

**ROLE OF COMMUNITY LEADERS IN PROTECTION  
MONITORING AND COMMUNITY RISK ANALYSIS REPORT  
DECEMBER 2020**

**MAIWUT COUNTY UPPER NILE STATE, SOUTH SUDAN**  
*July 2020 - November 2020 FINDINGS*



## **ABOUT THIS REPORT**

Coalition for Humanity is a National NGO (NNGO) with its headquarters in Juba. Coalition for Humanity's mission is to save lives, alleviate suffering, built resilience of the vulnerable people, through programmes in Peacebuilding and Conflict Transformation, Protection/GBV, WASH, Food Security and Livelihoods, Health and Nutrition through strategies like community capacity building, Social Behavior Change Communication, market linkages, advocacy and governance to enhance contextualized innovative solutions for service delivery in Emergency Response and Sustainable development in South Sudan. Coalition for Humanity is currently implementing a protection project funded by South Sudan Humanitarian Fund (SSHF). The project seeks to assess the general protection concerns in Upper Nile Maiwut County. Various meetings were held with local leaders, the discussion sort to asses any protection concerns. The leaders were asked questions about the general security and safety in the area, the welfare of the residents, the leaders' role in presiding over domestic and gender-based violence cases, role in forced child marriages. Leaders were also asked to evaluate their culture and recommend aspects of the culture that were outdated and make recommendations of the changes that were required. This report consolidates findings form 60 leaders purposively chosen across different Payams in Maiwut County, Upper Nile State, South Sudan. A total of 5 focus group discussions were held, and the findings consolidated.

The findings of this report are necessary in raising awareness about challenges the community, coming up with redress mechanisms and various interventions. This report is important for humanitarian workers, Protection and GBV cluster, WASH cluster, NFI clusters, South Sudan government, ministry of Gender, Child and Social Welfare and global GBV call to action, the Call to Action on Protection from Gender-Based Violence in Emergencies.

## TABLE OF CONTENTS

<b>ABOUT THIS REPORT</b> .....	i
<b>EXECUTIVE SUMMARY</b> .....	iii
<b>1.0 FINDINGS</b> .....	1
<b>1.1 General security and safety</b> .....	1
<b>1.2 Domestic and Gender Based Violence</b> .....	1
<b>1.3 Access to Education</b> .....	1
<b>1.4 Housing Land and Property</b> .....	2
<b>1.5 Sexual Exploitation and Abuse</b> .....	2
<b>1.6 Culture</b> .....	2
<b>1.7 Leadership and Decision Making</b> .....	3
<b>1.8 Customary Laws and Other Laws</b> .....	3
<b>1.9 Conclusions</b> .....	3
<b>1.10 Recommended Policy and Legal framework changes</b> .....	4
<b>ANNEXES MONTHLY LEADERS FGDs JULY 2020 TO NOVEMBER 2020</b> .....	5
<b>Findings from leaders FGD July</b> .....	5
<b>Findings from leaders FGD August</b> .....	9
<b>Findings from leaders FGD September</b> .....	13
<b>Findings from leaders FGD October</b> .....	17
<b>Findings from leaders FGD November</b> .....	21

## EXECUTIVE SUMMARY

Maiwut County has security challenges, incidences of cattle raiding and revenge killings have been reported in 2020. The floods have also destabilised the area and worsened the food security issue. The county has a serious water sanitation and hygiene challenge that has led to the spread of diarrheal diseases. There are not enough sources of clean drinking water, one bore hole serves the entire Payam. Domestic violence is considered a family affair and people don't interfere with households perpetuating GBV. Local authorities are helpless, they have no control over husband-and-wife fights, they have no control over early child forced marriages. Unmarried women are not allowed and have challenges in owning Housing, Land and Property (HLP) as it is believed that they will become prostitutes. Such ownership is reserved for men as per the culture. The community is begging to understand the importance of education, but parents are not supporting their kids in school. The local authority admits that some laws like barring women from owning land and property, removal of teeth, and face marking are outdated and there is need for change. The leaders recommended the need to relook into and amend some of the negative cultural practices through adoption of new policies that complied with modern law.

