

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

LONGECHUK 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, build 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 Longechuk County. A meeting was held with local leaders, the discussions sort to assess 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 Leaders were also asked to evaluate their culture and recommend aspects of the culture that were outdated and make recommendations of the changes that were required.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 from 60 leaders purposively chosen across different Payams in Longechuk 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 sub 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.

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EXECUTIVE SUMMARY

The county Longechuk has a serious water sanitation and hygiene challenge that has led to the spread of diarrheal diseases. There are not enough sources of clean water, one bore hole serves the entire Payam. Gender Based Violence (GBV) is underrated. Domestic violence is considered a family affair and people don't interfere. Local authorities are helpless, they have no control over husband-and-wife fights. They have no control over early child forced marriages. Sexual Exploitation and Abuse (SEA) is never reported because it brings shame to the victim. Rape is a minor offense with the perpetrators paying only two cows. Local authorities are beneficiaries because they also get a cow to preside over rape cases. Unmarried women are not allowed to own Housing, Land and Property (HLP), it is believed that they will become prostitutes. The community is begging to understand the importance of education, the silent fear is that girls are likely to interact with boys and men on their way to school and in schools. This makes parents withdraw their girls from school just to stay at home.

The local authority admits that some customary laws like barring women from owning land and property, from leadership positions 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. The policy on marriage need 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 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.
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.

1.0 FINDINGS

1.1 General security and safety

Generally, security situation in greater Longechuk was calm. There had been a case of cattle raiding in June, 2020 which was carried out by Ngueny payam youths from Kiechkuon County of greater Nasir. Besides security issues, the community had other challenges that needed immediate attention. Water was however scarce since there was only one borehole in the Payam that served a population of over 25,000 people. This had resulted into frequent conflicts and fighting amongst girls and women while scrambling for the resource. The problem was limited access to safe and clean drinking water. As a result, waterborne diseases such as diarrhoea had been reported. The general access to sanitation was also not good, some families practiced open defecation due to lack of latrines. The community relied mostly on relief food. In July 2019, people had starved due to lack of enough food in all greater Longechuk Payams (Mathiang, Jangok, Warweng, Pamach, Malual, Belwang and Udier). This was due to delays in food distribution by WFP (World Food Program) through World Vision.

1.2 Domestic and Gender Based Violence

There are cases of rape in the community, not all are reported, sometimes families settle it quietly. In August, community reported a case of rape that involved a pregnant woman in her seventh month pregnancy. It took place on 23rd August, 2020 at around 6:30am between Warweng Payam and Mathiang Payam. Cases related to domestic violence had not been reported of late and this is not because they were not happening but because those affected would mostly choose not to say anything about it. This is because culturally, the community considered it private and no one was expected to share in the public domain. About forced Mariages, marital affairs were less an issue of concern to the local authorities and this is because parents had the sole responsibility/role of determining who a child married and/or should be married to. Local authorities were hence not allowed to interfere with such arrangements. This has been culturally practised for a long time. Unwilling children would occasionally seek help from either paternal or maternal uncles. In cases where the uncles failed to intervene against the parents, most of them resorted to committing suicide or just disappear from the community. Not even the local authority had power to influence family decisions on marriage since it was deeply ingrained into the peoples' culture.

1.3 Access to Education

Every child had a right to education unlike in the past days when girls would be denied access to education by parents. Girls stayed at home to take care of the young siblings and also cook for the family. Some parents believed that girls would get pregnant in school because it was only in school where they would frequently interact with boys. Girls were left at home to cook for the siblings. It was also believed that educated girls had no morals and would hence be spoiled by boys and/or become prostitutes. Local authorities had also intervened in situations where children had been denied their right to education by parents through convening community meetings at both Payam and Boma levels to sensitize parents on the importance of education.

1.0 FINDINGS

1.4 Housing Land and Property

The most recent land dispute was in June, 2020. Such land disputes were said to have not been very common since there was still enough land for everyone in community hence, all people had equal rights to ownership of a house, land or property except for the unmarried women. The community believed that unmarried women who owned houses or land were prostitutes and the community would do everything possible to prevent them from land ownership. In case of IDPS, Refugees and Returnees, the local authority and elders supported/organized temporary settlement for them. Those who stayed longer were allocated pieces of land for permanent settlement. People who left their original lands and fled due to conflicts were helped regain back their properties when they returned provided, they knew the locations of their lands and had people to witness for them.

