

In this report, Elizka Relief Foundation presents an assessment of the economic and social rights in the years since the previous review, and submits recommendations.

### **First: Ratifying the International Covenant on Economic, Social and Cultural Rights**

Until the date of this review, South Sudan was not a signatory or a ratifier of the International Covenant on Economic, Social and Cultural Rights. But, in 2019 and specifically on June 7, 2019, the Transitional National Legislative Assembly of South Sudan ratified two basic human rights treaties; the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, in addition to the first two Optional Protocols to both instruments that set out individual complaints procedures. The President of South Sudan was expected to sign and ratify the Covenant, and after submitting this ratification to the United Nations, South Sudan was expected to enter it into force three months later, namely, with the beginning of 2020.

### **Second: The Right to access to Education**

Since civil war broke out in South Sudan, the country has been struggling with various challenges and lack of instability that affected all aspects of life. South Sudan, like most African countries, has entrenched legacies that threaten the educational system and undermine its development, such as child labor and underage marriage of girls, among other challenges and harmful practices.

In South Sudan, 51% of children are out of school, i.e. more than 400,000 children are out of school due to insecurity and displacement, while another 13,000 are recruited in the country's protracted conflicts. The conflict in southern Sudan imposed a certain lifestyle that undermines the educational process.

School buildings have not been spared the scourge of conflict. Many school buildings, up to 600 schools, have been destroyed in 2017, and very few school-aged children receive secondary education in South Sudan. Part of the problem lies in the limited number of schools. Only 120 secondary buildings remain in all of South Sudan, according to the Global Partnership for Education.

Also, there is still disparity in the level of education between urban and rural areas. For example, all the 120 secondary schools are located in the cities of Southern Sudan. Students from rural areas who want to obtain secondary education have to afford the high costs transportation, which prevents some students from seeking higher education. Besides, students in rural areas are obliged to work and support their families financially, which forces school-age children to leave their schools and help in farming and cattle herding.<sup>1</sup>

Prior to the COVID-19 pandemic, at least 2.8 million school-age children across South Sudan were not receiving education. After the pandemic, learning for children across the country has completely stopped. Many of children were unable to access distance learning options, and girls have been particularly affected. School closures and restrictions have increased girls and women's exposure to gender-based violence, including child marriage, preventing them from getting an opportunity to learn. Even prior the Covid-19, low attendance levels and poor learning outcomes were noted.<sup>2</sup>

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<sup>1</sup> Aida Orgocka, BUILDING PEACE THROUGH EDUCATION IN SOUTH SUDAN, education cannot wait, 2019, <https://bit.ly/3eSOX88>

<sup>2</sup> Education budget brief, unicef, 2020, <https://uni.cf/3h2QZ8t>

### **Third: The Right to Health**

In 2020, curative consultations were provided to 1,791,230 people, including 818,267 children under five. 305,552 of these children were treated for malaria, 172,616 for acute respiratory infections and 164,537 for diarrhea, which clearly indicates the deteriorating health conditions in southern Sudan.<sup>3</sup>

This country has about 1,500 health facilities, and three-quarters of them need minor, major or complete renovation. Many trained and skilled health staff left the country due to the violence and have not yet returned. Until this year, there was no single local doctor in the city of Malakal – the country’s second biggest city before the conflict. Even those health facilities which are open often have no medications. More than 80 percent of healthcare is provided by international organizations, but some have a limited capacity to deliver them on the ground, and this impacts the efficiency of the healthcare on offer.<sup>4</sup>

### **Third: The Right to an Adequate Standard of Living**

In South Sudan, 73% of adults are illiterate, and 84% of them are women. The unemployment rate increases steadily every year, reaching 12.66% in 2020, a 0.60% increase from 2019. The unemployment rate for 2019 was 12.24%, a 0.02% increase from 2018, and for 2018, was 12.23%, a 0.13% decline from 2017. The statistics reveal how employment rate and job opportunities were hugely affected by the Covid-19 pandemic. This alarming phenomenon requires more effort to be taken by the government to face the increasing number of unemployed in the coming years. Therefore, the lack of employment and job opportunities in South Sudan is one of the main causes of poverty.<sup>5</sup>

83% of South Sudan's 11 million people live in rural areas without access to many necessities of life. 80% of the population live under the international poverty line (\$1.90), with a dollar or less a day. Such extreme poverty is partly attributed to their living far from cities, without access to labor resources and jobs. The people of South Sudan are deprived of helping their country and themselves.<sup>6</sup>

Approximately 2 million South Sudanese are refugees in neighboring countries - mainly Uganda, Ethiopia and Sudan - and another 2 million people are internally displaced within South Sudan. This means that a third of the population does not live in their homes. Some find themselves in one of the six sites for civilians’ protection run by UN forces in towns and cities such as Bentiu, Malakal and the capital, Juba.