### Recommendations

1. Housing land and property Policies - Have a local policy in place that ensures that everyone had equal rights to own a house, land and property including unmarried woman in the community.
2. Child force marriage policies - Come up with a local policy that says it is unlawful for parents to marry off their children below the age of 18 years and have them respect the choice of their children to marry when they want and whom they want.
3. Gender based violence domestic violence policies -Arrest perpetrators of GBV especially in case of rape or attempted rape.
4. Protection of Sexual exploitation and abuse policies -Local authority should arrest and prosecute any community member found exploiting and abusing vulnerable people in the community.
5. Access to education policies - laying down policies that would make it compulsory for all children above 5 years to go to school. Local authority to arrest and punish parents who deny children access to education
6. The local authority can support children that would have been denied access to education through community dialogues, raising awareness on the importance of education.

## 1.0 FINDINGS

### 1.1 General security and safety

According to respondents from the FGDS, key informants interviews and community meetings, they reported that general security within Maiwut County was better compared to the previous years since cases of communal violence, cattle raiding and revenge killings had significantly reduced. The last cases of the violence were last encountered in June, 2020. It is believed that the floods that had invaded the area restricted movements of criminals. Access to food was the problem and there was starvation. This had been caused by conflicts and floods which displaced people to other locations away from their homes hence few people planted. However, World Food Programme (WFP) provided assistance to the community members through distribution of food items. The general sanitation was poor because most people practice open defecation. This had been contributed by collapsing of latrines as a result of floods.

### 1.2 Domestic and Gender Based Violence

Cases related to domestic violence were very common and leaders had handled a number of them. According to leaders, domestic violence were family issues that were mostly solved privately by family members (the husband & wife families, the extended family and immediate clan elders). Women easily reporting domestic violence and conflicts could be caused by misunderstanding over family matters. They always report to the brother in-laws after which the chief would be notified if the case would get out of hand for example if it was leading to divorce, the children were the most affected with domestic violence especially when the mother left them with the father. As a result, children got very affected; they became unhappy and lacked self-confidence.

In July 2020, a wife was alleged to left his husband with kids after she was beaten up by her husband. Another case that was reported involved a man and his wife after a fight, the man killed the wife and his child then went ahead to commit suicide. Women mostly report cases of domestic violence though neighbours also help in giving information about unusual things among families. In all these children were said to be the ones suffering most especially when a woman decides to leave her husband with the kids.

### 1.3 Access to Education

According to the leaders, parents had changed their mentality on sending their children to school especially the girls compared to the past. When girls would be denied the right to education due to parents' fear that they would be impregnated by boys while at school. However, this had since changed (although not completely) after parents got enlightened on the importance of education to all genders. Boys would be supported more than girls in many families. Due to limited resources, most families would prefer sending boys instead of girls to other countries such as Ethiopia for further studies. Most girls would be married off at an early age by the parents hence stopping their education life. Children also lacked the opportunity to go to school due to lack of resources irrespective of the gender. Cases of child kidnapping and abduction had however not been heard in Jekow Payam.

The local authority would help by establishing policies that would ensure that all children get equal access and rights to education. They also recommended creation of awareness on the importance of education to all children and the need to motivate teachers in terms of monthly remuneration.

## **1.4 Housing Land and Property**

HLP cases were not common in Jekow. Not everyone had equal rights to land or house ownership. Women and girls were not allowed to own land in their community due to the perception that such women would become prostitutes. However, communal land or heritage was the problem. A married man and woman as heads of the family had the right to own land in Jekow. IDPs, returnees or refugees were allowed to own land temporarily or accommodated by the host community members because Jekow is an Island with small area of land which is not enough for everybody. It was noted that the local authority had no capacity to support those who had left the community and had come back to regain their lost land and other properties as long as they remembered where the land and property were located. They would however help those who would be in great need to get the necessary assistance. IDPs, returnees or refugees would be accommodated following the approval of the local authority and community elders.