1.5 Sexual Exploitation and Abuse

Leaders said they had not received any cases of sexual exploitation and abuse though they recognized that such cases could be existing but people rarely reported. People would not report because it was shameful. Such cases would be rarely reported in the community because people did not have proper reporting structures and the most vulnerable group of people (widows, children without parents/caregivers, orphans, single parents (mostly women), job seekers and school children) were at risk. Those who held big leadership positions, rich people and businessmen would easily take advantage of vulnerable people.

1.6 Culture

Forced marriages, revenge killings and denying women the rights to hold leadership positions in the community and denying women chance to speak in community meetings were some of the deep cultural practices that leaders said were affecting the community negatively. Some of the cultural practises were gender biased and were not providing and equal rights platform for both women, men, boys and girls. Denying women leadership positions in the community and not allowing unmarried women to own a house or land in the community are some of the examples. According to the leaders, cultural practices such as forced marriage, denying women rights to hold leadership positions in the community and discrimination or denial of property rights for unmarried women were outdated and needed to change. The local authority would play a role in changing this by coming up with local policies or laws against discrimination or rights violations, promote positive cultural practices that would be sensitive to gender equality and women empowerment, raise awareness by sensitizing traditional leaders on human rights promotion and protection and by always ensuring that women are appointed to various leadership positions in the community and have their views heard in key decision making in community affairs.

1.0 FINDINGS

1.7 Leadership and Decision Making

Leaders said there was fair distribution of leadership positions among youth, women and men in various offices and in the community. The proportion representing men was 60%, women 25% and youth (boys and girls) represented 15%. They added by saying that all gender had equal rights to take up leadership positions but only it depended on the capacity and abilities of the individuals.

1.8 Customary Laws and Other Laws

Most cases were presided over by the Local authorities in the community. As a result, they would be guided by a number of laid down customary laws. For example, men found guilty of rape would be arrested and also punished by making them pay 3 cows or pay an equivalent of 8,000 Birr. Two cows given to the parents of the victim and local authority would take one. Men who had committed adultery would be arrested and fined 8 cows i.e 6 cows for the woman's husband and 2 cows for the customary court. Revenge killing criminals would compensate relatives 100 cows. Those who sexually exploited the vulnerable would be arrested and punished and would be asked also to pay a heifer (young mature cow) or pay 4,000 Birr. In case of land disputes, rightful owners would always be given back their pieces of land. Some of these laws were practically outdated and needed to be reconsidered according to the leaders. They believed 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.

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 need 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 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.
- 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 August



Longechuk County
Protection Monitoring Report, Leaders FGD

Date: 27th August, 2020
Payam: Mathiang
State: Upper Nile

Introduction

The focus group discussion with Leaders took place on the 27th of August, 2020 from 11.30am to 12.25pm in Mathiang Payam. The 12 participants that attended were drawn from; Mathiang, Jangok, Belwang, Pamach and Malual Payams. The discussions were conducted by Coalition for Humanity (CH) field staff based in Longechuk County, Upper Nile State.

General safety and security

Generally, security situation in greater Longechuk was calm, and there had been no reported cases of communal violence, cattle raiding and revenge killings. It was only highlighted that in the month of July 2019, people had starved due to lack of enough food in all greater Longechuk Payams (Mathiang, Jangok, Warweng, Pamach, Malual, Belwang and Udier). This was due to delays in food distribution by WFP (World Food Program) through World Vision. The general access to sanitation was also not good and this is because not all families had constructed latrines despite having received support from Relief International's (RI) WASH program that targeted the whole of Longechuk Payams and Bomas.

Domestic violence/ Intimate partner

Cases related to domestic violence had not been reported of late and this is not because they were not happening but because those affected would mostly choose not to say anything about it. This is because culturally, these were issues the community considered private and no one was expected to share in the public domain. In situations where the cases got serious to lead into divorce, customary courts would be engaged to settle. Sometimes the families from both the husband and wives side would resolve or community elders would be engaged to handle. In most cases, the women parents would report these issues or sometimes the women themselves especially where parents supported the husbands. Most conflicts would arise as a result of drunkenness, irresponsibility to provide for the family, infertility from either men or women, failure of women to prepare and serve food for the family in good time or unfaithfulness of either the man or woman. It was also found that children were the most affected when such cases came up. Most children would become unhappy, stressful, traumatized, depressed and sometimes think of abandoning their families instead of being subjected to seeing parents quarrelling or fighting in the house.

