul style="list-style-type: none"> • Awareness creations for women to participate in decisions making • Increasing the number of female teachers by establishment female teachers training institute • Establishment of basket fund involving all the UN and NGOs to avoid duplication of effort and concentration in few areas • Establishment of gender coordination forum at the state level • Reviews of customary law to enrich them with practices that are not gender bias • Establishment of a body to monitor the full implementation of the 35% affirmative action • Provision of fund for gender equality programme • Empowering women through trainings and information sharing • Creations of community awareness about gender equality
WESTERN EQUATORIA
<ul style="list-style-type: none"> • Establishment of gender coordination forum at the state level • Improvement of working environments to ensure men and women feel more secure • Gender mainstreaming in all the government institutions • Compulsory free education for girls • Conduct of fair recruitment procedures

7.1.2 Recommended Actions to Take and Lead Agencies

A wide range of measures are needed to attain the minimum threshold of 35 percent gender quotas provided in the constitution. Coordinated and intensified efforts are needed to adequately mainstream gender equality across the public sector and to consolidate gains made so far in women’s representation in the public life following the adoption of 35 percent gender quotas in the R-ARCSS. A summary of the recommended actions is set out in Table 19.

Table 19: Recommended actions to take and corresponding lead agencies

DIMENSION OF GEPA	ACTIONS TO TAKE	LEAD AGENCIES
Institutional Frameworks For Gender Equality in Public Administration	1. GRSS to establish an independent body and Gender Quotas Bill (Affirmative Action Bill) to provide an oversight and ensure adherence to the 35 percent quotas for women representation decision-making structures in the public administration.	MGCSW VP Gender and Youth Cluster MoJCA
	2. Review the National Gender Policy (NGP 2013) and the Strategic Development Plan in line with the National Development Plan and R- ARCSS and integrate institutional mechanisms for accountability and sanction for non-compliance at work places. This can facilitate women’s advancement and help to capture valuable voices, perspectives and expertise.	MGCSW
	3 Undertake regular and coordinated meetings between governmental institutions, social partners and civil society to participate and provide feedback on the overall implementation of the gender equality strategy, with specific reference to GEPA.	MGCSW

DIMENSION OF GEPA	ACTIONS TO TAKE	LEAD AGENCIES
Gender Mainstreaming In The Public Sector.	4.GRSS, Ministry of Public Service and MGCSW to work with partners to institute special funding mechanisms to enhance capacity of focal undersecretaries, human resource and budget officers, gender focal points and women groups in general through trainings, mentoring and coaching for effective implementation and monitoring of gender equality agenda in their public institutions.	MGCSW Ministry of Public Service
	5. Monitoring: MGCSW to work with NBS and Finance to establish a robust monitoring and evaluation mechanisms for ensuring that gender equality strategies achieve their intended impacts, working with relevant stakeholders (including NGOs, academia, service providers, etc.) to collect sex- disaggregated data against national gender impact indicators and in fields relevant to measure progress of national gender equality goals.	NBS MGSW
	6. Gender analysis: MGCSW to specify reporting frameworks and relationships and engage the NBS to ensure collection of gender-disaggregated data across all sectors and in line with National Gender Policy (2013) and SSNAP of Women, Peace and Security indicators; The government and partner organisations should allocate sufficient resources to build capacity of bodies undertaking gender analysis.	MGCSW (supported by UN WOMEN)

DIMENSION OF GEPA	ACTIONS TO TAKE	LEAD AGENCIES
Gender Mainstreaming In The Public Sector	7. Gender-responsive budgeting: MoFEP and MGCSW to systematically launch a gender-responsive budgeting initiative nationally (as well as at the state level) and build capacity of undersecretaries, gender focal points; and budget and planning officers to budget with a gender lens and integrate gender equality programmes.	MoFEP plus MGCSW (supported by UNICEF/UNDP etc.)
Gender-Sensitive Public Employment Practices	8. Review Labour Act (2017) and Public Service Act (2011) to integrate 35% gender quotas, conducive working environment; The future review of civil service legislation and policies, should also consider developing a broader vision of diversity and gender equality, including, when appropriate, the examination of a range of other intersecting identity factors (such as age, cultural background, and ability).	MoL MoPS
	9. Establish effective and independent recourse and appeal mechanisms on gender equality in the public sector; and promote a safe climate to use these without repercussions, including the provisions for the protection of individual public employees who report violations of gender equality policies and legislation.	MoPs ILO MGCSW

DIMENSION OF GEPA	ACTIONS TO TAKE	LEAD AGENCIES
Gender-Sensitive Parliamentary Practices	10. Review Election Act (2012) and electoral systems and procedures, as well as the Political Parties Act and parliamentary procedures to strengthen gender equality agenda and promote women's advancement, candidacy and leadership.	Electoral Commission MoJCA (supported by UN WOMEN & other partners)
	11. Support mentoring or peer-to-peer knowledge and experience sharing, either by pairing experienced women parliamentarians with newcomers or by building partnerships between women and men in the parliament to support women's advancement.	MPA NTLI UNDP UN WOMEN UNMISS CSOs
Gender-Sensitive Practices In The Judiciary	12. R-TGONU to support the establishment of a gender-balanced ad hoc Judicial Reform Committee which can support gender-sensitisation within judicial reform process (as per R-ARCSS Article 1.17.3). Judiciary to advocate for 35 percent quotas in the restructuring of the Judiciary during the transitional period as per Article 1.17.6.	Judiciary MoJCA
	13. Security Sector Reform: Work with partners to take stock of gender equality issues in the security sector and develop guidelines to enhance representation of women, gender-sensitive policies and integration of gender in decision-making structures.	Ministry of Interior MDVA National Security (with support from MGCSW & partners incl. UNDP, UNW, UNMISS and IOM on Community Policing)