## **1.5 Sexual Exploitation and Abuse**

Leaders said cases of Sexual Exploitation and Abuse (SEA) had decreased compared to the recent years. Men would give gifts in exchange for sex. Community reported the issues especially when men get their wives with other men. Some incidences had been experienced before which involved NGO staffs and the locals. This was attributed to the poverty levels in the community. Those affected less reported on the incidences. It was said that perpetrators were mostly NGO staff and soldiers. The local authority had however taken note of the issues and had promised to pursue the matter by creating awareness about it. According to the leaders, the cases which had been reported were handled and justice was done to the victims. The local authority ensured that justice prevailed by punishing the perpetrators. The leaders believed that punishment would be the best solution to stop sexual abuse and exploitation because many people would learn from it. They also recommended the local authority to work closely with protection partners in order to ensure that victims of sexual exploitation and abuse received proper assistance.

## **1.6 Culture**

A number of cultural practices were mentioned to have negatively affected the community. These included; forced marriage/early marriage, Gender inequality, Violation of woman and girls right, Removal of the teeth, Scars or face marking, Domestic violence like beating of women, sexual assaults, revenge killings and cattle raiding. Most of the cultural practises were also gender biased example, boys were more favoured than girls when it comes to heritage as well as schooling and women were never considered in communal key decision-making processes. The removal of teeth, face marking, denial of women and girls' rights, revenge killings and communal conflicts were said to be some of the cultural practices that were outdated and needed to be changed. The leaders recommended for the need to relook into and amend some of the negative cultural practices. They therefore recommended the local authority to come up with better laws and policies that would ensure that people were not subjected to such cultural practises that were outdated

## **1.7 Leadership and Decision Making**

According to leaders, leadership positions were distributed between men and women, although not fairly. Leadership in the community was largely taken up by men and women and the youth were not given chance to lead. Women were given a small representation while youths opportunities were very less because it was believed that they were not yet ripe to take up leadership, people with disabilities were not included in leadership. Men therefore dominated leadership positions with women being allocated some leadership positions but at a lower level with less participation in key decision-making process. It was however believed that local authorities could take an affirmative action to change the situation by including the women and youth in leadership as well as involving people with special needs participate in key issues that affected the society.

## **1.8 Customary Laws and Other Laws**

According to the leaders, there were customary laws that guided decision making for example when somebody committed murder, he or she will be fined 100 cows as blood compensation and will be set free. These customary laws were conflicting with modern laws and the leaders suggested on the need to change some of them. These laws were outdated and didn't demonstrate enough justice to the affected persons and that's why they would be tempted to revenge by also killing to balance the equation. Some people would pay the 100 cows and go ahead and kill again. They believed however that the local authority was in a position to influence some changes on this by calling a meeting with community elders to discuss the impacts of the negative cultural practises and the need to abolish or change them. They also suggested a meeting between community leaders and local authorities.

## **1.9 Conclusions**

The county has a serious WASH challenge. The community leaders are helpless and have no control over decisions made at family level especially regarding domestic violence or forced early marriages. The customary laws are gender biased. Some laws are outdated and the leaders recommended for the need to relook into and amend some of the negative cultural practices through adoption of new policies that complied with modern law.

## **1.10 Recommendations**

- 1** The policy on marriage needs to be changed by setting no limit on dowry, but should depend on the agreement between the girls' parents and man's parents based on what the man would offer.
- 2** Housing land and property Policies - Have a local policy in place that ensures that everyone had equal rights to own a house, land and property including unmarried woman in the community.
- 3** Child/forced marriage policies - Come up with a local policy that says it is unlawful for parents to marry off their children below the age of 18 years and have them respect the choice of their children to marry when they want and whom they want.
- 4** Gender based violence domestic violence policies -Arrest perpetrators of GBV especially in case of rape or attempted rape.
- 5** Arrest men who are drunkards and are found of disturbing their wives whenever they are under the influence of alcohol. Encourage leaders to participate in GBV prevention, protection and response.
- 6** Protection of Sexual exploitation and abuse policies -Local authority should arrest and prosecute any community member found exploiting and abusing vulnerable people in the community.
- 7** Access to education policies - laying down policies that would make it compulsory for all children above 5 years to go to school. Local authority to arrest and punish parents who deny children access to education.
- 8** The local authority can support children that would have been denied access to education through community dialogues, raising awareness on the importance of education.