Forced marriage

Marital affairs were less an issue of concern to the local authorities and this is because parents had the sole responsibility/role of determining who a child married and/or should be married to. Local authorities were hence not allowed to interfere with such arrangements. This has been culturally practised for a long time. Unwilling children would occasionally seek help from either paternal or maternal uncles. In cases where the uncles failed to intervene against the parents, most of them resorted to committing suicide or just disappear from the community.

Access to education

Every child had a right to education unlike in the past days when girls would be denied access to education by parents. Girls stayed at home to take care of the young siblings and also cook for the family. It was believed that educated girls had no morals and would hence be spoiled by boys and/or become prostitutes. This is not the case currently because many parents had now understood the importance of education. It was reported that local authorities had also intervened in situations where children had been denied their right to education by parents through convening community meetings at both Payam and Boma levels to sensitize parents on the importance of education. They would also occasionally punish parents who failed to allow their children to go to school. Incidences of rape, attack, kidnapping or abduction of children on their way to school had however not been reported in the community.

Housing, land and property

The most recent land dispute was in June, 2020 when 2 men in Boryuwen Boma of Mathiang Payam disagreed over a piece of land and seriously fought. They were separated by the police who arrested them and locked them in prison. The case was however peacefully settled by the local court after a few days. Such land disputes were said to have not been very common since there was still enough land for everyone in community hence, all people had equal rights to ownership of a house, land or property except for the unmarried women. The community believed that unmarried women who owned houses or land were prostitutes and the community would do everything possible to prevent them from land ownership. When IDPs, returnees or refugees came to the community, the local authority or community elders received them. They organized for them where to stay temporarily and community members would be mobilized to support them with food and other non-food items. Based on their duration of stay, community leaders would allocate them pieces of land. Those who had left the community and had lost land and property would be helped to reclaim back their lands or property provided they remembered the locations.

Sexual abuse and Exploitation

Leaders said they had not received any cases of sexual exploitation and abuse though they recognized that such cases could be existing but people rarely reported. They added and said that people would not report because it was shameful. Those who held big leadership positions, rich people and businessmen would easily take advantage of vulnerable people

The leaders said the local authorities were able to punish those who would be found exploiting the vulnerable by either imprisonment or heavily fining them with cows or money.

Culture

Forced marriages, revenge killings and denying women the rights to hold leadership positions in the community were some of the deep cultural practices that leaders said were affecting the community negatively. In fact, some of the cultural practises were gender biased and were not providing an equal rights platform for both women, men, boys and girls e.g. denying women leadership positions in the community and not allowing unmarried women to own a house or land in the community. According to the leaders, cultural practices such as forced marriage, denying women rights to hold leadership positions in the community and discrimination or denial of property rights for unmarried women were outdated and needed to change. The local authority would play a role in changing this by coming up with local policies or laws against discrimination or rights violations, promote positive cultural practices that would be sensitive to gender equality and women empowerment, raise awareness by sensitizing traditional leaders on human rights promotion and protection and by always ensuring that women are appointed to various leadership positions in the community and have their views heard in key decision making in community affairs.

Leadership and decision making

Leaders said there was fair distribution of leadership positions among youth, women and men in various offices and in the community. The proportion representing men was 60%, women 25% and youth (boys and girls) represented 15%. They added by saying that all gender had equal rights to take up leadership positions but only it depended on the capacity and abilities of the individuals. Women had however been given opportunity to participate actively in key decision-making processes that affected the community. They also said they would ensure equal participation of all people including youth and persons living with disabilities by distributing leadership positions equally among these groups and ensuring each group views are heard and incorporated in key community decisions making.