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ANNEXES



ANNEX 1: UNDP- OECD TOOL FOR ASSESSING GENDER EQUALITY IN PUBLIC LIFE

ANNEX 2: INTERVIEW GUIDE FOR GOVERNMENT OFFICIALS AND GENDER FOCAL POINTS

ANNEX 3: LIST OF KEY INFORMANT INTERVIEWS (BY SECTOR/AGENCY)

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ANNEX 5: SUMMARY OF LEGAL FRAMEWORKS FOR GEPA IN SOUTH SUDAN

ANNEX 1: UNDP- OECD TOOL FOR ASSESSING GENDER EQUALITY IN PUBLIC LIFE

The Combined UNDP-OECD Framework

Operating since 2011, the *UNDP Gender Equality in Public Administration* (GEPA) Initiative is a specialized global initiative that aims to advance and mainstream women's participation and leadership in the public sector to accelerate progress on sustainable development and peace. One of the core assets managed by the initiative is the *UNDP-OECD Tool for Assessing Gender Equality in Public Life*. Developed in 2015 in partnership with the OECD, this enables national governments to analyze gender equality and women's participation in the public sector in a holistic, but flexible manner. The tool has now been successfully deployed in several countries at the national and sub-national level.²³

The tool consists of a number of standardized instruments to collect primary and secondary data (quantitative and qualitative) to input into the analysis, including:

- ▶ Officially available statistics—whether centrally housed or provided by specific ministries, academic institutions or organisations.
- ▶ Interviews with ministers, undersecretaries, Director Generals, Commissioners, and gender focal persons.
- ▶ Focus group discussions with gender focal points, planning and human resources officers, and men and women civil servants.
- ▶ Consultations with civil society representatives, judiciary, and parliament.

²³ The UNDP-OECD Tool has now been successfully deployed using different module components in several countries, including Indonesia, Pakistan and Myanmar. A core component of each of these assessments has been the module on women's positions in public service and gender equality in human resource management.

²⁴ The OECD has 4 Pillars, with gender-sensitive practices in Parliament and the Judiciary as separate pillars (Pillars 2 and 4). In this study, coverage of parliament and the judiciary has been incorporated into the assessment of the employment practices of various different branches of the public sector (Section 3).

The GEPA assessment in South Sudan has the following components:

PART 1: THE NATIONAL GENDER EQUALITY CONTEXT

Institutional and Governance Frameworks For Gender Equality (OECD Pillar I)

- 1.1. Legal and policy framework.
- 1.2. Institutional framework and resources.
- 1.3. Strategies and policies for gender equality and mainstreaming.
- 1.4. Gender equality implementation and coordination mechanisms.
- 1.5. Accountability, monitoring and oversight.
- 1.6. Gender analysis and gender-responsive budgeting.

PART 2: GENDER EQUALITY IN PUBLIC ADMINISTRATION

Gender-Sensitive Public Employment Practices (OECD Pillar III)

- 2.1. Women's positions in public service (civil service; judiciary; legislature; academia; security sector)²⁴
- 2.2. Participation and leadership of women in public institutions.
- 2.3. Gender equality in human resource management.
- 2.4. Gender norms and workplace harassment in public institutions.

Adaptation to the South Sudan Context

As a fragile setting and as a country transitioning into peace, South Sudan represents a unique context for the implementation of the UNDP-OECD Tool. Significant capacity gaps are still faced by the GRSS as it embarks on the implementation of the R-ARCSS, including the complexity of the scale of the development and peacebuilding needs in the country. To ensure full ownership buy-in at the highest possible decision-making level of the process, the following approach has been adopted:

- ▶ **Sensitization, access and close collaboration with Government of South Sudan** stakeholders at different levels. The MGCSW and the National Transformational Leadership (NTLI) at the University of Juba have played a key role in supporting the assessment, specifically by sensitizing government counterparts and other key institutions on the purpose and importance of the mapping to generate further buy-in and cooperation.