## ANNEXES MONTHLY LEADERS FGDs JULY 2020 TO NOVEMBER 2020

### Findings from leaders FGD July



Maiwut County  
protection monitoring Report leaders FGD

Date: 15th July, 2020

Payam: Jekow

State: Upper Nile

## **Introduction**

The focus group discussion was conducted on 15th July, 2020 in Jekow. The meeting was attended by 12 Leaders and discussions were facilitated by Coalition for Humanity Field Staff based in Maiwut County.

## **General safety and security**

The general security within Jekow territory was normal and cases of communal violence, cattle raiding and revenge killings had not been rampant although believed to be there. However, the general sanitation of the area was not good as was reported by the leaders. Many families practised open defecation in the nearby forests due to lack of latrines.

## **Domestic violence/ Intimate partner**

Domestic violence were family issues that were privately solved by family members (the husband & wife families, the extended family and immediate clan elders). Women easily reported domestic violence and conflicts that could be as a result of misunderstanding over family matters. However, children got very affected; they became unhappy and lacked self-confidence

## **Forced marriage**

Because marriage affairs were generally a family matter, the leaders claimed not to have handled any cases related to forced marriages. They also put across that nobody had power to influence family decisions on marriage since it was deeply ingrained into the peoples' culture. They however mentioned that those who had been affected would disappear from home either to the uncles or to some unknown places.

## **Access to Education**

According to the leaders, all kids had equal rights to education and equal opportunities to access education. However, the leaders highlighted that this was not the case in the past when girls would be denied the right to education due to parents' fear that they would be impregnated by boys while at school. However, this had since changed after parents got enlightened on the importance of education to all gender. Cases of child kidnapping and abduction had however not been heard in Jekow Payam.

## **Housing, land and property**

The leaders said they had not presided over any conflict cases concerning land. It was reiterated though that not everyone had equal rights to land or house ownership. They said that women were not allowed to own land in their community due to the perception that such women would become prostitutes

IDPS, returnees or refugees would be accommodated following the approval of the local authority and community elders.

## **Sexual abuse and Exploitation**

Respondents during FGDs, KIIs and meeting said sexual abuse and exploitation had not been heard and where it is reported would be settled by leaders. They admitted that such cases could be existing in the community but they had not been reported. The leaders believed that punishment would be the best solution to stop sexual abuse and exploitation because many people would learn from it. They also recommended the local authority to work closely with protection partners in order to ensure that victims of sexual exploitation and abuse received proper assistance

## **Culture**

It was evident that deep cultural practices and beliefs; denied women the rights to owning land or housing and the right to leadership position in the community. The cultural practices and beliefs were also gender biased and never favoured women. Based on this, the leaders recommended for the need to relook into and amend some of the negative cultural practices

## **Leadership and Decision Making**

To the leaders, all gender had equal opportunity to take up leadership roles in the community based on their abilities. Women were specifically considered during key community decision making processes though they would mostly not speak up during the meetings before men. Despite inclusion in the meetings, women still lacked the guards to argue with men due to cultural constraints that hindered women from confronting men.

### **Customary laws/ any other laws**

The community had very little customary laws. The person who killed was charged 100 cows. To change these laws, the leaders suggested a meeting between the local authority and community elders to enable them make informed amendments on traditional policies which were considered outdated.

### **Policy/ legal Framework**

Policies, regulations and guiding principles existed and were used in customary courts during settlement of cases in the community. Those found guilty would be arrested, beaten up and sometimes fined as shall have been decided e.g. paying of 100 cows.

## Findings from leaders FGD August



Maiwut County  
protection monitoring Report leaders FGD

Date: 13th August, 2020  
Payam: Jekow  
State: Upper Nile

## **Introduction**

The focus group discussion with Leaders took place on the 13th of August, 2020 from 2 pm in Jekow. A total of 12 participants attended and the discussions were conducted by Coalition for Humanity (CH) field staff based in Maiwut county, Upper Nile State.

## **General safety and security**

The leaders reported that the security of the area had been stable for a period of 3 months since June 2020. Before then there had been conflict between Maiwut and Jekow communities. Cattle raiding had taken place in Thoch and Makuar Bomas of Maiwut. The community had also suffered shortage of food and were heavily depending on humanitarian support for survival. People were farming less especially from May when the County was hit hard by floods. The general sanitation was also very poor and this had been worsened by floods that led into collapsing of latrines. Sources of clean water were also scarce and most community members depended on water directly from the river and flood water.