Customary laws/ any other laws

Most cases were presided over by the Local authorities in the community. As a result, they would be guided by a number of laid down customary laws. For example, men found guilty of rape would be arrested and also punished by making them pay 2 cows or pay an equivalent of 8,000 Birr. Men who had committed adultery would be arrested and fined 8 cows i.e. 6 cows for the woman's husband and 2 cows for the customary court. Revenge killing criminals would compensate relatives 100 cows. Those who sexually exploited the vulnerable would be arrested and punished and would be asked also to pay a heifer (young mature cow) or pay 4,000 Birr. In case of land disputes, rightful owners would always be given back their pieces of land. Some customary laws were however conflicting with the modern laws/norms. For example, marriage among the community members has a fixed limit of 15 cows or equivalent of 60,000 Birr despite the status of the person who was marrying. It therefore evidently favoured those who were rich. Parents also claimed the rights to organize marriage for their children without interference from local authority even if the marriage was against their children choice or wish. Some of these laws were practically outdated and needed to be reconsidered according to the leaders. They believed 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

Policies, regulations and guiding principles exist and guide the local authorities and customary courts in settling cases in the community. For example, marital policy says that anyone who wants to marry a girl should pay at least 15 cows or an equivalent in Birr or dollars and if a person killed someone intentionally or unintentionally, he/she will compensate the deceased relatives with 100 cows or equivalent in monetary value. However, some of these policies, regulations and guiding principles need to change e.g. the policy on marriage need 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. This will allow flexibility to someone who cannot afford paying dowries at one time.

They also recommended the following regarding policies and regulations;

- 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.
- Child force 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.
- Gender based violence domestic violence policies- Arrest perpetrators of GBV especially in case of rape or attempted rape. 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.
- 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.
- Access to education policies- Local authority to arrest and punish parents who deny children access to education

Findings from leaders FGD September



Longechuk County
Protection Monitoring Report, Leaders FGD

Date: 10th September, 2020
Payam: Warweng
State: Upper Nile

Introduction

The focus group discussion (FGD) was conducted in Warweng Payam on 10th September, 2020 from 11.20am to 12.25pm. Twelve leaders from Benjiel, Mokley, Wunkiir and Kuryith Bomas attended the meeting. All leaders were members from the host community and discussions were facilitated by Coalition for Humanity Field Staff based in Longchuk County.

General safety and security

The general security situation in Warweng payam was normal and there were no reported cases of communal violence, cattle raiding nor revenge killings from all the four Bomas. The problem was limited access to safe and clean drinking water. All the Bomas i.e. Mokley, Kuryith, Wunkiir, and Benjiel depended on water from two functional boreholes that were drilled by Relief International. The boreholes served a population of over 2,000 people across the payam. Due to limited access, some families had resorted to directly use water from the nearby streams and rain water that would be gathered at some pools during rainy seasons which were not safe for drinking. As a result, waterborne diseases such as diarrhoea had been reported. The general access to sanitation was not good because some families practiced open defecation due to lack of latrines. However, a few families had latrines which had been constructed by Relief International (RI) WASH program.

Domestic violence/ Intimate partner

Cases of domestic violence were said to be a family issue and were mostly handled by relatives of the husband and the wife. Maternal and paternal uncles would also be invited where third party interventions were required. However, cases of divorce were handled in the local courts when reported. Women would mostly report because they were the most affected/mistreated and the violence would come as a result of misunderstanding on small issues at the household level. This however had a lot of impact on the well-being of children.

Children that lived in such families looked stressed up and unhappy and some lived admiring never to live close to their parents.

Forced marriage

Marriage according to the leaders was a family affair. Therefore, they rarely heard about or handled such cases. They said forced marriages could be happening in the community but they were often handled up to the extended family level where maternal or paternal uncles would intervene for the victims. It was made clear that not even the local authorities would interfere with such arrangements because culturally it was a parents' responsibility.

Access to education

Every child had an equal right and opportunity to education unlike before when girls were strictly not allowed to go to school. Parents believed that girls would get pregnant in school because it was only in school where they would frequently interact with boys. Girls were left at home to cook for the siblings.

The local authority can however support children that would have been denied access to education through community dialogues, raising awareness on the importance of education and through putting down policies that would make it compulsory for all children above 5 years to go to school. Cases of children attacks, rape, kidnapping and abduction had not been heard in the community.

Housing, land and property

Leaders presided over cases related to land, housing and property. In 2011, there was an incident of land dispute that involved the residents of Warweng and Belwang Payams after people from Belwang claimed that Panchool Boma (currently known as Mokley) belonged to them. It resulted into a hot dispute that was settled by community elders from both payams who exactly understood the historical background and boundaries of the 2 payams. The right to land ownership was limited to mature and married men only. Unmarried women were not allowed in the community to own land because they were believed to become promiscuous when given the opportunity. In case of IDPS, Refugees and Returnees, the local authority and elders supported/organized temporary settlement for them. Those who stayed longer were allocated pieces of land for permanent settlement. People who left their original lands and fled due to conflicts were helped regain back their properties when they returned provided they knew the locations of their lands and had people to witness for them.