- ▶ **Sharing of expectations and agreement with government counterparts** on the scope of the purpose and scope of the analysis, key themes (modules) and levels of analysis to be carried out. Agreement on the modules to be incorporated into the assessment has been reached in consultation with the MGCSW (see below). MGCSW expressed a strong interest in conducting the mapping across as many branches of the public sector as possible. Hence the study covered the core civil service institutions at national level.
- ▶ **Sensitivity to the challenges South Sudan is facing in re-building its public sector** functionality in the aftermath of conflict. South Sudan is currently in a period of transition, where restoring the functionality and delivery of the public sector is key. This requires a consideration of how gender equality in public administration intersects with the need to re-build the core government functions and basic service capabilities of the government.
- ▶ **Attention to the existing conflict dynamics and peacebuilding role played by the public sector.** The politicization of the public sector common in the aftermath of conflict poses a challenge for rationalizing public institutions and their human resource practices (such as merit-based recruitment practices, etc.), adding a layer of complexity for advancing GEPA in the context. ²⁵ Group exclusion from positions within the public service can act as a conflict driver, whereas promoting gender equality and women's participation in public administration has considerable peacebuilding potential.
- ▶ **Focus on implementation.** A key element in the successful deployment of the assessment is ensuring that action can be taken on its key recommendations. UNDP will therefore work closely with MGCSW to ensure that there are concrete linkages to existing policy processes and/or initiatives by the GRSS and other actors in public administration and public sector reform, in an effort to restore core government functions, and gender equality in governance and peacebuilding.

²⁵ Restore or reform; (re)building core government functions in fragile and conflict affected settings (2017)

ANNEX 2: INTERVIEW GUIDE FOR GOVERNMENT OFFICIALS AND GENDER FOCAL POINTS

1. Name of the Ministry_____
- Name of respondent_____
- Position_____
- Department_____
- Ministry_____
2. Number of men and women in each institution?
3. Number of men and women in decision-making positions- (From Deputy Director to Minister)?
4. What criteria are used for appointment, promotion and rewarding?
5. What prevents women's participation in decision-making positions?
6. What are the barriers to women's participation in the Civil Service (Social, economic, political and cultural)?
7. What initiatives exist in each institution to promote women's participation?
8. Have there been any initiative to address the representation of women in all government?
9. What are the key gender achievements in the government ministries and commissions since 2006?
10. What challenges undermine women's access and promotion to higher decision-making levels?
11. What factors constrain gender focal points from mainstreaming gender in their policies, programmes and sector plans?
12. How much budget/resources are allocated and efforts put in place for gender mainstreaming activities in the line ministries and commissions?
13. The institutional capacity (including staff capacity) to analyze, integrate, monitor and provide oversight of gender equality programmes?
 - What programmes does the ministry have that address gender equality?
 - Which partner institutions do you work with and in which programmes?
 - How do you coordinate the activities/ reporting and information sharing?
 - What are the key challenges/ and successes during implementation?
 - What systems are in place for monitoring/checking the implementation (oversight mechanisms)?
14. What recommendations are there for policies, programmes and plans to improve promotion of gender equality agenda in your ministry/sector.