## **Domestic violence/ Intimate partner**

Cases related to domestic violence were very common and leaders had handled a number of them. In July 2020, a wife left his husband with kids after she was beaten up her husband. Another case that was reported involved a man and his wife. After fighting, the man killed her with her child after which he went ahead and also committed suicide. Women mostly report cases of domestic violence though neighbours also help in giving information about unusual things among families. In all these children were said to be the ones suffering most especially when a woman decides to leave her husband with the kids.

## **Forced marriage**

In August, 2020, a 14-year-old girl was forced into marriage with a 60-year-old man in Jekow Payam. The family needed cows to help a brother to the girl marry a wife after cows became less. Children always have no option concerning this because there is always nobody to help them. Therefore, most of them resort to running away or just committing suicide.

## **Access to Education**

It was clear that in Maiwut, not every child had equal rights to education. Due to limited resources, most families would prefer sending boys instead of girls to other countries such as Ethiopia for further studies. The local authority would help by establishing policies that would ensure that all children get equal rights to education. They also recommended creation of awareness on the importance of education to all children and the need to motivate teachers in terms of monthly remuneration

## **Housing, land and property**

HLP cases were not common in Jekow. However, communal land or heritage was the problem. A man and a woman as heads of the family had the right to own land in Jekow. IDPs, returnees or refugees were allowed to own land temporarily or accommodated by the host community members because Jekow is an Island with small area of land which is not enough for everybody. It was noted that the local authority had no capacity to support those who had left the community and had come back to regain their lost land and other properties. They would however help those who would be in great need to get the necessary assistance.

## **Sexual abuse and Exploitation**

Leaders said cases of Sexual Exploitation and Abuse were less though some incidences had been experienced before which involved NGO staffs and the locals. This was attributed to the poverty levels in the community. Those affected less reported on the incidences. It was said that perpetrators were mostly NGO staff and soldiers. The local authority had however taken note of the issues and had promised to pursue. According to the leaders, the cases which had been reported were handled and justice was done to the victims.

## **Culture**

A number of cultural practices were mentioned to have negatively affected the community. These included; Forced marriage/early marriage, Gender inequality, Violation of woman and girls right, Removal of the teeth, Scars or face marking, Domestic violence like beating of women, Revenge killings and cattle raiding. Most of the cultural practises were also gender biased e.g. boys were more favoured than girls when it comes to heritage as well as schooling and women were never considered in communal key decision making processes. The removal of teeth, face marking, denial of women and girls' rights, revenge killings and communal conflicts were said to be some of the cultural practices that were outdated and needed to be changed. They therefore recommended the local authority to come up with better laws and policies that would ensure that people were not subjected to such cultural practises that were outdated

## Leadership and Decision Making

Leadership was not fairly distributed according to the leaders. It was said that women were given a small representation while youths opportunities were very less because it was believed that they were not yet ripe to take up leadership. Men therefore dominated leadership positions with women being allocated some leadership positions but at a lower level with less participation in key decision making process. It was however believed that local authorities could take an affirmative action to change the situation by including the women and youth in leadership as well as involving people with special needs participate in key issues that affected the society.

## Customary laws/ any other laws

There were few customary laws that guided the community e.g. perpetrators of revenge killings were fined 100 cows to be paid to the family of the deceased. These laws were outdated and didn't demonstrate enough justice to the affected persons and that's why they would be tempted to revenge by also killing to balance the equation. Some people would pay the 100 cows and go ahead and kill again. They believed however that the local authority were in position to influence some changes on this by calling a meeting with community elders to discuss the impacts of the negative cultural practises and the need to abolish or change them.