Sexual abuse and Exploitation

Cases of sexual exploitation and abuse had neither been handled nor heard of by the leaders. They however recognized that it could be happening in the community though victims would rarely report due to shame. According to the leaders, perpetrators would be businessmen and other wealthy men. The local authority can help victims by punishing those who would be found guilty through imprisonment or fine them with cows or some huge amount of money.

Sexual abuse and Exploitation

The leaders mentioned deep cultural practices and beliefs that negatively affected the community. They included denying women chance to speak in community meetings by men, forced marriage/parents arranging marriage for their children without seeking their consent, revenge killings, denying unmarried women right to own lands 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 denying women 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. They also suggested frequent awareness raising among the community members on the effects of such traditional practices and believes

Leadership and decision making

Proportionally, leadership committees included 75% men and youths and 25% women and the girls with all gender having equal rights to take up leadership roles based on their capabilities. Women actively participated in all key decision making 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

Customary laws guided local authority in presiding over cases. A man found to have raped a girl was charged 2 cows or would pay 8,000 Birr as fine. An adulterous man would be arrested and fined 8 cows. Blood compensation as a result of revenge killings would cost the perpetrator 100 cows, arrest and punishment. Perpetrators of sexual exploitation would pay a heifer or an equivalent amount of 4000 Birr. In case of land disputes, rightful owners would be given back their land based on evidence and support by true witnesses

Some customary laws were however conflicting with modern law. Marriage would cost the suitor a fixed limit of 15 cows despite the status of the person marrying the lady. Parents traditionally marrying off their children without their consent and denying women the right to leadership positions as well as not allowing unmarried women the right to land or house ownership. These customary laws were outdated according to the leaders hence they recommended on the need to engage the community elders to discuss the impacts of such negative laws and propose possible amendments for the good of the community

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 e.g. 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 and regulations

- 1 Housing, land and property** - There is need to have a local policy in place that would ensure that everyone including unmarried 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 denying 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 October



Longechuk County
Protection Monitoring Report, Leaders FGD

Date: 16th October, 2020

Payam: Jangok

State: Upper Nile

Introduction

The focus group discussion was conducted on 16th October, 2020 in Jangok Payam from 2.00pm to 3.00pm. The meeting was attended by 12 Leaders from 6 Bomas (Kamel, Nyathoan, Taywengthuok, Roam, Lualthiang and Duolthiang). All participants were from the host community and discussions were facilitated by Coalition for Humanity Field Staff based in Longechuk 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. However, there had been a case of cattle raiding in June, 2020 which was carried out by Ngueny payam youths from Kiechkuon County of greater Nasir. The raid was planned and attempted at 5.00am in the morning but fortunately they did not succeed to take away the cattle. It was hinted that Jangok youth were aware of the plan. Starvation had been experienced in the recent past and the leaders gave an example that occurred in late 2014 when people from Guelguk Payam of Longechuk County (located North West of Jangok Payam) got displaced due to war between the government and opposition forces.

The leaders said that they moved to Jangok Payam without anything and community leaders together with the local authority had to come in to mobilize the community members to support through provision of food and other non-food items such as sleeping mats, blankets, cooking pans and mosquito nets until WFP (World Food Program) came in to provide some food assistance. 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. The few families who had latrines had been assisted by RI through their WASH program to construct. Water was however scarce since there was only one borehole in the Payam that served a population of over 25,000 people. This had resulted into frequent conflicts and fighting amongst girls and women while scrambling for the resource. They added that families were not able to withstand the pressure often resorted to direct consumption of stream and river water which was not very safe for drinking.