ANNEX 3: LIST OF KEY INFORMANT INTERVIEWS BY SECTOR/AGENCY

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
	ABYEI AA	14
1.	AA Secretariat	1
2.	Assembly	1
3.	City Council	1
4.	County Court	1
5.	Ministry of Agriculture, Environment and Forestry	1
6.	Ministry of Culture, Youth and Sport - Culture	1
7.	Ministry of Culture, Youth and Sport - Youth	1
8.	Ministry of Finance, Planning and Investment	1
9.	Ministry of Gender, Child and Social Welfare	1
10.	Ministry of General Education and Instructions	1
11.	Ministry of Health	1
12.	Ministry of Housing, Land and Public Utilities	1
13.	Ministry of Labour, Public Service & Human Resource	1
14.	Ministry of Local Government and Law Enforcement	1
	CENTRAL EQUATORIA	27
15.	Anti-Corruption Commission	1
16.	City Council	1
17.	Conflict Resolution and Reconciliation Commission	1
18.	Employees Justice Chamber	1
19.	HIV/AIDS Commission	1
20.	Human Right Commission	1
21.	Investment Commission	1
22.	Land Commission	1
23.	Ministry of Agriculture, Environment and Forestry	1
24.	Ministry of Animal Resources, Fisheries and Tourism	1
25.	Ministry of Cabinet Affair	1
26.	Ministry of Cooperative and Rural Development	1
27.	Ministry of Culture, Youth and Sport	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
28.	Ministry of Finance, Planning and Investment	1
29.	Ministry of Gender, Child and Social Welfare	1
30.	Ministry of General Education and Instructions	1
31.	Ministry of Health	1
32.	Ministry of Housing, Land and Public Utilities	1
33.	Ministry of Information and Communication	1
34.	Ministry of Labour, Public Service & Human Resource	1
35.	Ministry of Local Government and Law Enforcement	1
36.	Ministry of Parliamentary and Legal Affairs	1
37.	Ministry of Peacebuilding	1
38.	Ministry of Roads and Bridges	1
39.	Ministry of Trade and Industry	1
40.	Relief and Rehabilitation Commission	1
41.	State Secretariat	1
	EASTERN EQUATORIA	18
42.	Conflict Resolution and Reconciliation Commission	1
43.	Employees Justice Chamber	1
44.	HIV/AIDS Commission	1
45.	Human Right Commission	1
46.	Ministry of Animal Resources, Fisheries and Tourism	1
47.	Ministry of Cabinet Affair	1
48.	Ministry of Cooperative and Rural Development	1
49.	Ministry of Culture, Youth and Sport	1
50.	Ministry of Finance, Planning and Investment	1
51.	Ministry of Gender, Child and Social Welfare	1
52.	Ministry of General Education and Instructions	1
53.	Ministry of Health	1
54.	Ministry of Labour, Public Service & Human Resource	1
55.	Ministry of Peacebuilding	1
56.	Ministry of Roads and Bridges	1
57.	Ministry of Trade and Industry	1
58.	Revenue Authority	1
59.	State Legislative Assembly	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
	JONGLEI	24
60.	Ant-Corruption Commission	1
61.	City Council	1
62.	Conflict Resolution and Reconciliation Commission	1
63.	Employees Justice Chamber	1
64.	HIV/AIDS Commission	1
65.	Ministry of Agriculture, Environment and Forestry	1
66.	Ministry of Animal Resources, Fisheries and Tourism	1
67.	Ministry of Cabinet Affair	1
68.	Ministry of Cooperation and Rural Development	1
69.	Ministry of Culture, Youth and Sport	1
70.	Ministry of Finance, Planning and Investment	1
71.	Ministry of Gender, Child and Social Welfare	1
72.	Ministry of General Education and Instructions	1
73.	Ministry of Health	1
74.	Ministry of Housing, Land and Public Utilities	1
75.	Ministry of Information and Communication	1
76.	Ministry of Labour, Public Service & Human Resource	1
77.	Ministry of Local Government and Law Enforcement	1
78.	Ministry of Parliamentary and Legal Affairs	1
79.	Ministry of Roads and Bridges	1
80.	Ministry of Trade and Industry	1
81.	Relief and Rehabilitation Commission	1
82.	State Legislative Assembly	1
83.	State Secretariat	1
	LAKES	21
84.	City Council	1
85.	Human Right Commission	1
86.	Ministry of Agriculture, Environment and Forestry	1
87.	Ministry of Animal Resources, Fisheries and Tourism	1
88.	Ministry of Cooperative and Rural Development	1
89.	Ministry of Culture, Youth and Sport	1
90.	Ministry of Finance, Planning and Investment	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
91.	Ministry of Gender, Child and Social Welfare	1
92.	Ministry of General Education and Instructions	1
93.	Ministry of Health	1
94.	Ministry of Housing, Land and Public Utilities	1
95.	Ministry of Information and Communication	1
96.	Ministry of Justice	1
97.	Ministry of Labour, Public Service & Human Resource	1
98.	Ministry of Local Government and Law Enforcement	1
99.	Ministry of Peacebuilding	1
100.	Ministry of Roads and Bridges	1
101.	Ministry of Trade and Industry	1
102.	Relief and Rehabilitation Commission	1
103.	State Legislative Assembly	1
104.	State Secretariat	1
	NORTHERN BHAR EL GHAZAL	21
105.	City Council	1
106.	Conflict Resolution and Reconciliation Commission	1
107.	Human Right Commission	1
108.	Ministry of Animal Resources, Fisheries and Tourism	1
109.	Ministry of Cabinet Affair	1
110.	Ministry of Cooperation and Rural Development	1
111.	Ministry of Culture, Youth and Sport	1
112.	Ministry of Finance, Planning and Investment	1
113.	Ministry of Gender, Child and Social Welfare	1
114.	Ministry of General Education and Instructions	1
115.	Ministry of Health	1
116.	Ministry of Housing, Land and Public Utilities	1
117.	Ministry of Information and Communication	1
118.	Ministry of Labour, Public Service & Human Resource	1
119.	Ministry of Local Government and Law Enforcement	1
120.	Ministry of Peacebuilding	1
121.	Ministry of Roads and Bridges	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
122.	Ministry of Trade and Industry	1
123.	Peace Commission	1
124.	State Legislative Assembly	1
125.	State Secretariat	1
	PIBOR AA	16
126.	Ant-Corruption Commission	1
127.	Human Right Commission	1
128.	Investment Commission	1
129.	Land Commission	1
130.	Ministry of Agriculture, Environment and Forestry	1
131.	Ministry of Culture, Youth and Sport	1
132.	Ministry of Finance, Planning and Investment	1
133.	Ministry of Gender, Child and Social Welfare	1
134.	Ministry of General Education and Instructions	1
135.	Ministry of Health	1
136.	Ministry of Information and Communication	1
137.	Ministry of Local Government and Law Enforcement	1
138.	Ministry of Physical Infrastructure	1
139.	Peace Commission	1
140.	Relief and Rehabilitation Commission	1
141.	State Secretariat	1
	RUWENG	15
142.	HIV/AIDS Commission	1
143.	Investment Commission	1
144.	Land Commission	1
145.	Ministry of Agriculture, Environment and Forestry	1
146.	Ministry of Environment	1
147.	Ministry of Finance, Planning and Investment	1
148.	Ministry of Gender, Child and Social Welfare	1
149.	Ministry of General Education and Instructions	1
150.	Ministry of Health	1
151.	Ministry of Information and Communication	1
152.	Ministry of Labour, Public Service & Human Resource	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
153.	Ministry of Local Government and Law Enforcement	1
154.	Peace Commission	1
155.	Relief and Rehabilitation Commission	1
156.	State Secretariat	1
	UNITY	25
157.	Ant-Corruption Commission	1
158.	City Council	1
159.	Employees Justice Chamber	1
160.	HIV/AIDS Commission	1
161.	Human Right Commission	1
162.	Ministry of Agriculture, Environment and Forestry	1
163.	Ministry of Animal Resources, Fisheries and Tourism	1
164.	Ministry of Cabinet Affair	1
165.	Ministry of Cooperative and Rural Development	1
166.	Ministry of Culture, Youth and Sport	1
167.	Ministry of Finance, Planning and Investment	1
168.	Ministry of Gender, Child and Social Welfare	1
169.	Ministry of General Education and Instructions	1
170.	Ministry of Health	1
171.	Ministry of Housing, Land and Public Utilities	1
172.	Ministry of Information and Communication	1
173.	Ministry of Labour, Public Service & Human Resource	1
174.	Ministry of Local Government and Law Enforcement	1
175.	Ministry of Parliamentary and Legal Affairs	1
176.	Ministry of Peacebuilding	1
177.	Ministry of Roads and Bridges	1
178.	Ministry of Trade and Industry	1
179.	Relief and Rehabilitation Commission	1
180.	State Legislative Assembly	1
181.	State Secretariat	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
	UPPER NILE	24
182.	Ant-Corruption Commission	1
183.	City Council	1
184.	Conflict Resolution and Reconciliation Commission	1
185.	County Court	1
186.	HIV/AIDS Commission	1
187.	Human Right Commission	1
188.	Ministry of Agriculture, Environment and Forestry	1
189.	Ministry of Animal Resources, Fisheries and Tourism	1
190.	Ministry of Cabinet Affair	1
191.	Ministry of Culture, Youth and Sport	1
192.	Ministry of Finance, Planning and Investment	1
193.	Ministry of Gender, Child and Social Welfare	1
194.	Ministry of General Education and Instructions	1
195.	Ministry of Health	1
196.	Ministry of Housing, Land and Public Utilities	1
197.	Ministry of Information and Communication	1
198.	Ministry of Labour, Public Service & Human Resource	1
199.	Ministry of Local Government and Law Enforcement	1
200.	Ministry of Parliamentary and Legal Affairs	1
201.	Ministry of Roads and Bridges	1
202.	Ministry of Trade and Industry	1
203.	Relief and Rehabilitation Commission	1
204.	State Legislative Assembly	1
205.	State Secretariat	1
	WARRAP	25
206.	Ant-Corruption Commission	1
207.	City Council	1
208.	Conflict Resolution and Reconciliation Commission	1
209.	Employees Justice Chamber	1
210.	Human Right Commission	1
211.	Ministry of Agriculture, Environment and Forestry	1
212.	Ministry of Animal Resources, Fisheries and Tourism	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
213.	Ministry of Cooperative and Rural Development	1
214.	Ministry of Culture, Youth and Sport	1
215.	Ministry of Finance, Planning and Investment	1
216.	Ministry of Gender, Child and Social Welfare	1
217.	Ministry of General Education and Instructions	1
218.	Ministry of Health	1
219.	Ministry of Housing, Land and Public Utilities	1
220.	Ministry of Information and Communication	1
221.	Ministry of Labour, Public Service & Human Resource	1
222.	Ministry of Local Government and Law Enforcement	1
223.	Ministry of Parliamentary and Legal Affairs	1
224.	Ministry of Peacebuilding	1
225.	Ministry of Roads and Bridges	1
226.	Ministry of Trade and Industry	1
227.	National Bureau of Statistics	1
228.	Relief and Rehabilitation Commission	1
229.	State Legislative Assembly	1
230.	State Secretariat	1
	WESTERN BHAR EL GHAZAL	25
231.	City Council	1
232.	Conflict Resolution and Reconciliation Commission	1
233.	County Court	1
234.	HIV/AIDS Commission	1
235.	Human Right Commission	1
236.	Ministry of Agriculture, Environment and Forestry	1
237.	Ministry of Animal Resources, Fisheries and Tourism	1
238.	Ministry of Cabinet Affair	1
239.	Ministry of Cooperative and Rural Development	1
240.	Ministry of Culture, Youth and Sport	1
241.	Ministry of Finance, Planning and Investment	1
242.	Ministry of Gender, Child and Social Welfare	1
243.	Ministry of General Education and Instructions	1
244.	Ministry of Health	1