## Policy/ legal Framework

According to the participants, there were no policies, regulations and laws that guided decision making though the local had started making an effort to come up with a few. They also recommended the following regarding policies and regulations;

1. Housing land and property Policies - Have a local policy in place that ensures that everyone had equal rights to own a house, land and property
2. Child forced marriage policies - Coming up with a local policy that says it is unlawful for parents to marry off their children below the age of 18 years and have them respect the choice of their children to marry when they want and whom they want.
3. Gender based violence and domestic violence policies - Arrest perpetrators of GBV, get them punished or send them to jail.
4. Protection of Sexual exploitation and abuse policies -Local authority should dismiss any NGO staff involved in SEA within 24 hours from Maiwut county and will be immediately reported to his/her supervisors.
5. Access to education Policies- Local authority to arrest and punish parents who deny children access to education



## Findings from leaders FGD September



Maiwut County  
protection monitoring Report leaders FGD

Date: 14th September, 2020

Payam: Jekow

State: Upper Nile

## **Introduction**

The focus group discussion was conducted on 14th September, 2020 in Jekow Payam from 2.00pm to 3.00pm. The meeting was attended by 12 Leaders. And discussions were facilitated by Coalition for Humanity Field Staff based in Maiwut County.

## **General safety and security**

The general security within their territory was normal and cases of communal violence, cattle raiding and revenge killings had not been heard.

General sanitation of the area was not good as was reported by the leaders. Many families practised open defecation in the nearby forests due to lack of latrines.

## **Domestic violence/ Intimate partner**

According to leaders, domestic violence were family issues that were mostly solved privately by family members (the husband & wife families, the extended family and immediate clan elders). Women easily reported domestic violence and conflicts could be caused by misunderstanding over family matters. As a result, children got very affected; they became unhappy and lacked self-confidence

## **Forced marriage**

Because marriage affairs were generally a family matter, the leaders claimed not to have handled any cases related to forced marriages. They also put across that nobody had power to influence family decisions on marriage since it was deeply ingrained into the peoples' culture. They however mentioned that those who had been affected would disappear from home either to the uncles or to some unknown places.

## **Access to Education**

All kids had equal rights to education and equal opportunities to access. However, the leaders highlighted that this was not the case in the past when girls would be denied the right to education due to parents' fear that they would be impregnated by boys while at school. However, this had since changed after parents got enlightened on the importance of education to all gender. Cases of child kidnapping and abduction had however not been heard in Jekow Payam.

## **Housing, land and property**

The leaders said they had not presided over any conflict cases concerning land. It was reiterated though that not everyone had equal rights to land or house ownership. They said that women were not allowed to own land in their community due to the perception that such women would become prostitutes. IDPS, returnees or refugees would be accommodated following the approval of the local authority and community elders.

## **Sexual abuse and Exploitation**

Sexual abuse and exploitation that had not been heard of or settled by leaders. They admitted that such cases could be existing in the community but they had not been reported. The leaders believed that punishment would be the best solution to stop sexual abuse and exploitation because many people would learn from it. They also recommended the local authority to work closely with protection partners in order to ensure that victims of sexual exploitation and abuse received proper assistance.

## **Culture**

It was evident that deep cultural practices and beliefs; denied women the rights to owning land or housing and the right to leadership position in the community. The cultural practices and beliefs were also gender biased and never favoured women. Based on this, the leaders recommended for the need to relook into and amend some of the negative cultural practices

## **Leadership and Decision Making**

To the leaders, all gender had equal opportunity to take up leadership roles in the community based on their abilities. Women were specifically considered during key community decision making processes.

## **Customary laws/ any other laws**

The community had very little customary laws. The person who killed was charged 100 cows. To change these laws, the leaders suggested a meeting between the local authority and community elders.

## **Policy/ legal Framework**

Policies, regulations and guiding principles existed and were used in customary courts during settlement of cases in the community. Those found guilty would be arrested, beaten up or at times fined as decided; for instance, paying 100 cows.

## Findings from leaders FGD October



Maiwut County  
protection monitoring Report leaders FGD

Date: 12th October, 2020

Payam: Jekow

State: Upper Nile

## **Introduction**

The focus group discussion (FGD) was conducted on 12th October, 2020. Twelve leaders attended the meeting and discussions were facilitated by Coalition for Humanity Field Staff based in Maiwut County.

## **General safety and security**

The general security was normal and there were no reported cases of communal violence, cattle raiding and revenge killings from all the Bomas for a period of four months since June, 2020. Access to food was the problem and there was starvation. This had been caused by conflicts and floods which displaced people to other locations away from their homes hence few people planted. However, WFP provided assistance to the community members through distribution of food items. The general sanitation was poor because most people practised open defecation. This had been contributed by collapsing of latrines as a result of floods.