Domestic violence/ Intimate partner

The leaders categorically informed that they rarely handled cases that related to domestic violence. According to them, those were family issues that were mostly solved privately by family members (the husband & wife families, the extended family and immediate clan elders). Third parties (courts) would be involved only if they would have failed completely to give a solution especially if it has to do with divorce. Women easily reported domestic violence and sometimes their parents and close relatives would do. Such conflicts could be caused by misunderstanding over family matters, drunkenness, adultery (by women), women natural defence against scolding of their impregnated daughters (perhaps by an irresponsible boy) and general irresponsibility by men to support family needs. As a result, children get very affected; they become unhappy and lack self-confidence, some think of leaving their parents homes to find refuge somewhere else and those schooling drop out of school or frequently record poor performance

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, not even the local authority 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 or even commit suicide.

Access to education

All children had a right to education and an equal opportunity to access it. However, they 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 get impregnated by boys while at school. Based on this, girls would be kept home to take care of young siblings and perform other household chores. However, this had since changed after parents got enlightened on the importance of education to all gender. The local authority however had the power to convene meetings, discuss and raise awareness about education and eventually pass policies that would make it compulsory for all children above 5 years of age to go to school.

Cases of child kidnapping and abduction had however not been heard of in Jangok Payam.

Housing, land and property

Land was enough for all the community members including strangers who would choose to stay in Jangok. As such, 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 unmarried women were not allowed to own land in their community due to the perception that such women would become promiscuous

IDPS, returnees or refugees would be accommodated following the approval of the local authority and community elders. Those who stayed longer were allocated some land for permanent settlement. On the other hand, community members who had left the community and lost land and property and had returned were helped to reclaim back their land provided they were aware of their original location of settlement.

Sexual abuse and Exploitation

There were no cases of sexual abuse and exploitation that had been heard of or settled by leaders. They admitted that such cases could be existing in the community but they had not been reported. Such cases would be rarely reported in the community because people did not have proper reporting structures and the most vulnerable group of people (widows, children without parents/caregivers, orphans, single parents (mostly women), job seekers and school children) were at risk. 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 unmarried women the rights to owning land or housing, denied women the right to leadership position in the community, it limited women from public speaking, propagated forced child marriage and instigated the cycle of revenge killings. More so, the cultural practices and beliefs were 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 through adoption of new policies that complied with modern law.

Leadership and decision making

A lot was happening in revolutionizing leadership. Out of 11 Bomas, women occupied seats for 10 Bomas. Therefore, proportionally men occupied 60%, women 25% and youths (boys and girls) occupied 15% of the positions.

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

Perpetrators of GBV issues such as rape are arrested and fined 2 cows or an equivalent amount in Birr. Adultery with peoples' wives would call for a fine of 8 cows. Blood compensation or revenge killing 100 cows, marriage price (where the court was involved) 15 cows or an equivalent amount in Birr and those disputing over land would be given back their lands based on strong evidence through the support of true witnesses. A few laws were however conflicting with modern laws, for example, to marry a girl in the community, one would be required to meet a fixed limit of 15 cow or an equivalent of 60,000 Birr despite the status of suitor. Marriage had been left to the parents to decide who their children would marry despite their lack of consent and unmarried women were denied the right to land and house ownership. These unfair traditional practices and beliefs made it difficult for community leaders and local authority to resolve issues in the community in the right way.

Customary laws such as fixing bride price, parents arranging marriage for their children, denying unmarried women rights to land and housing ownership and denying leadership positions for women just because they were women were outdated and needed to change in order to suit modern laws. To change these laws, the leaders suggested a meeting between the local authority and community elders. In the meeting, the negative impacts of the cultural practices would be discussed and possible amendments proposed.

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 by the police officers on duty. Perpetrators of GBV issues such as rape were arrested and fined 2 cows or an equivalent amount in Birr. Adultery with peoples' wives would call for a fine of 8 cows. Blood compensation or revenge killing 100 cows, marriage price (where the court was involved) 15 cows or an equivalent amount in Birr and those disputing over land would be given back their lands based on the support of true witnesses

Policies, regulation and guiding principles such as fixing bride price, parents arranging marriage for their children, denying unmarried women rights to own land and a house and denying leadership positions for women just because they were women were unfair and would need to change. The following recommendations concerning policies, regulations and guiding principles were made;

- 1 Housing land and property policies- There is need for a local policy that would ensure that everyone has a right to own a house, a land and property including unmarried women.
- 2 Child force marriage policies- There is need for a local policy that will make it unlawful for parents to marry off their children below the age of 18 years and should not be allowed to arrange marriages without their children consents.
- 3 Gender based violence domestic violence policies- Perpetrators of GBV related issues such as rape and attempted rape should be arrested and punished accordingly.
- 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 and code of conduct to be signed by every community member holding any leadership position.
- 5 Access to education policies- Local authority to arrest and punish parents who deny children access to education as well as make it compulsory for children from 5 years old and above to go to school.