Despite the 2018 Peace Agreement, many people in the camps do not feel safe enough to return to their homes. In places like Malakal, some people have returned to their homes, but then found it uninhabitable and destroyed. With nowhere else to stay in, they are forced to return to the camps. Basic services in camps can sometimes be limited, with water, sanitation and hygiene services as well as food and shelter supply outstripped by the needs of camp residents.<sup>7</sup>

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<sup>3</sup> Health in South Sudan Briefing note, unicef, 2020, <https://uni.cf/3toLhR1>

<sup>4</sup> There’s a lot to be done to address the uncountable health needs, MEDECINS SANS FRONTIERES, 2020, <https://bit.ly/2PT46Ox>

<sup>5</sup> South Sudan Unemployment Rate 1991-2021, <https://bit.ly/3nXcDfO>

<sup>6</sup> How conflict and economic crises exacerbate poverty in South Sudan, world bank blogs, 2019, <https://bit.ly/33t18U5>

<sup>7</sup> Keeping displaced persons safe from COVID-19 in South Sudan, who, 2020, <https://bit.ly/3nSFBNY>



Regarding food security, in 2020, the severity and scale of acute food insecurity are high across the country, driven by the loss of productive assets linked to conflict, poor macroeconomic conditions, and large-scale crop and livestock losses during the 2019 floods. Also, local currency depreciation and low market supply levels are driving high staple food prices amid seasonal and atypical declines in food and income sources.

Although most COVID-19 restrictions were lifted in May, the overall demand for labor and services remains below normal levels, which has led to a decline in daily income as well as a surge in food prices and thus an increase in the number of food-insecure households.<sup>8</sup>

#### **Fourth: the Right to Social Security**

Although the need for social services has increased substantially, government expenditure on social sectors is minimal. Allocations have been undermined by the failing economy and de-prioritization of spending on social sectors in favor of spending on security.

The South Sudan Development Plan 2013–2017 and the National Development Strategy 2018–2021 identify social protection as a national priority to combat poverty and social exclusion.

The government also committed to allocating 1 per cent of its annual budget to protect the most vulnerable groups, but this percentage is considered small compared to what the citizens of southern Sudan actually need under difficult living conditions.

Although the concept of social protection is enshrined in the Bill of Rights stipulated in the Interim Constitution of the Republic of South Sudan under the title (Protection of the vulnerable, including orphans, the elderly, the disabled, pregnant and lactating women, and access to education and health), and the support for the social protection system for children under the Law (2009); Local Government Act (2009); and the War Disabled, Widows and Orphans Committee Law (2011), in reality, these laws are not explicitly applied under measures that support social protection, and the citizen doesn't feel their tangible results.<sup>9</sup>

#### **Elizka Relief Foundation makes a number of recommendations that promotes economic and social rights:**

1. Elizka recommends the legislative assemblies of South Sudan, which are entrusted with the issuance of clear and specific laws that are commensurate with South Sudan's ratification of the International Covenant on Economic, Social and Cultural Rights for the progressive realization of the Convention.
2. Elizka Foundation recommends the government of South Sudan to increase the national budget allocation to the collapsing education and health sectors.
3. Elizka calls on the African Union to provide more support to the state of South Sudan by supporting its partnership with other African countries, which increases the exploitation of unemployed youth in addition to increasing family income, which mainly contributes to improving living conditions
4. Civil society organizations inside Southern Sudan must cooperate in order to compensate citizens for the loss of some of their economic and social rights, such as organizing health convoys to compensate for the lack of health care, and providing mobile schools for all children deprived from education, while providing volunteer teachers to facilitate the educational process in order to encourage South Sudan to provide its citizens with the minimum obligations.

<sup>8</sup> SOUTH SUDAN Food Security Outlook, relief web, 2020, <https://bit.ly/3tqdx5y>

<sup>9</sup> Mapping and Analysis of Social Protection in South Sudan, South Sudan Ministry of Gender, Child and Social Welfare and the United Nations Children's Fund (UNICEF), 2019, <https://uni.cf/3bejzAe>



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5. Adoption of a joint action plan with international human rights mechanisms to provide technical and advisory support to the State of South Sudan to resolve issues related mainly to economic and social rights such as poverty, unemployment, illiteracy and displacement.