## **Domestic violence/ Intimate partner**

Cases of domestic violence were said to be common and leaders were handling a number of them. Husbands fought with wives as well as in-laws and a recent case had been reported in New Land Boma in Jekow Payam. Sometimes, step children would fight with their step mothers. Normally, women reported the conflicts at home. They always reported to the brother in-laws after which the chief would be notified if the case would get out of hand for example if it was leading to divorce, the children were the most affected with domestic violence especially when the mother left them with the father.

## **Forced marriage**

Marriage according to the leaders was a family affair. However, they handled cases of underage girls getting pregnant as well as forced marriages that children refused; when a boy is forced into marrying a girl, he does not love then he goes ahead and look for the one he loves and brings to the parents who also refuse to accept the girl. According to the leaders, most of these children decide to run away with those whom they love and sometimes others commit suicide for lack of options especially girls.

## **Access to Education**

Children did not have equal rights to education according to the leaders. They said boys would be supported more than girls in many families and some children also lacked the opportunity to go to school due to lack of resources despite the gender. However, boys were generally more supported than girls because most girls would be married off at an early age by the parents hence stopping their education life. They suggested the local authority to take up the issues and draft policies that would ensure that all children access education equally.

## **Housing, land and property**

The leaders said they only handled cases related to communal land and not HLP. Women and girls were however not allowed to own land and property. Since Jekow is an island with a small area of land, IDPs and Refugees are only allowed temporary residence and are mostly accommodated by the host community. The local authorities however allocated land to people who had left due to conflicts and returned back as long as they remembered where their properties were located.

## **Sexual abuse and Exploitation**

Cases of sexual exploitation and abuse existed according to the leaders and mostly men would give gifts in exchange for sex. Community reported the issues especially when men get their wives with other men. The local authority ensured that justice prevailed by punishing the perpetrators.

## **Culture**

The leaders mentioned deep cultural practices and beliefs that negatively affected the community. They included denying women chance to speak in community meetings, forced marriage, parents arranging marriage for their children without seeking their consent, revenge killings, denying women right to own land and denying women the rights to leadership positions. They added that these cultural practices were also gender biased and favoured men more than the women. In fact, they said some practices such as face marking, denying women the right to hold leadership positions and right to land ownership, cattle raiding and revenge killings were outdated and they believed the local authority were in a better position to change such by coming up with policies and laws that would align with modernity.

## Leadership and Decision Making

Leadership in the community was largely taken up by men and women and the youth were not given chance to lead. Women were also not actively taking part in decision making process in the community. To ensure equal participation of all men, women, people with disabilities and youths (boys and girls), the community leaders suggested providing them equal opportunities and by ensuring their voices are heard in key decision making in the community.

## Customary laws/ any other laws

According to the leaders, there were customary laws that guided decision making for example when somebody committed murder, he or she will be fined 100 cows and will be set free. These customary laws were conflicting with modern laws and the leaders suggested on the need to change some of them.

## Policy/ legal Framework

Local authorities settled cases based on policies, regulations and guiding principles that guided their decisions. However, some policies needed amendments as per the local leaders for example, the policy on bride price. The leaders suggested that instead of having it fixed at 15 cows, they proposed to have it flexed and dependent on mutual agreement between the families.

## Recommendations regarding policies & regulations

1. Housing, land and property - There is need to have a local policy in place that would ensure that everyone including women have the right to land, house and property ownership
2. Child forced marriage - There would be need to come up with policies that would make it unlawful for parents to marry off their children below 18 years of age as well as not arrange any marriages without children consent.
3. Gender based violence and domestic violence - Need to come up with policies that will investigate, arrest and punish perpetrators of GBV especially in cases of rape or attempted rape.
4. Protection of Sexual exploitation and abuse - Clear laws should be put in place to prevent the vulnerable members of the community from sexual exploitation and abuse. Those who take advantage of them should be arrested and prosecuted.
5. Access to education - Parents should be made aware that those who deny their children access to education will be arrested and prosecuted. It should therefore be made lawful that all children from 5 years must go to school.