Findings from leaders FGD November



Longechuk County
Protection Monitoring Report, Leaders FGD

Date: 27th November, 2020

Payam: Mathiang

State: Upper Nile

Introduction

The leaders' focus group discussion was conducted on 27th November, 2020 in Mathiang Payam from 10.00am to 11.00am. The meeting was attended by 12 Leaders from 11 Bomas of Mathiang (Paytath, Relbek, Payweng, Boryuwen, Matar, New Site, Mathiang, Kuembor, Phalng A, Phalang B, and Palkach). All participants were from the host community and discussions were facilitated by Coalition for Humanity Field Staff based in Longechuk County.

General safety and security

The general security situation within Mathiang was reported as normal, and no cases of communal violence, cattle raiding, and revenge killings had been heard. However, there had been a case of rape that involved a pregnant woman in her seventh month pregnancy. It took place on 23rd August, 2020 at around 6:30am between Warweng Payam and Mathiang Payam. The perpetrator was reported to be a drunk man who was coming from Mathiang Payam going to Warweng. The pregnant woman was returning from collection of fire woods in the nearby forest, and then he asked the woman for sex, but the woman refused, and then he used force to rape her, and after that he ran away. The woman reported the matter to her husband who went to inform the police about it and police were sent to search for him but all in vain but the woman managed to get some medication at RI medical facilities and recovered after the completion of her medication.

Leaders reported that starvation had been experienced in the recent past and the leaders gave an example that occurred in June 2019 when World Vision delayed to distribute food on time in Mathiang. Many families' resorted to other coping strategies such as gathering wild fruits, fishing and collecting firewood for sell in the local market in order to support their families. General sanitation of the area was not good as was stated by the leaders. Many families practised open defecation in the nearby forests due to lack of enough latrines in many housed holds. The few families who had latrines had been assisted by RI through their WASH program to construct latrines in their homes. Water was however scarce since there were only few boreholes in Mathiang Payam that served a population of over 5,000 people. Shortage of water had resulted into frequent conflicts and fighting amongst girls and women while scrambling for the scarce resource. Leaders added that families which were not able to withstand the pressure often resorted to direct consumption of stream and river water which was not very safe for drinking.

Domestic violence/ Intimate partner

The leaders reported that they rarely handled cases that related to domestic violence because according to them, those were family issues that were mostly solved privately by family members (the husband & wife families, the extended family and immediate clan elders). Third parties (courts) would be involved only if they would have failed completely to give a solution especially if it has to do with divorce.

Women easily reported domestic violence and sometimes their parents and close relatives would do. Conflicts in many households used to be caused by misunderstanding over family matters, drunkenness, adultery (by women), women natural defence against scolding of their impregnated daughters (perhaps by an irresponsible boy) and general irresponsibility by men to support family needs. As a result, children get very affected; they become unhappy, very stressful, and lack self-confidence, some think of leaving their parents homes to find refuge somewhere else and those schooling drop out of school or frequently record poor performance when doing exams or weekly tests.

Forced marriage

Marriage affairs were generally considered as family matters, the leaders claimed that they did not handle any cases related to forced marriages. They also put across that nobody, not even the local authority 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 or even commit suicide if they were not monitored very well by close relatives.

Access to education

The leaders reported that all children had a right to education and an equal opportunity to access it. However, they highlighted that this was not the case in the recent past when girls would be denied the right to education due to parents' fear that they would get impregnated by boys while at school. Based on this, girls would be kept home to take care of young siblings and perform other household chores. However, this had since changed after parents got enlightened on the importance of education to all gender. The local authority however had the power to convene meetings, discuss and raise awareness about education and eventually pass policies that would make it compulsory for all children above 5 years of age to go to school. Leaders said cases of child kidnapping and abduction had however not been heard of in Mathiang Payam.