	STATE/AA/NAMES OF INSTITUTIONS	NUMBER OF INSTITUTIONS
245.	Ministry of Housing, Land and Public Utilities	1
246.	Ministry of Information and Communication	1
247.	Ministry of Labour, Public Service & Human Resource	1
248.	Ministry of Local Government and Law Enforcement	1
249.	Ministry of Parliamentary and Legal Affairs	1
250.	Ministry of Peacebuilding	1
251.	Ministry of Roads and Bridges	2
252.	Ministry of Trade and Industry	1
253.	Relief and Rehabilitation Commission	1
254.	State Legislative Assembly	1
	WESTERN EQUATORIA	21
255.	City Council	1
256.	County Court	1
257.	Employees Justice Chamber	1
258.	HIV/AIDS Commission	1
259.	Ministry of Agriculture, Environment and Forestry	1
260.	Ministry of Animal Resources, Fisheries and Tourism	1
261.	Ministry of Cabinet Affair	1
262.	Ministry of Cooperative and Rural Development	1
263.	Ministry of Culture, Youth and Sport	1
264.	Ministry of Gender, Child and Social Welfare	1
265.	Ministry of General Education and Instructions	1
266.	Ministry of Health	1
267.	Ministry of Housing, Land and Public Utilities	1
268.	Ministry of Information and Communication	1
269.	Ministry of Labour, Public Service & Human Resource	1
270.	Ministry of Local Government and Law Enforcement	1
271.	Ministry of Parliamentary and Legal Affairs	1
272.	Ministry of Roads and Bridges	1
273.	Ministry of Trade and Industry	1
274.	State Legislative Assembly	1
275.	State Secretariat	1
	TOTAL	275