## Findings from leaders FGD November



**Maiwut County  
protection monitoring Report leaders FGD**

**Date: 21st November, 2020**

**Payam: Jekow**

**State: Upper Nile**

## Introduction

The focus group discussion was conducted on 21st November, 2020 in Jekow. The meeting was attended by 12 Leaders and discussions were facilitated by Coalition for Humanity Field Staff based in Maiwut County.

## General safety and security

The leaders said the security could not be guaranteed because of the conflict that they had entered into with their neighbouring communities. The community was therefore living in fear and caution because of possible attacks. Due to the crisis, most families starved due to lack of food. This is because the families never settled in their homes for cultivation. They also further reported that the few crops that had been planted had been infested by locusts that destroyed all the produce/yield. Biyien Boma in Jekow was said to have been affected most.

## Domestic violence/ Intimate partner

Domestic violence cases were common and an example of a fight between 2 boys over land in Jerusalem Boma was given. Such cases were always reported to the local chiefs. The main causes of the conflicts at home were however related to fight over limited resources. Women and children were said to be most affected because of their vulnerability.

## Forced marriage

Because marriage affairs were generally a family matter, the leaders claimed not to have handled any cases related to forced marriages though a similar case had occurred in the community. Boys and girls were forced in the marriages against their will and parents would not relent due to the need for resources/wealth through dowry payments. It was reported further that some children would resort into committing suicide or running away from home to avoid being pushed into the marriages. They however believed they were in position to come up with policies that would protect children from early marriages and help them pursue their education in the community.

## Access to Education

The community leaders said all children (boys and girls) had started getting equal rights to education in the community unlike in the past. Parents considered boys more intelligent than girls and hence the favours. However, they said the local authorities were in position to help/support children who would be denied education through setting of by laws that would govern learning of children in the community. The leaders further reported that in the past, there had been cases of kidnapping and Kiech Payam was mentioned as an example. Attacks/insecurity had been on the rise in the Payam and lives of children were at risk.

## **Housing, land and property**

To the leaders, cases of land dispute were common and they had presided over a number of them. They said the most recent one involved 2 boys who had entered into a fight because of land division and ownership after the demise of their father. They also added that Land ownership was there but women and children were not allowed to own. This was the case with IDPs and Refugees. They would be given temporary residence but were not allowed to own any land or property in the community. Returnees were however treated differently and would be assisted to get back their properties because they were original members of the community at one point.

## **Sexual abuse and Exploitation**

Cases of sexual exploitation and abuse were happening according to the leaders and a recent case that involved a girl in Jekow was mentioned. According to the leaders, the cases were reported to the local chiefs who would preside over and resolve. They however recommended on the need for the local authority to fast track arrest of Sexual Exploitation and Abuse criminals as well as assist the victims access quick medical attention

## **Culture**

It was evident that deep cultural practices and beliefs negatively affected the community. Six mark cutting in the forehead, removal of teeth and female genital mutilation (FGM) were some of the cultural practices that were mentioned as examples. Some of the cultural practises were also biased such as land ownership which only allowed men to own land. They however believed a review of some of the cultural practises would help save the community from the negativity that was being caused.

## **Leadership and Decision Making**

To the leaders, all gender had equal opportunity to take up leadership roles in the community based on their abilities. However, it was evident that the percentage of men was more than the women and the youth. Women participated actively in a number of activities though they were not involved in decision making. They lacked the guards to argue with men due to cultural constraints that hindered women from confronting men.


### **Customary laws/ any other laws**


The community had customary laws that were discharged by the community leaders. Some of the laws such as denying land ownership rights to women contradicted the modern law. To change these laws, the leaders suggested a meeting between the local authority and community elders to enable them make informed amendments on traditional policies which were considered outdated.


### **Policy/ legal Framework**


Policies, regulations and guiding principles existed and were used in customary courts during settlement of cases in the community. According to the leaders, the regulations were good and there would be no need to change them. They recommended the housing land and property policy to be under the Payam administration and local authority.

**ROLE OF COMMUNITY LEADERS IN PROTECTION  
MONITORING AND COMMUNITY RISK ANALYSIS  
REPORT, DECEMBER 2020**

 info@ch-ssd.org

 <http://www.ch-ssd.org/>

 Block 8 Plot 121, Gudele North of Zain  
Customer Care shop Juba, South Sudan

 +211 (0) 917 094 299 / +211 (0) 929591110