Housing, land and property

Leaders said that Land was enough for all the community members including strangers who would choose to stay in Jangok. As such, 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 unmarried women were not allowed to own land in their community due to the perception that such women would become promiscuous IDPS, returnees or refugees would be accommodated following the approval of the local authority and community elders. Those who stayed longer were allocated some land for permanent settlement. On the other hand, community members who had left the community and lost land and property and had returned were helped to reclaim back their land provided they were aware of their original location of settlement.

Sexual abuse and Exploitation

Leaders reported that there were no cases of sexual abuse and exploitation that had been heard of or settled by them. They admitted that such cases could be existing in the community but they had not been reported. Such cases would be rarely reported in the community because people did not have proper reporting structures and the most vulnerable group of people (widows, children without parents/caregivers, orphans, single parents (mostly women), job seekers and school children) were at risk. 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 and other GBV partners in the Payam in order to ensure that victims of sexual exploitation and abuse received proper assistance and care when they report their cases to the GBV and PSEA focal points.

Culture

It was very clear that deep cultural practices and beliefs; denied unmarried women the rights to owning land or housing, denied women the right to leadership position in the community, it limited women from public speaking, propagated forced child marriage and instigated the cycle of revenge killings. More so, the cultural practices and beliefs were gender biased and never favoured women. Based on this, the leaders recommended for the need to review and amend some of the negative cultural practices through adoption of new policies that complied with modern laws that favors all genders.

Leadership and decision making

Leaders said that Mathiang Payam administrator had made a lot of changes in the Payam leadership structure, for example, out of 11 Bomas in Mathiang, women occupied seats for 10 Bomas and only one Boma was headed by a man. Therefore, proportionally men occupied 25%, women 60% and youths (boys and girls) occupied 15% of the positions.

To the leaders, all gender had equal opportunity to take up leadership roles in the community based on their abilities and no discrimination based on gender. Women were specifically considered during key community decision making processes since they are part of the Payam leadership.

Customary laws/ any other laws

Perpetrators of GBV issues such as rape used to be arrested and fined 3 cows or an equivalent amount in Birr, 2 cows given to the parents of the victim and local authority would take one. Adultery with peoples' wives would call for a fine of 8 cows. Blood compensation or revenge killing 100 cows, marriage price (where the court was involved) 15 cows or an equivalent amount in Birr and those disputing over land would be given back their lands based on strong evidence through the support of true witnesses. A few laws were however conflicting with modern laws, for example, to marry a girl in the community, one would be required to meet a fixed limit of 15 cow or an equivalent of 60,000 Birr despite the status of suitor. Marriage had been left to the parents to decide who their children would marry despite their lack of consent and unmarried women were denied the right to land and house ownership. These unfair traditional practices and beliefs made it difficult for community leaders and local authority to resolve issues in the community in the right way.

Customary laws such as fixing bride price, parents arranging marriage for their children, denying unmarried women rights to land and housing ownership and denying leadership positions for women just because they were women were outdated and needed to change in order to suit modern laws. To change these laws, the leaders suggested a meeting between the local authority and community elders. In the meeting, the negative impacts of the cultural practices would be discussed and possible amendments proposed and effected.

Policy/ legal framework

There are Policies, regulations and guiding principles that 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 by the police officers on duty. Perpetrators of GBV issues such as rape were arrested and fined 3 cows or an equivalent amount in Birr. Adultery with peoples' wives would call for a fine of 8 cows. Blood compensation or revenge killing 100 cows, marriage price (where the court was involved) 15 cows or an equivalent amount in Birr and those disputing over land would be given back their lands based on the support of true witnesses

Policies, regulation and guiding principles such as fixing bride price, parents arranging marriage for their children, denying unmarried women rights to own land and a house and denying leadership positions for women just because they were women were unfair and would need to change.


The following recommendations concerning policies, regulations and guiding principles were made;


- 1 Housing land and property policies- There is need for a local policy that would ensure that everyone has a right to own a house, a land and property including unmarried women.
- 2 Child force marriage policies-There is need for a local policy that will make it unlawful for parents to marry off their children below the age of 18 years and should not be allowed to arrange marriages without their children consents.
- 3 Gender based violence domestic violence policies- Perpetrators of GBV related issues such as rape and attempted rape should be arrested and punished accordingly, others should be given life imprisonment.
- 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 and code of conduct to be signed by every community member holding any leadership position.
- 5 Access to education policies- Local authority to arrest and punish parents who deny children access to education as well as make it compulsory for children from 5 years old and above to go to school.

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

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