ANNEX 4: SUMMARY OF FOCUS GROUP DISCUSSIONS WITH GENDER FOCAL POINTS

Why are there few women in the public sector?	What can be done to increase their numbers and participation in top leadership position?	What challenges do you experience in planning and implementation gender related project?	What are some of the recommendations to the stakeholders to ensure women 's effective participation
<ul style="list-style-type: none"> • Low level of education among women. • Cultural attitudes by men towards public office, and deny the moral of women participation. • Sexual harassment & discrimination. • Family obligations/ responsibilities. • Insecurity and poor working environment. • Lack of encouragement by the fellow women in power to let their follower in joining public sector / offices. • Forced / early marriage, most women were married at under age while they did not get opportunities for proper education. • Lack of political will to appoint the women of their choice regardless of your qualification. • Lack of incentive and poor payment system. 	<ul style="list-style-type: none"> • Increases women recruitments, appointment and promotion into decision making positions. • Increasing of girl/women enrollment to school. • Implementation of the 35% affirmative action. • Increases women empowerment and capacity building programme. • More awareness about gender equality. • Involvement of women in traditional leadership. • Increasing justice and rule of law. • Construction of more schools. • Increasing women participation in political activities • Improving the working environment. • Mainstreaming of gender equality. • Ending of force marriage and gender base violence. • Family sharing of responsibilities. 	<ul style="list-style-type: none"> • Lack of budgetary support for gender equality programmes. • Cultural practice that restriction women participation. • Bias recruitment and promotion system. • High illiteracy level among women. • Lack of mainstreaming of gender into policies and laws. • Low level of awareness about gender equality. • Discrimination, harassment and exploitation at work places. • Poor participation of women in political parties' activities. • Persistent insecurity in the areas. • Lack of political will from the government to implement equality programme (35% Affirmative Action). • Highly level of poverty. • Present of few women in decision making position • Lack of supporting partners on gender equality. • Early and force marriage practice. • Family obligations. • Poor salary and delay of payment. • Lack of gender statistics and research. 	<ul style="list-style-type: none"> • Women capacity building and empowerment through training and workshops. • Encourage women to participate in public issues. • Fair dissemination and sharing of gender related information. • Gender mainstreaming. • Compulsory education for girls/women. • Give soft loans to women to increase financial accessibility. • Strengthen rule of law and its enforcement. • Full financing of gender equality programmes. • Form Gender Committees. • Full implementation of 35% Affirmation Action. • Abolition of forced and early marriage. • Implementation of the Peace Agreement. • Increase the number of female teachers in schools & universities. • Improve road network. • Conduct regular gender research. • Access to good health services. • Support women doing farming activities.

1. Why are we having very few women in the public sector?

- A26** Low level of education among women.
- B27** Cultural attitudes by men towards public offices deny the moral of women participation.
- C28** Sexual harassment and discrimination.
- D29** Family obligations/ responsibilities.
- E30** Insecurity and poor working environment.
- F31** Lack of encouragement by the fellow women in power to let their followers join public sector / offices.
- H32** Forced / early marriage, most women were married under age and so did not get the opportunity for proper education.
- I33** Lack of political will to appoint the women of their choice regardless of your qualification.
- J34** Lack of incentive and poor payment system.

State/AA	A26	B27	C28	D29	E30	F31	G32	H33	I34	Total
Abyei AA	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	0.0%	100%
Central Equatoria	14.3%	14.3%	14.3%	14.3%	0.0%	14.3%	14.3%	0.0%	14.3%	100%
Eastern Equatoria	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	0.0%	100%
Jonglei	20.0%	20.0%	20.0%	0.0%	20.0%	0.0%	0.0%	20.0%	0.0%	100%
Lakes	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	0.0%	12.5%	100%
Northern Bhar el Ghazal	16.7%	16.7%	16.7%	16.7%	16.7%	0.0%	0.0%	16.7%	0.0%	100%
Pibor AA	25.0%	25.0%	0.0%	25.0%	0.0%	25.0%	0.0%	0.0%	0.0%	100%
Ruweng	33.3%	0.0%	0.0%	33.3%	0.0%	0.0%	33.3%	0.0%	0.0%	100%
Unity	25.0%	25.0%	25.0%	0.0%	0.0%	0.0%	0.0%	25.0%	0.0%	100%
Upper Nile	14.3%	14.3%	14.3%	14.3%	14.3%	14.3%	0.0%	14.3%	0.0%	100%
Warrap	25.0%	25.0%	25.0%	0.0%	0.0%	0.0%	25.0%	0.0%	0.0%	100%
Western Bhar el Ghazal	20.0%	20.0%	20.0%	0.0%	20.0%	20.0%	0.0%	0.0%	0.0%	100%
Western Equatoria	25.0%	25.0%	0.0%	25.0%	25.0%	0.0%	0.0%	0.0%	0.0%	100%
Total	17.8%	16.4%	13.7%	12.3%	11.0%	9.6%	8.2%	8.2%	2.7%	100%

2. What can be done to increase the number of women and their participation in top leadership positions?

- A35** Increase women's recruitment, appointment, and promotion into decision making positions.
- B36** Increase girls /women enrollment at school.
- C37** Implement the 35% Affirmative Action.
- D38** Increase women's empowerment and capacity building programmes.
- E39** More awareness about gender equality.
- F40** Involve women in traditional leadership.
- G41** Increase justice and rule of law.
- H42** Construct more schools.
- I43** Increasing women participation in political activities
- J44** Improving the working environment
- K45** Mainstreaming of gender equality
- L46** Ending of force marriage and gender base violence
- M47** Family sharing of responsibilities
- H32** Forced / early marriage, most women were married at under the legal age while they did not get opportunities for proper education.
- I33** Lack of political will to appoint the women of their choice regardless of your qualification.

State/AA	A35	B36	C37	D38	E39	F40	G41	H42	I43	J44	K45	L46	M47
Abyei AA	✓	✓	✓	✓	-	-	-	-	-	-	-	✓	✓
Central Equatoria	✓	✓	✓	✓	-	-	-	-	-	✓	-	-	-
Eastern Equatoria	-	-	✓	-	✓	-	✓	-	-	-	-	-	-
Jonglei	✓	✓	✓	-	✓	✓	✓	-	✓	-	-	-	-
Lakes	✓	✓	-	✓	✓	✓	-	-	✓	-	-	-	-
Northern Bhar el Ghazal	✓	✓	✓	✓	✓	✓	✓	-	✓	-	-	-	-
Pibor AA	-	-	✓	✓	-	✓	✓	✓	-	-	-	-	-
Ruweng	-	✓	-	-	✓	-	-	-	-	✓	✓	-	-
Unity	✓	-	✓	✓	-	✓	-	-	-	-	✓	-	-
Upper Nile	✓	✓	-	-	-	✓	-	✓	✓	-	-	-	-
Warrap	✓	✓	✓	✓	-	-	-	✓	-	-	-	✓	-
Western Bhar el Ghazal	✓	-	✓	-	✓	-	✓	-	-	✓	-	-	-
Western Equatoria	✓	✓	✓	✓	✓	-	-	✓	-	✓	✓	-	-
Total	13.5 %	12.2%	12.2%	10.8%	10.8%	8.1%	6.8%	5.4%	5.4%	5.4%	4.1 %	4.1 %	1.4 %

3. What challenges do you see in the public sectors in planning and implementation to achieve gender equality?

- A48 Lack of budgetary support for gender equality programmes.
- B49 Cultural practice that restriction women participation.
- C50 Bias recruitment and promotion system.
- D51 High illiteracy level among women.
- E52 Lack of mainstreaming of gender into various policies and laws.
- F53 Low level of awareness about gender equality.
- G54 Discrimination, harassment and exploitation at work places
- H55 Poor participation of women in political parties' activities.
- I56 Persistent insecurity in the areas.

- J57 Lack of political will from the government to implement equality programme e.g 35 percent affirmative action.
- K58 Highly level of poverty.
- L59 Present of few women in decision making position.
- M60 Lack of supporting partners on gender equality.
- N61 Early and force marriage practice.
- O62 Family obligation.
- P63 Poor salary and delay of payment.
- Q64 Lack of gender statistics and research.

State/AA	A48	B49	C50	D51	E52	F53	G54		H55	I56	J57	K58	L59	M60	N61	O62	P63	Q64
Abyei AA	✓	✓	-	✓	-	✓	✓		✓	✓	✓	✓	-	✓	✓	-	✓	-
Central Equatoria	✓	✓	-	✓	-	✓	✓		✓	-	-	✓	-	✓	✓	-	-	-
Eastern Equatoria	✓	✓	✓	-	✓	✓	-		✓	✓	✓	-	✓	-	-	-	-	-
Jonglei	-	-	-	✓	-	-	✓		✓	✓	-	✓	✓	-	-	-	-	-
Lakes	✓	✓	✓		-	-	✓		-	-	-	-	✓	-	-	-	-	-
Northern Bhar el Ghazal	✓	✓	✓	✓	✓	-	✓		✓	-	✓	✓	✓	-	-	-	-	-
Pibor AA	✓	✓	-	-	✓	-	✓		-	✓	✓	-	-	-	-	-	✓	-
Ruweng	✓	✓	✓	-	-	-	-		-	-	-	-	-	-	-	✓	-	-
Unity	✓	-	✓	-	✓	✓	-		-	-	✓	-	-	-	-	-	-	✓
Upper Nile	-	✓	✓	✓	✓	✓	-		-	-	-	-	-	-	-	✓	-	-
Warrap	✓	✓	✓	✓	✓	✓	-		-	-	-	✓	-	-	✓	-	-	-
Western Bhar el Ghazal	-	✓	✓	✓	-	✓	-		-	✓	-	-	-	-	-	-	-	-
Western Equatoria	✓		✓	✓	✓		✓		✓		✓	-	-	✓	-	-	-	-
Total	10.4%	10.4%	9.4%	8.3%	7.3%	7.3%	7.3%		6.3%	6.3%	6.3%	5.2%	4.2%	3.1%	3.1%	2.1%	2.1%	1.0%

ANNEX 5: SUMMARY OF LEGAL FRAMEWORKS FOR GEPA IN SOUTH SUDAN

NATIONAL LEGISLATION

The Transition Constitution of South Sudan 2011

Specifically, Article 16 (3) of the Transitional Constitution of South Sudan (TCSS 2011) contains the internationally recognized Bill of Rights which guarantees women's right to full and equal dignity of their person with men, the right to equal pay for equal work and other related benefits with men. Article 16 (4) (c) requires all levels of government to provide maternity and child care and medical care for pregnant and lactating women.

Revitalized Agreement for the Resolution of Conflict in South Sudan (R-ARCSS 2018)

In terms of governance and leadership at all levels, participation is guaranteed in the TCSS Section 26 This participation level has been further enhanced to 35 percent in the R-ARCSS, 2018. Article 1.4.4—35 percent affirmative action provision for women's representation; Article 1.4.6, National diversity and gender.

Labour Act, 2017

The entitlement of 90-day maternity leave and the guarantee of retaining a job position in Section 64 of the Labour Act (1). By this law, a female employee is entitled, on each occasion she is pregnant, to 90 days maternity leave with full pay; and 45 days for breastfeeding while working for half day as stipulated in Article 7. Other entitlements for a nursing mother, within six months upon return from maternity leave are: (a) two breaks of thirty minutes each during working day; (b) a reduction of sixty minutes from her daily hours of work or (c) provision of a clean space for baby-seats in workplace for lactating mothers to breastfeed their babies regularly. Section 65 also provides for two weeks of paternity leave and full pay for men whose wife is pregnant, following the birth of his child or immediately following miscarriage by his wife and without losing the position that he was, before going on leave. The right to equal remuneration for work of equal value that is guaranteed by the TCSS is further protected by Section 8 of the Labour Act. Under special circumstances, Article 70 of the Labour Act allows the Minister to promulgate regulations governing employment of apprentices, persons with disabilities and any other category of employees with special needs both male and female citizens.

With regard to fundamental rights at the work place, Section 6 (1) of the Labour Act (2017) recognizes gender equality at work-place, and in line with CEDAW, bans all types of discriminations 'No person shall discriminate, directly or indirectly, against an employee or job applicant in any work policy or practice'. Section 6 (2) also forbids discrimination by any Trade Union, Employers Association, or Federation. Section 6 (3) defines discrimination as 'any distinction, exclusion or preference with the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation' based on a series of grounds including sex and pregnancy or childbirth, race, ethnicity, marital status, family responsibilities, ages and religion. It also bans discriminations on grounds of political opinion, disability or persons with special needs, health and HIV/AIDS, membership in a trade union, or participation in trade union activities.

Equally, section 68 (3) forbids an employer from requiring or permitting an employee who is pregnant or who has recently given birth to perform night work for a period of eight weeks.

Civil Service Act, 2011

The Civil Service Act of South Sudan in Section 19(b) underlines equal rights for women and men in recruitment, promotion and remuneration.

Elections Act, 2012

Article 25 recognizes and guarantees freedom of assembly and association, the right to form or join political parties, associations and trade, or professional unions for the protection of the individual interests of women and men. Specifically, Article 25 (3) requires 'openness to the participation of all gender' as criteria for functioning as a political party in the country. Section 45 allows women and men to vie for a seat of President or Governor of State; Section 63 underlines three ways of electing legislators into the parliament: geographic constituency (60 %); Women List—through party list or reserved (25 %); and through general, closed party list both men and women (15 %).

Political Parties Act, 2012

Section 16 (2) (c) requires party leaders at all levels to be democratically elected and make provision for the proportionate representation of women on a basis that would be decided by an individual party. In fact, inclusion of women/ gender balance is one of the key conditions given in Section 16 (2) (f) (ii) & (v) for a political party to be registered.

Local Government Act, 2009

- ▶ Provides quotas for women's representation in decision-making structures and guarantees women property rights.

INTERNATIONAL NORMATIVE FRAMEWORKS AND STANDARDS

- ▶ ILO Conventions 111 International Discrimination (Employment and Occupation) Convention, 1958 (No. 111) in 2015 and 100 relating to equal pay.⁶⁵ Other conventions relating to family commitments and maternity pay are not yet ratified.
- ▶ The 1995 Beijing Platform for Action & 25 report (most recent national review of implementation, conducted in 2020).
- ▶ UNSCR 1325 on Women, Peace and Security (National Action Plan in place for the period 2015- 2020; the final report produced in June 2021).
- ▶ The 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); South Sudan has drafted its first CEDAW report, ratified 2014.
- ▶ Vienna Declaration and program of action adopted by the World Conference on Human Rights 1993 Article 18 (12th Jan 2012).
- ▶ 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women, known as the Maputo Protocol (ratified in 2017), partially ratified.

65 Discrimination (Employment and Occupation) Convention, 1958 (No. 111) Available from https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXP-B:12100:0::NO::P12100_ILO_CODE:C111